



Augustus 2003 – No. 26

INHOUDSOPGAVE

Inleiding	2
CTBT Conference 2003	3
Documenten	3
Nieuwsberichten	8
Begroting 2004 Verenigde Staten	11
Documenten	11
Minikernwapens	31
Documenten	31
Nieuwsberichten	31
Testperiode	46
Nieuwsberichten	46
Pit productie	48
Documenten	48
Nieuwsberichten	49
Commentaar en vragen	54
Kroniek 2003	56
Overzicht facts and reports	57

INLEIDING

Van 3-5 september wordt in Wenen een conferentie gehouden van de ondertekenaars van het teststopverdrag (CTBT), een zogenaamde ‘artikel XIV’ conferentie. De bedoeling is om naar manieren te zoeken om het teststopverdrag alsnog in werking te laten treden, het zogenaamde ‘entry into force’. Zoals bekend is de CTBT nog steeds niet in werking getreden, omdat niet voldaan is aan de minimumvoorwaarden daarvoor. Deze houdt in dat alle 44 staten die mogelijk kernwapens kunnen bouwen, het verdrag moeten ondertekenen en ratificeren. Een drietal landen heeft het verdrag nooit ondertekend: Noord-Korea, India en Pakistan, 168 andere landen wel. Van de 44 landen noodzakelijk voor ratificatie hebben 31 het verdrag geratificeerd. De belangrijkste dwarsliggers zijn de VS en China, waarbij de VS heeft aangegeven niet te zullen ratificeren tijdens het zittingstermijn van de huidige president. de VS zal ook geen vertegenwoordiger sturen naar de conferentie in Wenen.

Tegelijkertijd worden in het Amerikaanse Congres een reeks wetvoorstellen behandeld die de financiering regelen voor de ontwikkeling van twee soorten zogenaamde ‘mini-kernwapens’, plus wetgeving om de periode van voorbereiding van een kernproef in te korten en financiering voor de productie van zogenaamde ‘pits’ dwz de nucleaire kernen van een nieuwe reeks kernwapens.

Deze ontwikkelingen vonden we van voldoende belang om in dit nummer van F&R te behandelen, in de aanloop naar de teststop conferentie. We hebben bijeengebracht informatie over de stand van zaken mbt de Congres wetgeving over mini-kernwapens, de testperiode en de pit productie, evenals de voorbereidingen voor de conferentie in Wenen. In nr.25, gepubliceerd in mei, werd ook al informatie over de mini-kernwapen kwestie bij elkaar gebracht.

Redactie F&R

DOCUMENTEN

United Nations

United Nations Secretary-General issues invitation to 2003 Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty

Vienna, Austria, 04 July 2003

The Secretary-General of the United Nations, Kofi Annan, has issued an invitation to all States to attend the 2003 Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty. The Conference is called for under Article XIV of the Treaty, for the purpose of examining ways and means to accelerate the Treaty's entry into force. It will take place in the Austria Centre at Vienna, Austria, from 3 to 5 September 2003.

The Secretary-General's invitation letter advises that he, as Depositary of the Treaty, has been requested to convene the Treaty by a majority of States which have already deposited their instruments of ratification of the Treaty. The letter also advises that it is the wish of these States that the Conference be attended at a high level. All States, both Signatories and those which have not yet signed, are invited to attend the conference, as are specialized agencies and intergovernmental organizations which have been granted observer status. Non-Governmental Organizations are also invited to attend.

Article XIV of the Treaty states that if the Treaty has not entered into force three years after the date of the anniversary of its opening for signature, a conference may be held upon the request of a majority of ratifying States. Such a conference is held to examine to what extent the requirements for entry into force have been met, and to decide on measures to accelerate the ratification process. Previous Conferences on Facilitating the Entry into Force of the Treaty have been held in Vienna in 1999, and in New York in 2001.

The Comprehensive Nuclear-Test-Ban Treaty bans all nuclear weapon test explosions in any environment. Drafted at the Conference on Disarmament in Geneva, and opened for signature on 24 September 1996, the Treaty must be ratified by 44 named States before it can enter into force. The Treaty has been signed by 167 States and ratified by 102. 31 of the 44 named States have so far ratified the Treaty.

Regularly updated information on the 2003 Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty is available through the web site of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization at www.ctbto.org

CTBTO

CONFERENCE ON FACILITATING THE ENTRY INTO FORCE OF THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY

CTBT – Art.XIV/2003/2 – 9 July 2003

Vienna, 3-5 September 2003

DRAFT PROVISIONAL AGENDA

1. Opening of the Conference by the Secretary-General of the United Nations or his representative
2. Election of the President
3. Adoption of the rules of procedure
4. Adoption of the agenda and other organizational matters
5. Election of officers other than the President
6. Credentials of representatives to the Conference:
 - (a) Appointment of the members of the Credentials Committee
 - (b) Report of the Credentials Committee
7. Confirmation of the Secretary of the Conference
8. Welcoming address on behalf of the host country
9. Address by the Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization

10. Presentation of a progress report on cooperation to facilitate the entry into force of the Treaty
11. General exchange of views by ratifiers and signatories on facilitating the entry into force of the Comprehensive Nuclear-Test-Ban Treaty¹
12. Consideration of specific measures to facilitate the entry into force of the Comprehensive Nuclear-Test-Ban Treaty
13. Statements by non-signatory States¹
14. Statement on behalf of NGOs²
15. Consideration and adoption of a final document
16. Any matters arising from paragraph 3 of Article XIV of the Treaty
17. Adoption of the report of the Conference
18. Closure of the Conference.

ANNEX I

PROPOSED TIMETABLE FOR THE WORK OF THE CONFERENCE

Wednesday, 3 September 2003

10.00 a.m. – 12.30 p.m.

- Item 1 Opening of the Conference by the Secretary-General of the United Nations or his representative
- Item 2 Election of the President
- Item 3 Adoption of the rules of procedure
- Item 4 Adoption of the agenda and other organizational matters
- Item 5 Election of officers other than the President
- Item 6(a) Credentials of representatives to the Conference: Appointment of the members of the Credentials Committee
- Item 7 Confirmation of the Secretary of the Conference
- Item 8 Welcoming address on behalf of the host country
- Item 9 Address by the Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization
- Item 10 Presentation of a progress report on cooperation to facilitate the entry into force of the Treaty
- Item 11 General exchange of views by ratifiers and signatories on facilitating the entry into force of the Comprehensive Nuclear-Test-Ban Treaty
- 12.30 p.m. Opening of the PTS exhibition, "CTBT: A Global Verification Regime"*
- 1.15-2.45 p.m. VERTIC seminar, "Verifying the Nuclear-Test-Ban Treaty: Participation, Progress and Potential"*

3.00-6.00 p.m.

- Item 11 General exchange of views by ratifiers and signatories on facilitating the (continued) entry into force of the Comprehensive Nuclear-Test-Ban Treaty

Thursday, 4 September 2003

9.30 a.m. – 12.00 noon

- Item 11 General exchange of views by ratifiers and signatories on facilitating the (continued) entry into force of the Comprehensive Nuclear-Test-Ban Treaty
- 1.30-3.15 p.m. Seminar on the Benefits of the Comprehensive Nuclear-Test-Ban Treaty*

3.30-6.00 p.m.

- Item 123 Consideration of specific measures to facilitate the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (Committee of the Whole)

Friday, 5 September 2003

10.00 a.m. – 1.00 p.m.

- Item 11 General exchange of views by ratifiers and signatories on facilitating the (continued) entry into force of the Comprehensive Nuclear-Test-Ban Treaty
- Item 13 Statements by non-signatory States
- Item 14 Statement on behalf of NGOs
- Item 6(b) Credentials of representatives to the Conference: Report of the Credentials Committee
- Item 15 Consideration and adoption of a final document
- Item 16 Any matters arising from paragraph 3 of Article XIV of the Treaty
- Item 17 Adoption of the report of the Conference
- Item 18 Closure of the Conference.

Notes

- 1 As general guidance, it is assumed that speakers, at the discretion of the President, will talk for up to five minutes each.
- 2 Time limit of approximately five minutes, at the discretion of the President.
- 3 Time permitting, consideration of item 12 could begin in the morning meeting on 4 September.

Joint Ministerial Statement

JOINT MINISTERIAL STATEMENT ON THE CTBT

September 14, 2002 - New York

1. We, the Foreign Ministers who have issued this statement, join together to reaffirm the vision which was the basis for the conclusion of the Comprehensive Nuclear-Test-Ban Treaty. That vision was for a treaty which would rid the world of nuclear weapons test explosions and would contribute to systematic and progressive reduction of nuclear weapons and the prevention of nuclear proliferation, as a major instrument in the field of nuclear disarmament and non-proliferation.
2. The early entry into force of the CTBT, which would bring about the cessation of all nuclear weapon test explosions and any other nuclear explosions, has been identified by the UN General Assembly as being central to nuclear disarmament and non-proliferation objectives. The last Review Conference of the Nuclear Non-Proliferation Treaty (NPT) also emphasised the importance of the CTBT, listing its entry into force as the first of a series of practical steps needed to achieve NPT nuclear disarmament and non-proliferation objectives.
3. The prevention of the proliferation of materials, technologies and knowledge which can be used for weapons of mass destruction is one of the most important challenges the world is facing today. Additional international tensions have developed since the CTBT was negotiated, which make entry into force of the Treaty, within the broader framework of multilateral arms control and non-proliferation efforts, even more urgent today. We affirm that the CTBT has an essential role to play in strengthening global peace and security. This role should be recognised by all of us.
4. We call upon all States that have not yet signed and ratified the CTBT to sign and ratify the Treaty as soon as possible, in particular those whose ratification is needed for its entry into force. To help bring this about, we will make representations as appropriate, individually or together, including at regional and multilateral meetings, in order to make the Treaty a focus of attention at the highest political levels. The scientific community, non-governmental organisations and other elements of civil society also have a role to play, in raising awareness of and in strengthening support for the Treaty.
5. We call upon all States to continue a moratorium on nuclear weapon test explosions or any other nuclear explosions. Voluntary adherence to such a moratorium is of the highest importance, but cannot serve as a substitute for entry into force of the Treaty. Only the CTBT offers to the global community the prospect of a permanent and legally binding commitment to end nuclear testing.
6. We consider that it is vital to maintain momentum in building the verification machinery, so that it is ready to guarantee compliance with the Treaty. We appeal to all States Signatories to make available the financial resources needed to build and operate the verification system as soon as possible, through full and timely payment of assessed contributions. Completing the verification system foreseen in the Treaty by entry into force will ensure a high level of confidence that States are maintaining their treaty commitments.
7. The verification system will be unprecedented in its global reach. In addition to its primary function, it will bring scientific and civil benefits, particularly to developing countries, through technology transfer and exchange of scientific know-how, as a result of the installation and use of seismic, radionuclide, infrasound and hydroacoustic networks. Moreover, technical cooperation between states can help to enhance the already impressive verification capabilities under the CTBT. We will be seeking ways to ensure that co-operation among States Signatories allows for effective technical assistance, and we call upon other States to join us in this endeavour.
8. We will spare no effort in seeking to realise the vision of a ban on nuclear weapons test explosions which culminated in conclusion of the CTBT in 1996, and invite our fellow Foreign Ministers to join us in this task.

Alexander Downer (Minister for Foreign Affairs of Australia); William Graham (Minister of Foreign Affairs of Canada); Maria Soledad Alvear Valenzuela (Minister for Foreign Affairs of the Republic of Chile); Dominique Galouzeau de Villepin (Minister of Foreign Affairs of the French Republic); Laszlo Kovacs (Minister for Foreign Affairs of the Republic of Hungary); Yoriko Kawaguchi (Minister for Foreign Affairs of Japan); Marwan Al Muasher (Minister for Foreign Affairs of Jordan); Jaap de Hoop Scheffer (Minister for

Foreign Affairs of the Kingdom of the Netherlands); Phil Goff (Minister of Foreign Affairs and Trade of New Zealand); Choi Sung-hong (Minister of Foreign Affairs and Trade of the Republic of Korea); Alhaji Sule Lamido (Minister of Foreign Affairs of the Federal Republic of Nigeria); Allan Wagner Tizon (Minister of Foreign Affairs of the Republic of Peru); Blas F.Ople (Secretary of Foreign Affairs of the Republic of the Philippines); Igor S.Ivanov (Minister of Foreign Affairs of the Russian Federation); Nkosazana Clarice Dlamini-Zuma (Minister of Foreign Affairs of the Republic of South Africa); Anna Lindh (Minister for Foreign Affairs of Sweden); Professor Sukru Sina Gurel (Minister of Foreign Affairs of the Republic of Turkey); Jack Straw (Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom)

European Union

Declaration on behalf of the European Union

By H.E. Ambassador Erling Harild Nielsen (Denmark)

New York – 25 October 2002

I have the honour to speak on behalf of the European Union. The countries of Central and Eastern Europe associated with the European Union – Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia and the associated countries – Cyprus, Malta and Turkey as well as the EFTA countries of the European Economic Area – Iceland and Norway align themselves with this statement.

Speaking on the occasion of the presentation to the Secretary-General of the Joint Ministerial Declaration in support of the CTBT, I would like to reiterate the importance that the EU attaches to the early entry into force of the Treaty. As a sign of the strength of the EU commitment to this goal all EU Member States have associated themselves with the Declaration. The EU wishes to use this opportunity to call once more on all states have not yet done so to sign and ratify the CTBT, without delay and without condition.

Organization of American States

INTER-AMERICAN SUPPORT FOR THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY¹

AG/RES. 1938 (XXXIII-O/03)

(Adopted at the fourth plenary session held on June 10, 2003)

THE GENERAL ASSEMBLY,

HAVING SEEN the Annual Report of the Permanent Council to the General Assembly (AG/doc..../03 add.), in particular the section on matters entrusted the Committee on Hemispheric Security;

RECALLING its resolutions AG/RES. 1747 (XXX-O/00), AG/RES. 1791 (XXXI-O/01), AG/RES. 1876 (XXXII-O/02) “Inter-American Support for the Comprehensive Nuclear-Test-Ban Treaty”;

RECOGNIZING that the establishment of nuclear-weapon-free zones is an effective and concrete mechanism that contributes to the maintenance of international peace and security;

BEARING IN MIND:

That the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) has now entered into full force for all states within the denuclearized zone established by the Treaty;

That, in operative paragraph 4 of resolution AG/RES. ... (XXXII-O/03), “Consolidation of the Regime Established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco),” the General Assembly reaffirms “its commitment to continue striving for a nonproliferation regime that is universal, genuine, and nondiscriminatory in every aspect”; and

The commitment by member states to undertake effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, according to Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT);

RECOGNIZING the value of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) in strengthening the nuclear non-proliferation and disarmament regimes and its contribution to the consolidation and maintenance of international peace and security;

REAFFIRMING the need for universal adoption of the CTBT, negotiated within the United Nations framework;

NOTING that the CTBT has, thus far, been signed by 28 member states of the OAS and ratified by 19 of them; and, in particular, that it has now been ratified by six of the eight states of the region whose ratification is required for the treaty to enter into force;

WELCOMING the upcoming Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, to be held in Vienna, Austria in September 2003, and the fact that all states, whether or not they have deposited their instruments of ratification of the CTBT, have been invited to participate in that Conference; and

EXPRESSING its gratitude to the Preparatory Commission of the CTBT for its participation in the special meeting of the Committee on Hemispheric Security on the comprehensive nuclear test ban, and for the recommendations made by that Committee to the Special Conference on Security,

RESOLVES:

1. To urge all states of the Hemisphere, whether or not they have signed and/or ratified the Comprehensive Nuclear-Test-Ban Treaty (CTBT), to participate, at the highest possible level, in the Conference on Facilitating the Entry into Force of the CTBT, to be held in Vienna, Austria in September 2003.
2. To urge those states of the Hemisphere that have not yet done so, in particular the states listed in Annex 2 to the Comprehensive Nuclear-Test-Ban Treaty (CTBT), as appropriate, to sign and/or ratify the CTBT, so that it may enter into force as soon as possible.
3. To urge the states of the Hemisphere to refrain, until the Treaty comes into force, from contravening the spirit of the obligations set forth therein.
4. To invite all states of the Hemisphere that have International Monitoring System facilities to take the pertinent measures to facilitate the preparatory work for the CTBT's verification regime, which is to be operational when the Treaty enters into force.
5. To entrust the Permanent Council with holding, through its Committee on Hemispheric Security, a special meeting in 2004, on a worldwide comprehensive nuclear test ban, with the participation of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), the United Nations, the Preparatory Commission for the CTBT Organization, and other international institutions with competence in the area.
6. To request the Permanent Council to report to the General Assembly at its thirtyfourth regular session on the implementation of this resolution.
7. To request the Secretary General to transmit this resolution to the United Nations Secretary-General and to the Executive Secretary of the Provisional Technical Secretariat of the Preparatory Commission for the CTBT Organization.

1 The delegation of the United States stated that it could not support this resolution.

Japanese Government

Address by Prime Minister Junichiro Koizumi at the Nagasaki Memorial Service for the Nagasaki Peace Ceremony

9 August 2003

[...] As the only nation in human history to be bombed with atomic weapons, Japan has complied with its peace constitution and firmly maintained the Three Non-Nuclear Principles, with its strong commitment not to repeat the tragedy of Hiroshima and Nagasaki. Japan will continue to pursue this stance, and lead the international community to promote nuclear disarmament and nuclear non-proliferation and devote itself to abolish nuclear weapons through its enhancement of efforts to call on governments for early ratification of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). [...]

Mountbatten Centre for International Studies

Comprehensive Test Ban Treaty — signatures and ratifications

[as of 18 August 2003]

Albania — 27 September 1996, ratified 23 April 2003
† Algeria — 15 October 1996, ratified 11 July 2003
Andorra — 24 September 1996
Angola — 27 September 1996

Antigua and Barbuda — 16 April 1997
† Argentina — 24 September 1996, ratified 4 December 1998
Armenia — 1 October 1996
† Australia — 24 September 1996, ratified 9 July 1998

† Austria — 24 September 1996, ratified 13 March 1998
 Azerbaijan — 28 July 1997, ratified 2 February 1999
 Bahrain — 24 September 1996
 † Bangladesh — 24 October 1996, ratified 8 March 2000
 Belarus — 24 September 1996, ratified 13 September 2000
 † Belgium — 24 September 1996, ratified 29 June 1999
 Belize — 14 November 2001
 Benin — 27 September 1996, ratified 6 March 2001
 Bolivia — 24 September 1996, ratified 4 October 1999
 Bosnia and Herzegovina — 24 September 1996
 Botswana — 16 September 2002, ratified 28 October 2002
 † Brazil — 24 September 1996, ratified 24 July 1998
 Brunei Darussalam — 22 January 1997
 † Bulgaria — 24 September 1996, ratified 29 September 1999
 Burkina Faso — 27 September 1996, ratified 17 April 2002
 Burundi — 24 September 1996
 Cambodia — 26 September 1996, ratified 10 November 2000
 Cameroon — 16 November 2001
 † Canada — 24 September 1996, ratified 18 December 1998
 Cape Verde — 1 October 1996
 Central African Republic — 19 December 2001
 Chad — 8 October 1996
 † Chile — 24 September 1996, ratified 12 July 2000
 † China — 24 September 1996
 † Colombia — 24 September 1996
 Comoros — 12 December 1996
 Congo — 11 February 1997
 Cook Islands — 5 December 1997
 Costa Rica — 24 September 1996, ratified 25 September 2001
 Côte d'Ivoire — 25 September 1996, ratified 11 March 2003
 Croatia — 24 September 1996, ratified 2 March 2001
 Cyprus — 24 September 1996, ratified 18 July 2003
 Czech Republic — 12 November 1996, ratified 11 September 1997
 † Democratic Republic of the Congo — 4 October 1996
 Denmark — 24 September 1996, ratified 21 December 1998
 Djibouti — 21 October 1996
 Dominican Republic — 3 October 1996
 Ecuador — 24 September 1996, ratified 12 November 2001
 † Egypt — 14 October 1996
 El Salvador — 24 September 1996, ratified 11 September 1998
 Equatorial Guinea — 9 October 1996
 Estonia — 20 November 1996, ratified 13 August 1999
 Ethiopia — 25 September 1996
 Fiji — 24 September 1996, ratified 10 October 1996
 † Finland — 24 September 1996, ratified 15 January 1999
 † France — 24 September 1996, ratified 6 April 1998
 Gabon — 7 October 1996, ratified 20 September 2000
 Gambia — 9 April 2003
 Georgia — 24 September 1996, ratified 27 September 2002
 † Germany — 24 September 1996, ratified 20 August 1998
 Ghana — 3 October 1996
 Greece — 24 September 1996, ratified 21 April 1999
 Grenada — 10 October 1996, ratified 19 August 1998
 Guatemala — 20 September 1999
 Guinea — 3 October 1996
 Guinea-Bissau — 11 April 1997
 Guyana — 7 September 2000, ratified 7 March 2001
 Haiti — 24 September 1996
 Holy See — 24 September 1996, ratified 18 July 2001
 Honduras — 25 September 1996
 † Hungary — 25 September 1996, ratified 13 July 1999
 Iceland — 24 September 1996, ratified 26 June 2000
 † Indonesia — 24 September 1996
 † Iran (Islamic Republic of) — 24 September 1996
 Ireland — 24 September 1996, ratified 15 July 1999
 † Israel — 25 September 1996
 † Italy — 24 September 1996, ratified 1 February 1999
 Jamaica — 11 November 1996, ratified 13 November 2001
 † Japan — 24 September 1996, ratified 8 July 1997
 Jordan — 26 September 1996, ratified 25 August 1998
 Kazakhstan — 30 September 1996, ratified 14 May 2002
 Kenya — 14 November 1996, ratified 30 November 2000
 Kiribati — 7 September 2000, ratified 7 September 2000
 Kuwait — 24 September 1996, ratified 6 May 2003
 Kyrgyzstan — 8 October 1996
 Lao People's Democratic Republic — 30 July 1997, ratified 5 October 2000
 Latvia — 24 September 1996, ratified 20 November 2001
 Lesotho — 30 September 1996, ratified 14 September 1999
 Liberia — 1 October 1996
 Libyan Arab Jamahiriya — 13 November 2001
 Liechtenstein — 27 September 1996
 Lithuania — 7 October 1996, ratified 7 February 2000
 Luxembourg — 24 September 1996, ratified 26 May 1999
 Madagascar — 9 October 1996
 Malawi — 9 October 1996
 Malaysia — 23 July 1998
 Maldives — 1 October 1997, ratified 7 September 2000
 Mali — 18 February 1997, ratified 4 August 1999
 Malta — 24 September 1996, ratified 23 July 2001
 Marshall Islands — 24 September 1996
 Mauritania — 24 September 1996, ratified 30 April 2003
 † Mexico — 24 September 1996, ratified 5 October 1999
 Micronesia (Federated States of) — 24 September 1996, ratified 25 July 1997
 Monaco — 1 October 1996, ratified 18 December 1998
 Mongolia — 1 October 1996, ratified 8 August 1997
 Morocco — 24 September 1996, ratified 17 April 2000
 Mozambique — 26 September 1996
 Myanmar — 25 November 1996
 Namibia — 24 September 1996, ratified 29 June 2001
 Nauru — 8 September 2000, ratified 12 November 2001
 Nepal — 8 October 1996
 † Netherlands — 24 September 1996, ratified 23 March 1999
 New Zealand — 27 September 1996, ratified 19 March 1999
 Nicaragua — 24 September 1996, ratified 5 December 2000
 Niger — 3 October 1996, ratified 9 September 2002
 Nigeria — 8 September 2000, ratified 27 September 2001
 † Norway — 24 September 1996, ratified 15 July 1999
 Oman — 23 September 1999, ratified 13 June 2003
 Palau — 12 August 2003
 Panama — 24 September 1996, ratified 23 March 1999
 Papua New Guinea — 25 September 1996
 Paraguay — 25 September 1996, ratified 4 October 2001
 † Peru — 25 September 1996, ratified 12 November 1997
 Philippines — 24 September 1996, ratified 23 February 2001
 † Poland — 24 September 1996, ratified 25 May 1999
 Portugal — 24 September 1996, ratified 26 June 2000
 Qatar — 24 September 1996, ratified 3 March 1997
 † Republic of Korea — 24 September 1996, ratified 24 September 1999
 Republic of Moldova — 24 September 1997
 † Romania — 24 September 1996, ratified 5 October 1999
 † Russian Federation — 24 September 1996, ratified 30 June 2000
 Saint Lucia — 4 October 1996, ratified 5 April 2001
 Samoa — 9 October 1996, ratified 27 September 2002
 San Marino — 7 October 1996, ratified 12 March 2002
 Sao Tome and Principe — 26 September 1996
 Senegal — 26 September 1996, ratified 9 June 1999
 Serbia and Montenegro — 8 June 2001
 Seychelles — 24 September 1996
 Sierra Leone — 8 September 2000, ratified 17 September 2001
 Singapore — 14 January 1999, ratified 10 November 2001
 † Slovakia — 30 September 1996, ratified 3 March 1998
 Slovenia — 24 September 1996, ratified 31 August 1999
 Solomon Islands — 3 October 1996
 † South Africa — 24 September 1996, ratified 30 March 1999
 † Spain — 24 September 1996, ratified 31 July 1998
 Sri Lanka — 24 October 1996
 Suriname — 14 January 1997
 Swaziland — 24 September 1996
 † Sweden — 24 September 1996, ratified 2 December 1998
 † Switzerland — 24 September 1996, ratified 1 October 1999
 Tajikistan — 7 October 1996, ratified 10 June 1998
 Thailand — 12 November 1996

† The former Yugoslav Republic of Macedonia — 29 October 1998, ratified 14 March 2000
Togo — 2 October 1996
Tunisia — 16 October 1996
† Turkey — 24 September 1996, ratified 16 February 2000
Turkmenistan — 24 September 1996, ratified 20 February 1998
Uganda — 7 November 1996, ratified 14 March 2001
† Ukraine — 27 September 1996, ratified 23 February 2001
United Arab Emirates — 25 September 1996, ratified 18 September 2000

† United Kingdom — 24 September 1996, ratified 6 April 1998
† United States of America — 24 September 1996
Uruguay — 24 September 1996, ratified 21 September 2001
Uzbekistan — 3 October 1996, ratified 29 May 1997
Vanuatu — 24 September 1996
Venezuela — 3 October 1996, ratified 13 May 2001
† Viet Nam — 24 September 1996
Yemen — 30 September 1996
Zambia — 3 December 1996
Zimbabwe — 13 October 1999

† indicates those states that are listed in Annex 2 of the CTBT. Three states listed in Annex 2 have not signed the CTBT: Democratic People's Republic of Korea, India and Pakistan.

NIEUWSBERICHTEN

Global Security Newswire

CTBT: U.S. Will Skip Test Ban Treaty Conference in September

By David Ruppe – 9 July 2003

WASHINGTON — Reflecting its unwillingness to permanently renounce nuclear weapons test explosions, the Bush administration has decided not to attend an international conference in September to encourage other countries to adopt the Comprehensive Test Ban Treaty, officials told *Global Security Newswire* this week.

“It didn’t seem appropriate for us, given our refusal to ratify the treaty, to go to this thing as a state party ... [and] since we’re not playing ball, to be telling them to play ball,” said one U.S. official.

The United States is one of 13 holdout countries whose ratification is required before the treaty can take effect.

The 2003 Conference on Facilitating the Entry into Force of the Comprehensive Test Ban Treaty is scheduled to take place in Vienna on Sept. 3-5.

“Given our decision with regard to the treaty it just didn’t make any sense to attend this particular meeting,” the official said.

“That has a logic to it,” said Daniela Rozgonova, public affairs chief for the Comprehensive Test Ban Treaty Organization, which administers the treaty and is organizing the conference.

She said the United States has not yet formally notified the organization of its decision, but that the move was no surprise because the United States boycotted the only previous such conference in 2001.

“They told you more than they told us. We sort of expected that something like that might come, but we were not informed yet,” she said.

The U.S. decision drew criticism from Daryl Kimball, executive director of the Arms Control Association.

“This is an acknowledgement of the limitations of the administration’s ‘Do as I say, not as I do’ nonproliferation strategy and a sad commentary on the administration’s commitment, or lack thereof, to take tangible steps to verifiably limit the nuclear weapons capabilities of other states,” he said.

“Furthermore, it begs the question of why the administration does not consider the CTBT or further limits on nuclear testing to be an essential part of the U.S. and global nonproliferation strategy. Do they tolerate nuclear testing by India, Pakistan, or China or Russia? This approach serves as a wink, wink, nod, nod to those states who choose to resume nuclear testing,” Kimball said.

U.S. Opposes Restrictions

Since the treaty was opened for signature in 1996, 162 states have signed on, and 102 of those have ratified the treaty.

Of the 44 specific countries that must ratify the treaty before it can enter into force, the United States is the only Western state out of 13 holdouts that include Algeria, China, Colombia, the Democratic Republic of Congo, Egypt, Indonesia, Iran, Israel and Vietnam. The holdouts also include India, Pakistan and North Korea which ot signed the treaty.

Former U.S. President Bill Clinton signed the treaty in 1996 but the Senate decisively opposed the treaty in a formal vote in 1999 and President George W. Bush has indicated that he opposes ratification.

The Bush administration this year requested and appears likely to receive congressional authority to shorten the preparation time necessary to resume underground testing from 36 months to 18 months. Officials have said an 11-year U.S. moratorium on testing remains in place but have asserted that future testing might be

needed to deal with unanticipated nuclear weapons stockpile problems or for developing new nuclear weapons.

Critics have charged resuming testing is not necessary to maintain the stockpile and that the administration's unwillingness to ratify the treaty, and its contemplation of developing new low-yield nuclear weapons that might require testing, undermine the treaty's purpose and global enlistment efforts.

Administration Values Treaty Products

Despite opposition to the treaty's ban, the Bush administration apparently continues to value much of the infrastructure created for implementing the treaty. The United States remains the largest dues payer to the treaty organization and is a major contributor to the rapidly growing international system of nuclear test monitoring stations.

"As you know, we do participate in other meetings of the permanent technical secretariat insofar as they relate to the international monitoring system, in which we continue to participate," the administration official said.

Rozgonova said the United States stands to benefit from the monitoring system.

"They are interested because though the United States has a lot of stations itself around the globe, they cannot have as many as we will have in this system that we are building," she said.

The treaty organization has been working toward positioning 321 monitoring stations and 16 radionuclide laboratories in countries around the world to monitor for evidence of nuclear explosions. More than 100 facilities are currently in place and the United States contributes nearly 40 of them.

"We appreciate the fact that the Americans indeed pay their contributions and support the buildup of the monitoring system," Rozgonova said.

However, the Bush administration has withheld dues for funding the organization's on-site inspection capabilities.

DOCUMENTEN

US Government

Key Nuclear Weapons-Related Texts in the House and Senate FY 2004 Defense Authorization and Energy & Water Appropriations Bills

Bron: Alliance for Nuclear Accountability (www.ananuclear.org/FY04full.html)

FY04 House Defense Authorization, *Strategic Force Structure*

The Treaty between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms of July 31, 1991 (the START Treaty) currently limits the United States and Russia to 6000 accountable strategic warheads.

As required by section 1041 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398), the most recent Nuclear Posture Review (NPR) was submitted to Congress on January 8, 2002. The NPR describes a future deployed, strategic stockpile of 1700 to 2200 warheads in fiscal year 2012, with an intermediate objective of 3800 warheads in fiscal year 2007.

The Moscow Treaty on Strategic Offensive Reduction (the Moscow Treaty), signed by President Bush of the United States and President Putin of the Russian Federation on May 24, 2002, reaffirms the provisions of the START Treaty, and on ratification will commit the United States and Russia to a reduction of deployed, strategic stockpiles to 1700 to 2200 warheads by December 31, 2012. The United States Senate approved the Moscow Treaty on March 6, 2003, and its consideration by the Russian Federal Assembly is pending.

Section 1031 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314) required the Secretary of Defense and the Secretary of Energy to jointly prepare a force structure plan for nuclear weapons and delivery systems covering fiscal years 2003 to 2012. The section further required submission of a report on that plan to the congressional defense committees by March 1, 2003. The committee has not received this report, and has recently been informed that it could take through the end of fiscal year 2003 to complete.

The committee finds it disturbing and unacceptable that the Administration intends to commit to dramatic changes to the strategic nuclear deterrent of the United States absent a clear path forward. The committee admonishes the Departments of Defense and Energy to move forward expeditiously in their planning processes.

FY04 House Energy and Water Report, *Strategic Force Structure*

The Committee is still waiting for the Nuclear Weapons Stockpile report required in the Conference Report accompanying the Energy and Water Development Appropriations Act, 2003 (Pub. L. 108-7). This stockpile review is to present a revised nuclear weapons stockpile plan structured to support the President's announcement on November 13, 2001, to draw down our nuclear forces toward the goal of 1,700-2,200 operationally deployed strategic nuclear warheads between now and 2012. As the Committee noted in the FY 2003 House Report 107-681, 'The National Nuclear Security Administration has not been able to reconcile the recently announced dramatic reductions planned for deployed operational nuclear warheads to its strategic weapons modernization plans, some of which will cost billions of dollars each, and which are currently structured to upgrade the maximum number of warheads.' One year later, the situation has not changed. The Department of Defense (DoD) is responsible for establishing the military requirements that are incorporated into the Presidentially approved Nuclear Weapons Stockpile Plan (NWSP). Until a revised NWSP is finalized, the NNSA continues to plan and budget for a weapons program that maintains the nuclear weapons stockpile in accordance with the Strategic Arms Reduction Treaty (START I) active and inactive stockpile quantities. The fiscal year 2004 budget request is the second budget request delivered to the Committee that is loosely justified on the requirements of the Nuclear Posture Review (NPR) policy document but lacking a formal plan that specifies the changes to the stockpile reflecting the President's decision. The Committee was hopeful that the outcome of the Administration's review would provide a definitive inventory objective for each weapons system to allow the NNSA to plan and execute a program to support defense requirements based on what is needed rather than the continuation of a nuclear stockpile and weapons complex built to fight the now defunct Soviet Union. While the conventional forces in the Defense Department go through a 21st-Century transformation to meet the challenges of a new era, the NNSA is forced, through inertia and indecision, to

maintain all contingencies regardless of how unlikely the threat. The Department of Defense needs to determine the composition of the stockpile required to support the President's announced stockpile reductions, and then coordinate with DOE to establish the nuclear weapons complex requirements based on deliberate, timely, well-justified decisions supported by Congress. Because the results of the stockpile review will not be provided to Congress in time to justify the fiscal year 2004 budget request, the Committee has to view the significant budget growth proposed for the current program with skepticism.

FY04 House Energy and Water Report, *Robust Nuclear Earth Penetrator*

The Committee notes that the National Nuclear Security Administration has requested \$21,000,000 in DSW Stockpile R&D to explore advanced weapons concepts, including \$15,000,000 to continue feasibility and cost studies for the Robust Nuclear Earth Penetrator (RNEP) and \$6,000,000 for other advanced concepts definition studies. The Committee provides \$5,000,000 for RNEP and eliminates funding for additional advanced concepts research in favor of higher priority current mission requirements. The Committee is concerned the NNSA is being tasked to start new activities with significant outyear budget impacts before the Administration has articulated the specific requirements to support the President's announced stockpile modifications. Under current plans, the NNSA is attempting to modernize the industrial infrastructure of the weapons complex and restore production plant capability in order to refurbish the entire START I stockpile, reengineer the federal management structure of the complex and downsize the workforce by 20 percent by the end of fiscal year 2004, while struggling to successfully demonstrate its core mission of maintaining the existing stockpile through the Stockpile Stewardship Program. Before any of the existing program goals have been successfully demonstrated, the Administration is now proposing to spend millions on enhanced test readiness while maintaining the moratorium on nuclear testing, aggressively pursue a multi-billion dollar Modern Pit Facility before the first production pit has even been successfully certified for use in the stockpile, develop a robust nuclear earth penetrator weapon and begin additional advanced concepts research on new nuclear weapons. It appears to the Committee the Department is proposing to rebuild, restart, and redo and otherwise exercise every capability that was used over the past forty years of the Cold War and at the same time prepare for a future with an expanded mission for nuclear weapons. Nothing in the past performance of the NNSA convinces this Committee that the successful implementation of Stockpile Stewardship program is a foregone conclusion, which makes the pursuit of a broad range of new initiatives premature. Until the NNSA has demonstrated to the Congress that it can successfully meet its primary mission of maintaining the safety, security, and viability of the existing stockpile by executing the Stockpile Life Extension Program and Science-based Stewardship activities on time and within budget, this Committee will not support redirecting the management resources and attention to a series of new initiatives.

The Committee directs that funding provided for the Robust Nuclear Earth Penetrator (RNEP) be used for research on the problem of deep earth penetration through hard or hardened surfaces, including modeling and simulation of the use of advanced materials, and varied trajectories and speeds. The Committee further directs that the National Nuclear Security Administration (NNSA) coordinate the RNEP research program with ongoing programs at the Department of Defense relating to research on earth penetration to maximize the dual-use applicability for both conventional and nuclear weapons.

The fiscal year 2004 budget request identified specific funding amounts by weapons system in the Selected Acquisition Reports that accompanied the submission of the President's budget request. The Committee is to be notified in advance if the proposed funding levels for any weapons system change from the estimate provided in the Selected Acquisition Reports submitted with the fiscal year budget justification. Congressional approval will be required before any actual RNEP modifications are initiated.

FY04 House Energy and Water Report, *Enhanced Test Readiness*

The Committee recommends \$106,202,000, a reduction of \$24,891,000 from the budget request for Program Readiness. The budget request proposes \$24,891,000 for enhanced test readiness activities. The increase over the base program for Nevada site readiness is proposed to fund the transition from the current 24 to 36 month time-to-test requirement to an 18-month test readiness posture at the Nevada Test Site. The Committee is concerned with the open-ended commitment to increase significantly funding for the purpose of Enhanced Test Readiness without any budget analysis or program plan to evaluate the efficiency or effectiveness of this funding increase. Recent reports done by the DOE Inspector General and two NNSA management studies done at the Committee's request all identified significant problems with the current test readiness program, but the Department's proposal does not address the fundamental difficulties in maintaining test readiness during a testing moratorium.

The September 2002 Office of Inspector General audit (DOE/IG-0566) identified several problem areas impacting the ability to resume testing within the existing 24 to 36 month requirement: decline in the number

of employees with testing experience; the deterioration of necessary systems and equipment; the inability to keep

pace with new technology; and a delay in conducting required safety studies. The Committee notes that the IG identified these problems assuming the current 24 to 36 month test readiness posture rather than the proposed test readiness time frame of 18 months.

As the IG audit noted, if the current testing infrastructure and personnel resources are moribund due to eleven years of inactivity, the Committee fails to see how the NNSA's enhanced test readiness proposal puts in place a program that precludes a similar state of disarray ten years into the future. Neither past performance nor any program or planning documentation provided to the Committee supports the Department's contention that an additional \$100 million over three years and a \$45 million increment every year thereafter is likely to result in a consistent 6 to 12 month improvement in test readiness posture when the current requirement has not been successfully maintained.

The Department's rationale for the change to an 18-month posture was included in the April 2003 Report to Congress on Nuclear Test Readiness, "An 18 month posture is appropriate because this is the minimum time we would expect it would take, once a problem was identified, to assess the problem, develop and implement a solution, and plan and execute a test that would provide the information needed to certify the fix." The NNSA's July 2002 Enhanced Test Readiness Cost Study stated that even during the Cold War era of routine testing, the national labs required 18-24 months to design and field a nuclear test with full diagnostics. The Committee questions a proposal to move to and attempt to indefinitely maintain a test readiness state that is the absolute minimum amount of time necessary to conduct a test designed to produce meaningful diagnostic results. The proposal reflects a disturbing "cost is no object" perspective in the Department's decisionmaking process.

The Committee supports the continued maintenance of the Nevada Test Site as a valuable resource for the NNSA nuclear weapons complex. Indeed, the Committee provides significant resources every year to fund a wide variety of activities at NTS that support the overall Stockpile Stewardship program. However, the Committee will not spend money on a perceived problem when the Department has not provided a rationale or a plan that addresses the underlying problems inherent in maintaining a testing capability during a testing moratorium. The Department's report states, "The NNSA has made a deliberate decision, in consultation with DOD and other agencies with the Administration, to move to an 18-month nuclear test readiness posture by the end of fiscal year 2005." The Committee does not recognize the NNSA declaring a revised test readiness posture as a new requirement nor is it convinced that the decision can be successfully implemented based on the planning information provided to date. The Committee challenges the NNSA to work within the significant funding provided each year for its site readiness activities to demonstrate the ability to meet its current requirements before additional funds are added to meet a more problematic goal.

The Committee provides no funds for Enhanced Test Readiness as proposed by the Department in fiscal year 2004 pending better definition of the national security requirement.

FY04 Senate Defense Authorization, *Modern Pit Facility*

The committee urges that the Department of Energy (DOE) to evaluate options for the acceleration of modern pit facility (MPF) design and construction. Considerations for a modern pit facility should include consolidation of design and environmental review activities, the effect of different MPF designs on construction schedules, and the potential compression of proposed construction schedules. The Department should also evaluate the loss of technical expertise in pit production due to the closure of Rocky Flats, and assess options to ensure that the Nation's experience in this area is not further degraded until the MPF becomes operational. Finally, the Department should indicate how their plan for keeping the production program agile and how their engineering design will create a flexible facility to meet ever changing military requirements in a world fraught with emerging threats.

The committee directs the Secretary to submit a report detailing its findings, and the steps it is taking to accelerate the MPF and protect its institutional knowledge of production processes, to the congressional defense committees together with the fiscal year 2005 budget request. The report should also include a schedule to establish a requirement by pit type by year, and any other requirements. The DOE must have a requirement established to ensure that the MPF is appropriately sized.

The Department's current schedule does not envision operations at the proposed MPF until the year 2020. While the Department expects to conduct limited pit production at the Los Alamos National Laboratory in the interim, the expected production levels at this laboratory will be of limited value in maintaining the Nation's strategic arsenal. As the Department has not had a viable pit production facility since the closure of Rocky Flats in 1989, the committee is concerned with a proposed 2020 operations starting date for the new MPF.

FY04 House Energy and Water Report, *Modern Pit Facility*

The Committee recommendation is \$10,810,000 for the modern pit facility (MPF), a reduction of \$12,000,000 from the request. The Committee supports the budget request in fiscal year 2004 for continued conceptual design work on a Modern Pit Facility, but urges the NNSA to look diligently at ways to more effectively utilize TA-55 at Los Alamos National Laboratory to address Stockpile Stewardship Program pit manufacturing requirements in the near term and take a less aggressive planning approach for a new multi-billion dollar facility. The Committee feels the Department's rush to commit to an MPF design and siting decision is premature without the development of a detailed analysis of outyear pit production capacity requirements tied to the 2012 stockpile.

US Senate

National Defense Authorization Act For Fiscal Year 2004

Senate - May 20, 2003

Page S6662-

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 715

Mrs. FEINSTEIN. Mr. President, I send an amendment to the desk on behalf of Senator *Kennedy* and myself, and we are joined by Senators *Feingold*, *Dayton*, and *Stabenow*.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. *Feinstein*], for herself, Mr. *Kennedy*, Mr. *Feingold*, Mr. *Dayton*, and Ms. *Stabenow*, proposes an amendment numbered 715:

(Purpose: To strike the repeal of the prohibition on research and development of low-yield nuclear weapons)

Strike section 3131.

Mrs. FEINSTEIN. Mr. President, I think the Senator probably knows this would strike the Spratt-Furse language.

Mr. WARNER. Mr. President, we understood a number of Senators were going to introduce it.

Mrs. FEINSTEIN. I was 12 years old when the Enola Gay went out of the Pacific. I remember that big mushroom cloud on the San Francisco Chronicle and then, for months afterward, I remember the pictures that came back from Hiroshima and Nagasaki. It may well be that we are too far removed from that day to really understand the repercussions of what this bill is going to begin to allow to happen in the United States. What is going to be allowed to happen is a reopening of the door to nuclear development which has been closed for decades.

This amendment would strike section 3131, and that is the repeal of the Spratt-Furse language which prohibits the development of so-called low-yield nuclear weapons. This prohibition of nuclear development was adopted in the 1994 Defense authorization bill. It has been the law of the land for the last decade.

The language of Spratt-Furse--I would like to read it--says that with respect to U.S. policy, "it shall be the policy of the United States not to conduct research and development which could lead to the production by the United States of a new low-yield nuclear weapon, including a precision low-yield warhead. The Secretary of Energy may not conduct or provide for the conduct of research and development which could lead to the production by the United States of a low-yield nuclear weapon which, as of the date of the enactment of this act, has not entered production."

And then it has a section on the effect on other research and development, and it says that nothing in this section shall prohibit the Secretary of Energy from conducting or providing for the conduct of research and development necessary to design a testing device that has a yield of less than 5 kilotons; secondly, to modify an existing weapon for the purpose of addressing safety and reliability concerns, or, three, to address proliferation concerns.

President Bush is right when he says the greatest threat facing the United States lies in the global proliferation of weapons of mass destruction and terrorist access to these weapons. But by adopting a new approach to national security in the wake of 9/11 that stresses unilateralism and preemption and increases U.S. reliance on nuclear weapons, I am deeply concerned that this administration may actually be encouraging the very proliferation we seek to prevent

This bill, left intact, clearly opens the door to the development of new nuclear weapons and will, if left as is, begin a new era of nuclear proliferation, as sure as I am standing here.

A couple of weeks ago, former Secretary of State Madeleine Albright talked with the Democratic Senate Caucus and she said something interesting. She said, in all of American history, there never has been a greater change in foreign policy and national security than between this administration and the last one.

Indeed, I deeply believe this bill places America at a crossroad in the conduct of foreign policy, and how we determine nuclear weapons policy will go a long way to determining whether we control nuclear proliferation or expand it. This bill will expand it. Let there be no doubt.

To my mind, even considering the use of these weapons threatens to undermine our efforts to stop proliferation. In fact, it actually encourages other nations to pursue nuclear weapons by emphasizing their importance.

For decades the United States relied on its nuclear arsenal for deterrence only. In the symmetric world of the Cold War, we faced the Soviet Union with nuclear weapons and a conventional military that was stronger than ours. Nuclear weapons were used to deter not only a nuclear attack on our homeland but also a conventional attack against our allies in western Europe and Asia.

Today the Soviet Union is gone, but the world is not a safer place. Rather, we have seen new nuclear states emerge--India, Pakistan, and lately North Korea. As we continue to prosecute the war on terror, it should be a central tenet of U.S. policy to do everything at our disposal to make nuclear weapons less desirable, less available, and less likely to be used.

This bill will do exactly the opposite. Instead of ratcheting back our reliance on nuclear weapons, this administration is looking for new ways to use nuclear weapons and to make them more usable. Does anyone in this Chamber doubt that others will follow? I do not. The administration's Nuclear Posture Review, released in January of 2002, did not focus solely on the role of nuclear weapons for deterrence. It stressed the importance of being prepared to use nuclear weapons in the future. In fact, the review noted that we must now plan to possibly use them against a wider range of countries.

The Nuclear Posture Review said that we need to develop new types of nuclear weapons so we can use them in a wider variety of circumstances and against a wider range of targets such as hard and deeply buried targets or to defeat chemical or biological agents.

And indeed, a few months after issuing the Nuclear Posture Review, President Bush signed National Security Presidential Directive 17, saying the United States might use nuclear weapons to respond to a chemical or biological attack.

In the past, U.S. officials have only hinted at that possibility. But this administration has made it formal policy. In doing so, it has telegraphed the importance of nuclear weapons and the administration's apparent willingness to use them.

In the legislation before us today, there is language requested by the administration asking Congress to repeal the Spratt-Furse provision--a decade old law that bans research on weapons with yields of 5 kilotons. Now, that is a third the size of the bomb used at Hiroshima.

I believe Spratt-Furse is an important prohibition with positive security equities for the United States. Since it has been in effect, no nation has developed lower yield nuclear weapons.

This administration wants to repeal Spratt-Furse for one reason, and one reason only: to build new nuclear weapons, particularly for missions against the hardened bunkers that rogue states may be using to store chemical and biological weapons.

By seeking to build nuclear weapons that produce smaller explosions and develop weapons which dig deeper, the administration is suggesting we can make nuclear weapons less deadly. It is suggesting we can make them more acceptable to use. But there is no such thing as a clean nuclear weapon that minimizes collateral damage.

Consider the following facts: According to a Stanford physicist, Sidney Drell, destroying a target buried 1,000 feet into rock would require a nuclear weapon with the yield of 100 kilotons. That is 10 times the size of the bomb dropped on Hiroshima.

According to Dr. Drell, even the effects of a small bomb would be dramatic. A 1-kiloton nuclear weapon detonated 20 to 50 feet underground would dig a crater the size of Ground Zero in New York and eject 1 million cubic feet of radioactive debris into the air.

According to models done by the Natural Resources Defense Council, detonating a similar weapon on the surface of a city would kill a quarter of a million people and injure hundreds of thousands more.

So there really is no such thing as a "usable nuclear weapon."

Moreover, nuclear weapons cannot be engineered to penetrate deeply enough to prevent fallout. Based on technical analysis at the Nevada Test Site, a weapon with a 10-kiloton yield must be buried deeper than 850 feet to prevent spewing of radioactive debris. Yet a weapon dropped from a plane at 40,000 feet will penetrate less than 100 feet of loose dirt and less than 30 feet of rock.

Ultimately, the depth of penetration is limited by the strength of the missile casing. The deepest our current earth penetrators can burrow is 20 feet of dry earth. Casing made of even the strongest material cannot withstand the physical forces of burrowing through 100 feet of granite, much less 850 feet.

In addition, the United States already has a usable nuclear bunker buster, the B61-11, which has a "dial-a-yield" feature, allowing its yield to range from less than a kiloton to several hundred kilotons. When configured to have a 10-kiloton yield and detonated 4 feet underground, the B61-11 can produce a shock wave sufficient to crush a bunker buried beneath 350 feet of layered rock. We have the weapons to do the job. We don't need another.

But the U.S. military, the strongest and most capable military force the world has ever seen, bar none, has plenty of effective conventional options at hand designed to penetrate deeply into the earth and destroy underground bunkers and storage facilities.

Those conventional bunker busters range in size from 500 to 5,000 pounds, and most are equipped with either a laser or GPS guidance system. A 5,000-pound bunker buster like the Guided Bomb Unit 28/B is capable of penetrating up to 20 feet of reinforced concrete or 100 feet of earth. It was used with much success in Operation Enduring Freedom in Afghanistan.

Other conventional bunker busters were used to take out Saddam Hussein's underground lairs in Operation Iraqi Freedom. In fact, the U.S. military possesses a conventional bunker buster, the GBU-37, which is thought to be capable of taking out a silo-based ICBM. With this conventional arsenal at our disposal, there is little military utility that a low-yield nuclear weapon provides to the U.S. military.

While I agree that nuclear weapons may have some military utility in certain circumstances, the benefit of the development of new mini-nukes appears to me to be far outweighed by the costs. But with the sought-for repeal of Spratt-Furse, the administration seems to be moving toward a military posture in which nuclear weapons are considered just like other weapons--in which their purpose is not simply to serve as a deterrent but as a usable instrument of military power, like a tank, a fighter aircraft, or a cruise missile.

But there are several things wrong with that logic. Nuclear weapons are different.

First, using them--even small ones--would cross a line that has been in place for 60 years. If the Spratt-Furse prohibition is repealed, the development of new nuclear weapons could lead to the resumption of underground nuclear testing in order to test the new weapons. This would overturn the 10-year moratorium on nuclear testing and could lead other nuclear powers, and nuclear aspirants, to resume or start testing, actions that would fundamentally alter future nonproliferation and counterproliferation efforts.

I understand Secretary of State Powell has written a letter supporting this, and I must express my profound disappointment. I must restate something he said last year on "The NewsHour With Jim Lehrer." I quote Secretary Powell:

I mean, the thought of nuclear conflict in 2002, with what that would mean with respect to loss of life, what that would mean to the condemnation--the worldwide condemnation--that would come down on whatever nation chose to take that course of action, would be such that I can see very little military, political, or other kind of justification for the use of nuclear weapons. Nuclear weapons in this day and age may serve some deterrent effect, and so be it; but to think of using them as just another weapon in what might start out as a conventional conflict in this day and age seems to me something that no side should be contemplating.

This was 1 year ago. What has changed, Mr. President? Why would we open the door to nuclear development at the very time we are trying to say to North Korea this is unacceptable, at the very time we are worried as to whether Pakistan can securitize its nuclear weapons, and whether there may be a nuclear holocaust between Pakistan and India?

I have never been more concerned about where this Nation is going than I am today. Let me give another example. China has a no-first-use nuclear policy. Their warheads have been stable at between 18 and 24 ICBMs. Yet we have a policy document, the Nuclear Posture Review, that says we would countenance a first use of nuclear weapons against China if they were to use military action against Taiwan, and we said the same thing about North Korea going into South Korea. This is in writing.

Does no one think anybody reads these things? Does no one believe that we do not set the tenor of the world with respect to weapons? We are the largest weapons seller on Earth, and I do not want to see us develop more nuclear weapons, nor do I believe the American people want to see it either. This bill allows that to happen.

I do not believe this side of the aisle can sit by and let it happen to our children and our grandchildren. Tactical nuclear weapons in the most sophisticated military in the world should play no part.

I cannot think of a single issue that should more define the political agenda today than whether the United States should go back into the nuclear business again, and repeal of Spratt-Furse is the first step in that direction.

In the Energy Committee, I suspected this was coming, and I asked Secretary Abraham: Are there any plans? He said no. Last Wednesday, in Defense Appropriations, I asked Secretary Rumsfeld what is going on. He said: Oh, it is just a study. Just a study, baloney. Does anyone really believe that?

The repeal of Spratt-Furse opens the door for America to begin to develop nuclear weapons again, and I for one do not believe we should sit by and see that happen.

We are telling others not to develop nuclear weapons. We are telling others not to sell fissile materials. We are concerned when North Korea has plutonium and uranium and Iran begins to start up refining uranium. Yet it is all right for us to go out and begin to develop weapons that are one-third the size of the weapon that hit Hiroshima and killed instantly 175,000 people? I do not think so. And I do not believe that is what the American people stand for either.

This is a big vote. This is a vote that opens the door. How we can repeal language that says to all the world the United States is not in the nuclear development business, I do not know, but I find it absolutely chilling and even diabolical, particularly when we preach to other nations.

At a time when we brand as evil certain countries based in part on their pursuit of nuclear arms and weapons of mass destruction, we must be careful how we consider our own options and our own contingencies regarding nuclear weapons. So I urge my colleagues to think very carefully about the implications this defense bill is going to carry throughout the world.

The 10-year old prohibition on study, on testing, and on developing nuclear weapons is going to be thrown out the window, and it is a major signal that the United States is going to get back into the nuclear arms business.

I urge this Senate to join Senator *Kennedy* and I in support of this amendment. I yield time to Senator *Kennedy*, as much time as he requires.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. I thank the Chair.

Mr. President, over the past years, we have had the opportunity to consider the Defense authorization bill, and a number of extremely important weapons systems have been debated on the floor of the Senate. By and large, over that period, we have seen the results in our military.

All of us recognize the extraordinary performance of our military in these past weeks where they performed with, first, extraordinary courage; second, with extraordinary leadership; and third, with the latest and the best of technology. I think all of us want to make sure those are the items which are going to be there for the security of our military. They are going to be the best trained, best led, and best equipped with the latest technology.

We ought to consider the various proposals that are before us and ask what is the military significance of any of the matters we are asked to consider on the Defense authorization bill. It is against the background that the Senator from California has pointed out that we ought to examine what is the possible need for this kind of a weapons system and another opening of the debate on the testing of nuclear weapons.

Make no mistake about it, we may hear that all we are interested in is the design of the nuclear weapon, but we will come back to that because it is the clear intention of the administration to move ahead with not only the design but also the testing of nuclear weaponry.

We have to ask: How does that affect our national security? How does that affect our national defense? First of all, we ought to be asking ourselves, given the fact that our Armed Forces were in battle over the past weeks, resulting in an enormous success: What came out of that conflict that would make us take this step of lifting the ban on any kind of nuclear test? What happened in Iraq? What was the objective? What was the military objective in Iraq that would make us say what we want to do on the Defense authorization bill is move us back from the successful negotiations over the last 50 years of Republican and Democratic Presidents in moving us away from nuclear proliferation and moving us away from the possibility of nuclear confrontation? That is what the record has been over the last 50 years under Republican and Democratic Presidents alike.

The Senator from California has reviewed that. We remember times when we came dangerously close--I certainly do--in the Cuban missile crisis to the real possibilities of nuclear conflict and nuclear exchange which effectively would have annihilated the United States and the Soviet Union as we knew it. It came dangerously close, and since that time Republican and Democrat leaders have said, OK, we do not want to see an escalation of the nuclear arms race. We have seen step after step to contain it. One of the most important ways of containing it is to have a moratorium on testing and also to have a battle against the proliferation of weapons.

What we have with this administration is basically an effort to lift what they call the Spratt amendment, which is a prohibition for research and development into the nuclear weapons. One can call them mini nukes. One can call them small nukes. Basically, I call them low-death weapons because that is what they are. We are

talking about the killing of thousands of individuals with these weapons systems, and the administration is attempting to open this whole process again.

Over the period of the last 5 years we have not had any testing of nuclear weapons by India or by Pakistan, two nuclear powers. We have not seen any testing either by the United States, Russia, or China probably for the last 15 years. Progress was being made. We have seen five countries that have basically gone nonnuclear, basically renounced their nuclear weapons in the world. We have been making real progress.

What do we hear from the other side? We are living in a dangerous world. Well, I hope on the other side they are going to be able to tell us how nuclear weapons are going to solve the problem of dealing with al-Qaida, how nuclear weapons would have solved our problem in dealing with the threats in Morocco this week or Saudi Arabia, for example, the last week.

What do they intend to do with these nuclear weapons? Well, we hear maybe they can be used in our new, dangerous world to deal with the problems of biological and chemical weapons.

Have my colleagues read the reports on what would happen if we have nuclear weapons incinerating large storage spaces of gas or chemical weapons, and if those were to fractionate into the air in terms of critical masses, the amount of devastation and death that would mean to thousands or tens of thousands of troops if they were near or hundreds of thousands of civilians who were near?

What is the singular purpose? What is the military necessity? What do the Joint Chiefs want to do with this weapons system?

We will hear the other side say, let's not get all worked up about this because all we are trying to do is some research on this issue.

Listen to what some of the principal spokespeople for the administration say about that. In February, the Pentagon's Deputy Assistant Secretary for Nuclear Affairs, Fred Celec, was asked: What would happen if a nuclear bomb could be developed that would crash

through rock and concrete and still explode?

He said: It will ultimately get fielded.

And you are talking about all we are trying to do is a little research in this area? Come back to us later on; we will come back and talk to you if we are really going to get into testing of nuclear weapons.

This is what the head of the nuclear affairs weapons system at the Pentagon said: It will ultimately get fielded.

Then we go to Linton Brooks, who is the administration's nuclear weapons chief at the Department of Energy, who said the same thing to the Armed Services Committee in April: I have a bias in favor of the lowest usable yield because I have a bias in favor of something that is the minimum destruction. I have a bias in favor of things that might be usable.

There he is, Linton Brooks, the administration's nuclear weapons chief at the Department of Energy. Come on, now. You are talking about we are just going to do a little research and then we will come back and talk to you? Do you think our friends and adversaries around the world are going to believe that is what is going to happen in the United States? They will read those statements and they will start their programs of testing. That is what we are risking.

For what? We still have not heard from the military as to what it is our conventional bombs cannot do. What is it that our conventional artillery cannot achieve and accomplish? Where were their failings? Where is the potential target out there somewhere in the world? It was never told to us in the Armed Services Committee. It was never revealed to us in the Armed Services Committee.

Nonetheless, we want to find out if we want to go ahead--with all of the potential dangers that we know in terms of the dangers of proliferation of weaponry and the dangers from testing.

We have the administration's own Nuclear Posture Review in January of last year outlining the plans for developing new nuclear weapons, including improved weapons and warheads that reduce collateral damage. Do you know what that means in layman's language, reduced collateral damage? That means these smaller nuclear weapons. That is what it means.

Now, let us look at what these low-death weapons--I call them low-death weapons--could do. We have seen the administration talk about not exploding them even in their testimony before the Armed Services Committee. They refused to rule out the use of any nuclear weapons in the battle with Iraq; although Tony Blair did, our Secretary would not.

Well, now we have the 5-kiloton, earth-penetrating nuclear explosion. This chart depicts the average wind patterns for a winter day in the Middle East. It depicts a hypothetical attack outside of Damascus, Syria, using the nuclear weapon with a yield of 5 kilotons. The threshold of this ban exploded at a depth of 30 feet. This is the level, approximately 50 feet. This is at 30 feet.

This blast would cause 230,000 fatalities and another 280,000 casualties from radiation exposure within 2 years of the blast.

This is a plume pattern developed by the Defense Threat Reduction Agency computer model. We are talking about tens of thousands--hundreds of thousands--of casualties. That is what we are talking about with this weapon system.

What is the challenge? Are we finding that the Russians are building up to develop this kind of capability? No, we have not heard that. Have we heard the Chinese are now trying to build up their capability somehow to be a threat to us? No, we have not heard that. Have we heard the Pakistanis are going to do it? No. The Indians are going to do it? No, we have not heard they are going to do it. They have actually complied with the test ban treaties by not having any explosions, and they have been working with us in terms of the reduction. Certainly the Russians have in terms of reducing the total number of nuclear weapons.

We stood on the floor and passed an agreement with Russia not many weeks ago. So what is out there? What is out there that is going to put us on the track toward the reassumption of nuclear testing? What is the threat to us today?

It seems to me we do live in a dangerous world, with what is called al-Qaida. Everyone in the United States understands it, if they read the newspapers in the last few days and they see what has happened in the Middle East and what has happened in Morocco. We have to ask ourselves: How in the world will this particular weapon system help us deal with that particular threat?

That reason has not been made.

The reason for this weapon system other than, well, let's take a chance, we can move ahead, it will be nice to add this to our stockpile, add one more weapon system, seems to be the argument. We have the possibility of going ahead; why not go ahead and do it.

I don't hear the other questions being raised about the range of activities that are going to take place in countries around the world. Make no mistake, this will release a chain of reactions across this world in nuclear testing. On the one hand, the United States says, look, we are trying to negotiate with the North Koreans in order to reduce the possibilities of nuclear exchange and miscalculation on the Korean peninsula. But do not pay attention to what we do. We are going over here to develop some new nuclear weapons. How does that work? What kind of message does that send in this world today? Who will buy that? Maybe those who support it are going to say how that kind of activity has worked in the recent past, how that kind of threat has resulted in other countries being cowed and intimidated into laying off on that. It will be the contrary.

Now, should these systems ever need to be developed, other colleagues want to speak about what the dangers would be, as to the possibilities of terrorists being able to purloin, steal, a small weapon system and being able to use that more effectively. We all know it is enormously complicated and difficult for them to do it today--not an impossibility--and we are realistic in terms of trying to do more to make sure that is done, but there is a whole range of additional threats by smaller systems that can cause devastation to hundreds of thousands of people.

Finally, we see what this administration will do; they will deploy the dangerous nuclear weapons. They could be developed to penetrate, according to their Deputy Assistant Secretary of Defense for Nuclear Affairs. Linton Brooks: "I have a bias in things that might be usable."

And there is the administration's nuclear policy review that indicates deployed warheads reduce collateral damage. That is what we are talking about. This is a matter of enormous risk.

If this risk were balanced by the danger, sign me up. But that case has not been made. This would be a remarkable step backward from the firewall established going back to GEN Eisenhower, all the way through, a firewall between conventional and nuclear.

This administration, this policy, will break that down. It is wrong. It is not in our national security interests. That ought to be the test. This fails to meet that test.

I hope our amendment is acceptable.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from California.

Mrs. FEINSTEIN. I ask unanimous consent that Senator *Reed* from Rhode Island be added as a cosponsor, Senator *Durbin* of Illinois, I believe Senator *Dayton* already is, and Senator *Bingaman*, as well.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama.

Mr. SESSIONS. Mr. President, this is an issue we have considered in the Armed Services Committee, of which I am a member. I note it passed on a vote of 15 to 10 with bipartisan support.

I hear the opponents to this amendment using words such as "these matters should not even been contemplated." "We should not even think about a new type of nuclear weapon that may be less dangerous, have less collateral damage than the ones we already have. That is not where the United States should be."

I note for my colleagues, the cold war approach to life has changed. We are in a new world environment. We need to be thoughtful about how we go forward. We should not shut off any study, any evaluation, of nuclear

weapons in what we might need in the future, what would be better, what could create peace in a more effective way than the current armament system we have.

They say if we do anything, if we study, if we go out and do any research, if we even think about what other nations might be doing, we can no longer encourage countries not to proliferate their weapons. I don't think so.

What is happening now? They say Pakistan, they talk about India, Korea, Iran, and other countries that are, in fact, working on nuclear weapons. They are doing that now, are they not? Aren't they doing that right now, this very minute? The fact we have not done any research or development or built any weapons in over a decade, I suppose, how has that had any impact on what they decide to do? These countries make decisions on what they think might be in their best interest. We have to work with them and encourage them not to do certain things.

If a lot of countries around this world--a lot of them are our Allies like Japan--if they felt we did not have an adequate military capability or option or weapon system that would allow us to effectively defend their interests, they may decide they have to have nuclear weapons, too. The United States has a peacekeeping role in the world. It is a high calling. It requires us to be very thoughtful. We cannot exercise blind fear about the world we are in and the technology that is out there and what is going to happen.

A lot of people may not know, of all the nuclear powers in the world, this country is the only one incapable at this moment of building a new weapon. We do not have the capability at this point to build new weapons. Despite that, the President has called for a reduction in our nuclear stockpile by one half or more. We are in an unprecedented reduction in the nuclear capability of this country, removing thousands of weapons from our inventories. However, we do not need to stick our head in the sand. We do not need to assume other countries are not out there studying nuclear weapons and will study nuclear weapons whether we study nuclear weapons. That is silly. That has no logical basis.

Think about it. Whether we have a laboratory somewhere that is studying nuclear weapons, this is going to determine whether Kim Jong Il decides to build new weapons? Whether Iran or China decides to build more weapons? No sir, not at all. That makes no sense whatever.

We have had smaller weapons in the past. They have been removed from stockpiles. I don't think that destabilized the world during that period.

They say, well, even though we are reducing our stocks by half, even though we have no weapons program, even though we are not doing nuclear testing, it is our fault. We are somehow destabilizing the world. We are causing Kim Jong Il to create weapons. I don't think it is our fault. I am not part of the "blame America first" crowd. Anyone wants to go to the DMZ up there and look into that depraved country of North Korea, stand in that wonderful, free, progressive country of South Korea, and see what he has done to the people of North Korea and has no moral rejection of him and his would-be empire, his regime, and has no sense of compassion for the people he oppresses, and now we are going to blame ourselves for his misbehavior? And we are sending him food to feed his own people because he cannot raise the food to do so? I don't think so.

I believe this country has a moral responsibility to lead in this world and we will not be an effective leader if we don't maintain leadership in all forms of weaponry--yes, including nuclear weaponry. It is just that simple.

I hope we do not have to develop any new systems, but I don't see anything wrong with doing some research. We might learn what others are doing out there, too, and that might be important to our national defense.

We are the premier nuclear power in the world--premier power in general and the premier nuclear power in the world. If we ever got to the point where we had some smaller weapons, why would that make the world more dangerous than the big ones we have, let me ask you? I think that is not where we need to be heading. We need to be rational about where we are. Nuclear power remains a part of our arsenal. A growing number of nations around the world, as they have been from time to time since nuclear power became available, are studying ways to develop their own nuclear power.

They say we can't use it against al-Qaida. Maybe we can, maybe we can't. Probably we would not use a nuclear weapon against a group like al-Qaida. But who would have thought we would have been at this level of conflict in Afghanistan or Kosovo or Bosnia 15 years ago? Who knows what the future may bring? A great nation, a great Congress, who has a responsibility to protect and defend this Constitution and this Nation, should be thinking ahead to make sure we have the capability, as time goes by, to deal with any threat that faces us. To do otherwise would be irresponsible.

Let's be clear about this. This amendment we passed 15 to 10 in committee does not authorize building small weapons. It does not authorize testing weapons. It talks about study and research. If any step further than that has to be taken, this Congress would explicitly have to approve it. Then we can hear these debates about whether or not we want to go forward, depending on what the state of the world is at that time.

I used to be a Federal prosecutor. As I understand the law, it would be a crime to utilize the language in this bill to build one of these weapons or to test one of these weapons because it would not be authorized in law.

You cannot use money appropriated by Congress for things not authorized. This language does not authorize testing. It does not authorize building of a nuclear weapon.

We have also to be concerned in this age of increasing knowledge about nuclear power, with the increasing ability through technology and other capabilities to transmit that knowledge around the world. We ought to be aware that others could step forward and make breakthroughs in nuclear power that could in many ways undermine the leadership we have in the world today. We do not need to have other nations studying nuclear power, nuclear weaponry, and us not.

Think about this. We have cut our power down substantially. We are cutting down the number of our weapons very substantially--half or more than half. We absolutely cannot make a commitment that we will never do anything else in the future. That would simply set out a marker that would be the goal any nation could seek to attain and then they would be on equal power with the United States of America militarily, in terms of nuclear weapons. We should not do that.

We need to make it clear to the entire world we care about peace, we care about world harmony, but we will not allow our Nation to be vulnerable to attack because our Nation--I can say it with confidence--our Nation stands for peace, prosperity, trade, and freedom in this world. That is what we stand for. A lot of nations don't. If somebody in this body is not capable of making that value judgment, then I think they need to go back and study their history a little bit. So we can stand for right in this dangerous world; we simply have to be militarily strong.

Americans expect us to be thinking about it and going forward. President Bush supports this amendment that passed with bipartisan support in the committee. Secretary of State Powell supports this amendment, as do Admiral Ellis and General Jumper, two of our key military people who deal with these issues.

I simply think it would be irrational to prohibit research that could inform future decisions as to whether such weapons would enhance the national security of our country. It would not prejudice our Congress to decide these questions in the future. Let us not fear greater knowledge that would inform our future decisions. Let's make sure this Nation does not have its head in the sand. Let's make sure our Nation is alert to what our capabilities are, what our enemies' capabilities are, and to the need for change if that need arises. I think that is the right approach. I think that is why the Armed Services Committee sent this amendment to the floor as part of this bill.

I thank Senator *Warner* for his leadership. He has led us in this way, in a careful way. There is nothing extreme about this amendment. It is the right step at this time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, the Senate considers a myriad of topics. Every week those who follow our debates will hear us discuss far-reaching topics from the farm bill to a transportation bill to a tax bill, how to move the economy, how to deal with health care and education. All of those are critically important issues. But I cannot believe I have witnessed in my time on Capitol Hill a more historic debate than what we are undertaking at this moment.

We are literally talking about whether the United States will initiate a nuclear arms race again. Nothing I can think of meets this, in terms of gravity and its impact on the future of the world.

If I might, I would like to ask the ranking member of the Armed Services Committee, my colleague from the State of Michigan, if he would be kind enough, before I say a few words here, since he was in on the committee debate on this bill and understands what is included in it, if he would answer a couple of questions relative to this issue of nuclear weapons so we can put this debate in context.

Is it a fact, I ask the Senator from Michigan, without yielding the floor--is it a fact we are embarking on at least two dramatic changes in the policy of the United States of America toward research and building of nuclear weapons in this legislation?

Mr. LEVIN. The Senator is correct. There are at least two provisions here.

Mr. DURBIN. Would the Senator be kind enough to tell me, when we use the term low-yield nuclear weapons, is it not true these are weapons which have about one-third of the killing power of the nuclear weapon used, the atomic bomb used in Hiroshima which killed, in a matter of seconds, 140,000 people? Is that true?

Mr. LEVIN. The Senator is correct. The so-called low-yield weapons indeed are about one-third the power of the weapon that was used at Hiroshima.

Mr. DURBIN. Could the Senator from Michigan tell us how we are changing our policy in relation to the building or research on these types of low-yield nuclear weapons?

Mr. LEVIN. Under the law that exists today, the so-called Spratt-Furse language which exists in law today, there is a prohibition on research and development which could lead to the production of a so-called low-yield weapon. Under the bill, that language would be stricken from the law and there would be no such prohibition.

Mr. DURBIN. Could the Senator also tell me in relation to even more powerful nuclear weapons, the so-called bunker busters--which name, I think, does not do justice to the gravity of the weapon, the severity of the weapon we are considering--I am told by some these weapons have detonation power up to 70 times the power of the bomb we dropped on Hiroshima. Could the Senator from Michigan tell me, in terms of developing and building these new doomsday weapons, 70 times more powerful than the bomb dropped on Hiroshima, what does this bill do?

Mr. LEVIN. The so-called bunker busters, which is a total misnomer in my book because these are city busters--they may indeed be nation busters or world busters, but nevertheless the so-called bunker busters are two weapons. There is a so-called B-61 weapon, which is about the power of 28 Hiroshimas, and the other one is the B-83, which is up to 71 Hiroshima weapons, in terms of power.

Mr. DURBIN. If I could put that in context, if the bomb in Hiroshima killed 140,000 people instantly, can the Senator even calculate how many people may be casualties from the largest nuclear weapon which is envisioned by this new piece of legislation?

My calculations are that up to 9 or 10 million people could be killed with that type bomb.

Mr. LEVIN. I don't have a calculator. Whatever 140 times 70 would amount to would be that number, assuming the same approximate density in Hiroshima.

Mr. DURBIN. I thank the Senator from Michigan for his diligent work on this committee.

Consider the gravity of this debate. Consider for a moment what we are embarking on if we accept President Bush's vision and the administration's vision of the future of America and the world. We have just come off a war in Iraq--a war which once again proved decisively the strength of the American military. We have a military operation without peer in the world, the very best in skill when it comes to men and women in uniform, and the best technology on Earth. We spend upwards of \$400 billion a year and more to develop this weaponry and this national defense. When called upon as in Iraq, as in the Persian Gulf, and so many other times, they have shown they are decisive in their goals. Frankly, there is nothing on Earth to match it. I don't think there was a moment in the invasion of Iraq when people said, If we just had another weapon, perhaps this would go more smoothly. Within 3 weeks, we conquered that nation. We brought to bear a dictator and his army. No one ever questioned that we have the most powerful military in the world prepared to do that.

What the Bush administration tells us is it is not enough. Whatever conventional weaponry we own, it is not enough when we consider the future of the world; and we, as the United States, need to move forward, as the Senator from Michigan has told us, to develop so-called "low-yield nuclear weapons"--these compact nuclear weapons and these bunker buster nuclear weapons some 70 times the power of what was detonated in Hiroshima. I think this is a dramatic departure in American foreign policy.

I agree with the Senator from California and thank her for her leadership in offering this amendment, which I cosponsored with the Senator from Massachusetts.

I hope my colleagues, despite their warm and strong feelings for the President and his administration, will pause for a moment and think about what we are doing today and the road and the course we are about to follow.

This bill is a declaration that the United States is prepared to launch a nuclear arms race in the world again--a nuclear arms race which is no longer the province of a handful of nations.

There was a time when ownership of a nuclear weapon reflected a prosperous country with great military capability. Look at North Korea today, as poor as they come, suffering from famine. This country is in the process of developing a new nuclear weapon every single month. To think that the United States could initiate a new nuclear arms race with our research and development and not see this replicated around the world in other countries is naive and wrong and dangerous. That is what is wrong with this proposal of the Bush administration.

I also ask my colleagues to put in context the Bush administration's overall view of foreign policy, which is a departure from 200 years of thinking in America. President Bush came to this office and said we will no longer wait for nations that are an imminent threat to the United States. Since 9/11, we need to change the strategy, and change the rules. We will now be engaged in preemption. That is, we will attack those countries which we think could be a threat to the United States. That is dramatic change. With that dramatic change, coupled with this change in policy, think about what we are saying to the rest of the world. Whether you are a threat to the United States, if we perceive you to be a threat to the United States, we can attack you. Whether you are a threat to the United States, if we perceive you to be a threat, we can use nuclear weapons in attacking you. And we are about to develop several new generations of nuclear weapons to do it.

Step back for a second, as any rational person would do, and ask, What does some other country in the world do in response to that? I know I am about to be attacked. Whether I threaten the United States, I have to be on guard. If I know they will use nuclear weapons, even if I don't, then what are you going to do? You are going to arm yourself to the teeth, as the North Koreans have done. Develop as many weapons as quickly as you can

to let the United States know that if they use preemptive foreign policy and nuclear weapons in that preemption, there will be an answer coming back from that country. That is a recipe for a global arms race. There is no end in sight, if we allow that to occur. It is exactly what is being suggested by this policy.

The Senator from Alabama came to the floor and said we should be thinking ahead. That is why he supports this. I would say to the Senator I agree with him completely. We should be thinking ahead, and that is why we should oppose this. The United States ought to make it clear we are not going to initiate any nuclear testing to develop new weapons, that we are not looking for a new generation of nuclear weapons, and that we, frankly, don't believe it makes for a stable and a peaceful world for other countries to develop these nuclear weapons either.

If we set an example with this new generation of nuclear weapons called for by this bill, how do we then turn to the rest of the world, and say, Stand in place, don't change, let the United States develop new nuclear, but you don't do the same? That isn't going to work. It is not rational. It doesn't show the kind of direct thinking I think we should ask from this administration and every other administration.

I support the amendment offered by my colleagues to strike the section of the bill that repeals the prohibition on R&D of low-yield nuclear weapons. This is calling for a study for the development of nuclear weapons.

Sadly, we know the spokesmen for the administration have made it clear that after one study they will be developed, in no uncertain terms. That, of course, is an invitation for a global arms race.

I ask unanimous consent to have printed in the RECORD a letter of May 19 of this year from several prominent scientists across the United States in support of this amendment.

There being no objection, the material was ordered to be printed in the *Record*, as follows:

“May 19, 2003.

Dear Senator, As scientists and engineers with long experience on nuclear weapons and defense issues, we are writing to urge you to retain the Spratt-Furse law banning development leading to the production of nuclear weapons with yields of less than five kilotons.

There is no need for the United States to develop new low-yield nuclear weapons beyond those it has already developed and tested. Opponents of the law argue that the ban impedes exploration of nuclear weapons concepts for attacking deep underground targets and destroying chemical and biological agents. However, technical analysis shows that low-yield weapons would not be effective for these tasks. Low-yield earth penetrating weapons cannot burrow deep enough and do not have a large enough yield to destroy deep underground targets; moreover, the explosion would not be contained for even low-yield earth-penetrating weapons, and would necessarily result in large amounts of radioactive fallout. If a nuclear weapon was used to attack chemical or biological agents, it is far more likely that this would result in the dissemination of these agents rather than their destruction.

Moreover, the law does not restrict research and early development of low-yield weapons, and places no restriction at all on work on higher yield weapons. The law only prohibits later stages of development and engineering that are geared toward production of a low-yield weapon.

Some opponents of the law argue that maintaining expertise at the U.S. weapons labs requires weapons scientists to explore and develop new weapons concepts, and that ambiguities in Spratt-Furse law have had a “chilling effect” on such efforts. However, last week the House Armed Services Committee adopted an amendment that clarifies the wording of the law. We urge you and your colleagues to support such a clarification in the Senate to make clear that the ban permits research and early stages of development, while prohibiting the engineering and development of new low-yield nuclear weapons for deployment.

Arguments that low-yield weapons serve U.S. interests because they produce less collateral damage and are therefore more usable than high-yield weapons are shortsighted. Any use of nuclear weapons would demolish a firebrake that has held for nearly 60 years and would be a disaster for the world. The United States should be seeking to increase the barriers to using nuclear weapons, not decreasing them.

Moreover, it is counter to U.S. interests for the United States to pursue new nuclear weapons at a time when the highest U.S. priority is preventing other countries or groups from obtaining them. The perception that the United States is pursuing these weapons and considering their use would give legitimacy to the development of similar weapons by other countries, and would be an incentive to countries that are concerned they may be a target of such weapons to develop their own nuclear weapons as a deterrent.

The act of repealing this 10-year-old law would send a strong, negative message to the rest of the world about U.S. intentions with respect to maintaining the existing international moratorium on nuclear testing. If the pursuit of new low-yield weapons leads to the resumption of U.S. nuclear testing, this would inevitably lead to testing by other countries--thereby reducing U.S. security and undermining U.S. efforts to stop the spread of nuclear weapons.

Given the technical realities and limitations of low-yield nuclear weapons, as well as the likely security costs of developing new low-yield nuclear weapons, we urge you to retain the Spratt-Furse law.

Sincerely,

Hans Bethe,
Professor Emeritus, Cornell University.
Sidney D. Drell,
Professor Emeritus, Stanford Linear Accelerator Center, Stanford University.

Richard L. Garwin,
Philip D. Reed Senior Fellow and Director, Science and Technology Studies Program, Council on Foreign Relations.

Marvin Goldberger,
President Emeritus, California Institute of Technology.

John P. Holdren,
Professor and Director, Program on Science, Technology, and Public Policy, Kennedy School of Government, Harvard University.

Albert Narath,
Former Laboratory Director, Sandia National Laboratories.

Wolfgang K.H. Panofsky,
Professor Emeritus and Director Emeritus, Stanford Linear Accelerator Center, Stanford University.

Bob Peurifoy,
Former Vice-President, Sandia National Laboratories.

Mr. DURBIN. Mr. President, let me also say the policy implications of crossing the line toward the use of nuclear weapons and actually making them useful weapons argues most forcefully against developing such weapons.

I am particularly concerned that this administration's policy of preemption, combined with the policy of first use of nuclear weapons, is an incentive to proliferation of weapons of mass destruction, especially nuclear weapons.

Let me go back to the point made by the Senator from Massachusetts. The threat we face today is not a threat of nuclear power against the United States. It is a threat of terrorism. No one has rationally suggested that the development of these nuclear weapons can be used as a deterrent against al-Qaida and terrorism. How could our possession of even a low-yield nuclear weapon have stopped September 11? It could not have. We are dealing with asymmetrical power, to use a cliché which you find on Capitol Hill in most committee hearings involving the military. It just says you don't have to match the United States strength. You can find a vulnerability where you have the strength to inflict casualties and damage. That is what happened on September 11.

Otto Bismarck once said, "Preventive war is like committing suicide out of fear of death." I believe we should remember those words of wisdom.

Let me elaborate on a few points.

The September 17, 2002 National Security Strategy of the United States stated as a matter of self-defense that America will act against such emerging threats before they are fully formed to forestall or prevent such hostile acts by our adversaries. The United States will, if necessary, act preemptively.

When you put together a policy of preemption, a policy of first use of nuclear weapons, and a new generation of nuclear weapons, which this bill calls for, it does not make for a safer world. It is an invitation for a world of uncertainty and a world of danger we will be leaving our children.

I have watched this administration come forward with many proposals I disagree with. I cannot think of any proposal they have suggested which is more dangerous than what we are considering today.

For those who are following this debate, this is not another routine bill. This bill is about to discard 50 years of American foreign policy and 50 years of American nuclear policy. It is going into uncharted territory with a new approach which invites danger, retaliation, and proliferation. It will, in my mind, increase the likelihood of nuclear confrontation in the future.

I hope on a bipartisan basis the Senate will adopt the amendment offered by the Senators from California and Massachusetts.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. Mr. President, I wanted to say to the distinguished chairman of the Armed Services Committee, who suggested earlier that we alternate back and forth, even though there is no agreement, I would be more than happy to defer to someone on his side.

Mr. WARNER. Mr. President, I thank our colleague. I am perfectly contented and listening carefully to the debate. At the appropriate time I will make my remarks and then move to table. I want to in no way inhibit the debate on this important subject. I feel very strongly a contrary form of view, as do a majority of the colleagues I know. We certainly witnessed in the Armed Services Committee a strong vote in favor of going ahead with this provision in our bill. I am respectful of the views of others, but I am mindful of what we did on the Committee on Armed Services in our vote on this issue.

Mr. DAYTON. Mr. President, if the chairman wants to wait, I will look forward to hearing his remarks. I have the greatest respect for him, and also many of my colleagues from the other side of the aisle who will offer their comments at a later time.

At the request of Senator *Feinstein*, I ask unanimous consent that Senator *Jeffords* be added as an original cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DAYTON. I am proud to rise with my very distinguished colleagues who have introduced this measure, Senator *Feinstein* and Senator *Kennedy*; they who have eloquently stated, along with the Senator from Illinois, the reasons why this drastic change in American policy is so ill-advised--to resume the testing, development, and deployment of nuclear bombs. That would put the United States back into the front of the world pack of nations now proceeding with nuclear weapons development. We should be leading the world in the opposite direction, to stop the future proliferation of nuclear bombs. We can't do both.

We can't tell other nations around the world not to build even a single nuclear weapon and then do it ourselves. We already have thousands of nuclear bombs. Yet we are going to tell other governments: You can't have even one.

We should be negotiating those agreements. We should prevent other nations that do not presently have nuclear weapons from developing them. We should negotiate agreements with North Korea, Iran, whereby they would stop and dismantle their nuclear weapons production in return for economic assistance, food, technological development, whatever it is we can do to improve their peaceful standard of living and help bring them back into the civilized world.

We should proceed to carry out the agreement which President Bush and President Putin reached over a year ago to consolidate and reduce the nuclear weapons which our two countries have. We should discuss with the new Chinese leadership their doing the same. We should redouble our efforts to track down and purchase and to lock up the nuclear weapons and materials that are loose from the old Soviet Union or from any other source, before they fall into the very dangerous hands of terrorist organizations which, if they get nuclear weapons, will use them against us. How can we do all that if we ourselves are developing our own next generation of nuclear bombs? It is crazy. It is crazy to do it. And it is crazy to think that the rest of the world would stand idly by while we proceed to do so.

Why do we need to do this? We have the most overwhelming military force in the world, as we just demonstrated in Iraq. We have the greatest, most overwhelming military dominance of any nation in the history of the world over every other nation. We must maintain that overwhelming military superiority, and we will. President Bush has proposed increasing our military spending every year that he has been in office, and this Congress has provided him with every dollar he requested. I voted for every one of them myself.

We are now spending this year more money on our military strength than the next nine nations of the world combined. I agree with my colleague from Alabama who is properly vigilant about what other nations are doing. We do need to look ahead and make sure that we maintain the kind of superiority and dominance which we can then use to prevent nuclear wars or any kind of wars around the world. But we don't need those devices today, and we don't see anybody else in the world developing them. So we should be trying to stop it, not move it forward.

We don't need the so-called low-yield nuclear devices to win a war, not any war anywhere in the world and not for any time in the foreseeable future. Parenthetically, there is no such thing as a low-yield nuclear device. It is an oxymoron, low-yield nuclear device. There is only one description of these devices: They are nuclear bombs. They are nuclear bombs more powerful than the ones used in Hiroshima and Nagasaki 58 years ago. My understanding is that in terms of yield, in terms of radioactive fallout they may be more constrained, but in terms of the explosive power of these advanced weapons, they go beyond anything that was used in World War II, which is, as we recall, the only time in the history of the planet that nuclear bombs have ever been unleashed by one nation against another.

It is our responsibility as the leader of the world to assure that they are never used again. Nothing is more dangerous to our national security than the continued development and production and ultimately proliferation of more nuclear weapons anywhere in the world. The reality is we can't prevent their use once they are produced. We can try, and we have. And we will continue to do so. With treaties, through negotiation, we can build a national missile defense system as the President has proposed, as Congress has appropriated initial

funding. But even if it could be made to work perfectly, a terrorist group could put a nuclear weapon in a briefcase or in a car's glove compartment and annihilate New York City or San Francisco or Mobile, AL, or Minneapolis, MN.

We can't prevent the use of one of these nuclear weapons once it has been produced, which is why we can and must stop their production before. We still have a chance to do that. We still have that opportunity, and that is what this administration's priority should be, to put an end to the nuclear arms race and those who want to enter it and to negotiate these agreements. But to do that, we have to set the example. We have to lead the world in the direction we want it to go.

We can't say, we are the exception; everybody else follow this set of rules, but we are different. We know that our intentions are honorable. We know that we would not use them inappropriately. But we are not viewed that way by anyone else, as we would not view anyone else that way. We have to lead by our actions as well as by our words.

As others have pointed out, if we were to do this now as we try to put the lid on other nations' development of their nuclear industry weapons industry, it would be catastrophic. In the eyes of the world we would look as though we don't really understand how we are viewed by them.

This is an historic opportunity. It is so critical that this administration, which has proven that it knows how to win wars with military might--that we have established--which they inherited from President Clinton's administration, shows that we know how to win the peace.

We know how to win the peace in Afghanistan, where our efforts to rebuild the country have been minimal, tragically, in the last year and a half compared to the scope of the need and the opportunity to showcase the American economic social system, our way of life, so that the people of that country can benefit, and people especially in the Arab nations can see the benefits and advantages of our system. We need to do the same in Iraq--seize control and security there and bring in the U.N. and other nations in efforts to bring that country over to a democracy and a stable government, encourage and assist their economic recovery, and negotiate with others.

That is the direction in which we need to go, but it is not the direction this administration is going, or cares to go, or knows how to go. It is the wrong signal to send to the rest of the world that we intend to proceed further down the path of our domination militarily and our use of weapons of any level of destruction in order to achieve future goals; and if we proceed in that direction, we must expect that the rest of the world will follow. That would be more dangerously destabilizing to this Nation and to the planet than anything I can imagine.

I yield the floor.

The PRESIDING OFFICER (Mr. *Chafee*). The Senator from South Carolina is recognized.

[...]

The Senator from South Carolina is recognized.

Mr. GRAHAM of South Carolina. Mr. President, I rise in opposition to the amendment. As quickly as I can--a lot of people want to speak--I will frame the debate for those who are listening.

The Armed Services Committee was asked by the Pentagon to give some relief on a 10-year prohibition on research and development of low-yield nuclear weapons for a specific military purpose. The Pentagon and others tell us that the warfare of the future is going to have a component to it about which we need to be thinking.

As we have seen in Afghanistan, Iraq, and other places, the enemies of tomorrow and today have gone underground in a deep fashion--underground not only to hide their forces, but to hide weaponry and to potentially build chemical or biological weapons facilities, underground to develop hydrogen nuclear weapons, underground to protect their troops from the awesome power that we have today.

The committee, after listening to the Pentagon's request, in the bill we have before us, lifted the ban on research and development to allow the Pentagon to do research and development in this area as they could on any other weapons system.

The question becomes for the Senate, after having received input from our Department of Defense and those experts who are paid to follow such matters, whether saying no to their request to do research and development only is a wise decision.

My colleague who previously spoke mentioned the word "crazy." I think it would be incumbent upon us to listen, as the committee has done. And the committee, in a bipartisan fashion, after listening, voted to lift the ban on research and development, to go forward and look at the ability to combat the threats of the future by having a low-yield nuclear weapon that could go to the underground chemical or biological weapons factory that may exist in the future--to go to the underground nuclear weapons facility that may exist in the future.

As we have seen from Afghanistan and Iraq, the enemy has dug deep into the earth. From the last gulf war to Operation Iraqi Freedom, we have seen how the military has modernized and transformed itself. In the first gulf war--Desert Shield and Desert Storm--only about 10 percent of the weapons used were precision-guided

munitions. That changed to the point where 90 percent of the weapons used in Operation Iraqi Freedom were precision guided. I argue that that modernization effort, keeping that technological edge, saved a lot of American and Iraqi lives.

I suggest to my colleagues that this is a dramatic moment in our Nation's history. We have just upgraded the threat level to orange. We have seen last week what is going on in the world--al-Qaida is still alive. They are on the run, but they have the ability to hurt people. They desire nuclear weapons. There are a lot of rogue states that are going to try to pursue a nuclear weapon, or fissile materials, and they will most likely be successful. People are going to enhance their biological and nuclear weapons ability.

I argue that to stop research and development on a potential weapon that could destroy a terrorist group or prevent a rogue nation from creating a chemical or biological capacity that is deep underground is illogical--just to take it off the table in a blind fashion, trying to say we are doing something that is going to spread nuclear weapons. I don't believe we are.

Secretary Powell has written a letter on this matter, on May 5, in which he says:

I do not believe that repealing the ban on low-yield nuclear weapons research will complicate our ongoing efforts with North Korea.

It is a reality that the enemies of today and tomorrow will go underground. They will go deep into the earth, and they will have laboratories and research facilities available to them to develop weapons of mass destruction. I hope the Senate will listen to the Pentagon and develop a weapon that counteracts that threat. Whether or not we deploy that weapon we will decide later.

But to take the research component off the table and not even plan for that possibility is very irresponsible. We will take up as a body whether or not to authorize this development, as we should.

I implore my colleagues, please do not ignore the threats that exist today, an enemy going deep into the Earth where conventional weapons may not be able to destroy that chemical or biological factory or that nuclear weapons program. Let's at least look at the possibility of having a weapons mix in the future that protects us from the evil that exists today.

I think what the committee has done is very responsible. I congratulate the chairman and all those involved in lifting this ban at the Pentagon's request. History will judge us poorly--who knows what is going to happen down the road--if we as a political body do not listen to what I believe to be a real threat and try to at least talk about and develop a counteraction to that threat for the future. That is what this debate is about.

If this amendment is adopted, it would tie the hands of the American military in looking at weapons systems to combat a real threat at a time when the threats we face are growing, not lessening. I think that would be a very bad move on the Senate's part. It would tie the hands of the Department of Defense unnecessarily.

We are not talking about deploying a weapon. We are talking about researching and developing a weapon that may save lives in the future, and I hope the Senate as a whole will follow the lead of the committee and vote this amendment down. I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from New Mexico is recognized.

Mr. BINGAMAN. I thank the Chair.

Mr. President, I start by saying I have always been a strong supporter of maintaining our nuclear arsenal. I do believe that nuclear weapons have a significant role in our defense strategy, but their use for us in that defense strategy is to deter others from using nuclear weapons. That has been the essential role they played.

It has been a very important role. It was an important role in winning the cold war, and it remains an important role for our military. But the amendment that has been put forward by Senator *Feinstein* and Senator *Kennedy* is not dealing with nuclear weapons as a deterrent. What it is trying to get at is the change in philosophy that seems to have taken place among some in the administration that nuclear weapons are not just to be used as a deterrent; they are also to be used as a weapon. They are to be used in warfighting. They are to be used to counter preemptive threats that may present themselves to us, and that is a substantial change from what we have done with nuclear weapons in the past. I strongly believe it is important to maintain in law the ban that was put in law sometime ago.

This Spratt language, named for Congressman SPRATT, whom we all know and respect, was developed in 1994, and it was developed as a follow-on to an action by George H. W. Bush, Sr., our current President's father, when he was in the White House. He made the decision on September 27, 1991, to take out of our inventory nuclear artillery shells, tactical bombs, landmines--the various tactical low-yield nuclear weapons we had fielded at that time, primarily in Europe.

That decision was made as a follow-on to the end of the cold war. It was a decision which was intended to reduce the risk of some kind of nuclear misstep by a field commander or by accident. It was a step intended to reduce the risk of a nuclear weapon being detonated when, in fact, it was not desired.

There is a lot of history behind this issue. Some might think, if they just tune in and watch this debate, this is a new idea this administration has come up with: Let's develop new low-yield nuclear weapons; let's do the research and gear up for development.

The truth is, we have had many so-called low-yield nuclear weapons in our stockpile in the past. Let me review a little bit of that history.

This first paragraph I have reproduced for folks to look at is the Davy Crockett MK-54 warhead which was a nuclear warhead that was capable of producing the same damage as up to 1,000 tons of TNT. When they talk about low-yield nuclear weapons, they are talking about up to 5,000 tons of TNT. So this is substantially less powerful than that. This was developed back in the fifties. It is technology about which everyone knows. It was launched from a recoilless rifle. This was a weapon capable of being launched that way. One could send it off anywhere. The range was 1.2 to 2.5 miles. As I say, it had a yield of up to 1,000 tons of TNT. This, to me, is an example of some of the history we know about on low-yield nuclear weapons.

Let me also point to a second example. This is the so-called MADM, the Medium Atomic Demolition Munition. Looking at the photograph, you might say I am talking about the one in the center. I am not. I am talking about the much smaller warhead that is over on the left in this photograph. This could go up to as high as 15,000 tons of TNT. It was in our arsenal until 1986. It was intended for use in destroying dams or bridges, and it was entirely portable. As one can see from the size of this warhead, this would be easily carried by a single person.

The third example, and the last example I want to show, is this W-79. This is one of the weapons that was in our arsenal and was taken out of our arsenal. This is the so-called neutron bomb. We have heard of the neutron bomb. There was a lot of discussion about the neutron bomb a couple decades ago. It had what was then designated a C-plus safety rating because they determined after a while that they could detonate one of these if there was a stray bullet that hit the high explosive and, therefore, one of the reasons it was taken out of the field as an artillery shell was because of the safety problem involved.

To give an idea of the detonation of this neutron bomb, it is pictured in this photograph. One can see that the amount of radioactivity, the amount of damage, the collateral damage from it was very substantial.

Let me go to the last of these charts just to make another point.

My colleague from South Carolina was saying what we need is a nuclear weapon; we need to see about developing a nuclear weapon that can be used to go deep underground and, thereby, get at chemical weapons fabrication activities or perhaps biological weapons fabrication activities.

The truth is, if you put one of these weapons on a rocket and send it off, you cannot get it very deep into the ground. If it is a 12-foot long weapon, the maximum it can go is 48 feet into the ground. If it is 100-ton TNT equivalent, the experts tell us you have to bury that at least 140 feet under the ground or else you are going to have radioactive fallout. If you have a 1,000-ton weapon, you have to bury it at least 450 feet when it is exploded to contain the fallout. The truth is, we cannot put this on a rocket and get it down 450 feet. It is just not practical.

The points I am making are these are not sophisticated weapons. This is not a new technology all of a sudden which someone decided to develop.

This is technology that was in our arsenal. We are now seeing this administration say, OK, let's come back and once again begin to look at this as a viable part of our warfighting capability. I do not see the justification for it; I do not think it makes sense; and it poses enormous additional risks for us in terms of proliferation potential.

One of the other comments the Senator from Alabama made a few minutes ago was: We already have a great many nuclear weapons. What can be so wrong about developing some that are small?

One thing that could be wrong is that the risk of proliferation of much smaller, more portable weapons, is substantially greater. The smaller the weapon, the easier it is to move. These weapons are not sophisticated. These are not like the very large, high-yield weapons that are difficult to reproduce. There are many countries in this world that have the capability to produce low-yield nuclear weapons, and many of them, I am sure, will get more interested as time goes on if they see this is the direction in which we are moving.

I think Senator *Kennedy* made reference to the speech Mr. Putin gave last Friday. The article in the New York Times on Saturday summed it up well when speaking of President Putin. He appeared to be responding to the Bush administration's new nuclear strategy announced last year when he said Russia, too, was considering developing new variants of nuclear weapons.

This was his statement to the Russian Duma. He said: I can inform you that at present the work to create new types of Russian weapons, weapons of the new generation, including those regarded by specialists as strategic weapons, is in the practical implementation stage.

He did not elaborate, nor did his advisers, though some analysts said he appeared to be referring to Russia's efforts to modernize its nuclear arsenal and to develop low-yield nuclear devices. That remark was greeted with applause.

This is a dangerous road we start down if we decide to rely more on tactical nuclear weapons and once again commence the development of tactical nuclear weapons. I think it is an unwise course. My own view of our overall defense strategy is that we have always thought it served our interests to emphasize those areas in which we have a comparative advantage.

We know today, more than perhaps ever in our history, that we have an enormous comparative advantage over any potential adversary in the world in the area of conventional weaponry. We have precision-guided weapons. We have smart weapons. We have demonstrated their use extremely effectively in the recent conflict in Iraq. Our comparative advantage does not lie in developing small, easily transportable nuclear weapons. Many other countries have the capability to do that, and not only countries but perhaps groups as well.

Once development of those weapons is pursued by us, the likelihood of proliferation increases and the likelihood of similar activities by other countries increases. Those types of weapons can be easily fabricated. They can be easily transported. They can be easily concealed. It is certainly not in our interest.

I know several of my colleagues have said all this provision is, that everyone is getting upset about, is a provision to repeal the ban on research and development, so what could be so wrong with repealing the ban on research and development?

I do think that the reason many of us are concerned is we believe very much that if one of these weapons--if a new type or a new suite of these weapons is developed, it will ultimately be fielded. We believe that is the wrong way to go to maintain our security and to maintain the security of the world in general.

Fred Celec, who is the Deputy Assistant to the Secretary of Defense for Nuclear Matters, recently said that the administration wants the weapon; that is, the robust nuclear earth penetrator--and that is a separate amendment. Senator *Dorgan* from North Dakota is going to be offering an amendment relating to the robust nuclear earth penetrator sometime later this afternoon. But Mr. Celec said the administration wants the weapon and will move forward with its development and production. If a hydrogen bomb can be successfully designed to survive a crash through hard rock or concrete and still explode, it will ultimately be fielded. That is a news article from the San Jose Mercury.

So there is reason to be concerned with this provision. Congressman **SPRATT**, I believe, showed good judgment when he proposed this provision in 1994. The Congress showed good judgment when it adopted this provision as a follow-on to the decision by former President Bush to take these kinds of weapons out of our arsenal. I believe we would do well to keep this ban on research and development in place. I hope my colleagues will agree and support the amendment by the Senator from California and the Senator from Massachusetts.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. In terms of alternating now, I think we should have the Senator from New Mexico address the Senate on this issue.

I yield the floor.

Mr. LEVIN. I wonder if the Senator from New Mexico will yield for an inquiry.

Mr. DOMENICI. I am pleased to.

Mr. LEVIN. Can the Senator give an approximation of how long he will speak?

Mr. DOMENICI. I will be very brief. An hour and a half.

Mr. LEVIN. An hour and a half?

Mr. DOMENICI. No, sir. About 15 minutes.

Mr. WARNER. Mr. President, the Senator can take such time as he feels necessary.

Mr. DOMENICI. I understand.

Mr. WARNER. Because he brings to this debate a very important aspect of many years in the Senate dealing with this subject.

The PRESIDING OFFICER. The senior Senator from New Mexico.

Mr. DOMENICI. Mr. President, I acknowledge upfront the very astute and academically sound argument of my colleague from New Mexico, Mr. *Bingaman*. While I have been working in this field for the last 25 to 26 years in particular, and the last 10 with more emphasis, this has occurred in the last period of time. My work has come as the United States has prepared its great nuclear weapons laboratories to use new kinds of science to determine the viability and credibility of the existing warheads without underground testing.

As everyone recalls, this body passed an amendment, rather overwhelmingly, saying we should not use underground testing for our weapons. I have learned since then how little we knew about that proposition

when we cast that vote. Nonetheless, it is the law of the land. It has cost the American taxpayer, in my way of looking at it, billions of dollars.

Frankly, as I look at the risk in the world, I do not think it has saved the world from nuclear weapons as people had thought. Already with that ban, there are new countries with new nuclear weapons, and they did not need underground testing. At least they did not need it as we had assumed they would need it when we stopped ourselves from doing it. Yet we have the greatest scientific community of men and women in the world, believe it or not, accumulated in three laboratories, and about 85 percent of their work goes to that one item.

How can we make sure that the weapons we have are valid without testing, all of which was done in the hope that nobody else would get bombs, get any nuclear weapons, because an underground test would proliferate the desire, if nothing else, for more nuclear weapons?

I was not on the Senate floor for the entire argument when that amendment of nonnuclear testing occurred. My great friend Mark Hatfield was a proponent. But I do know the argument was of the type that if we did not do that, we would be inviting other countries to do what is necessary to develop nuclear weapons. If we did not do it, we could dampen that.

Now, I do not suggest the arguments are analogous.

It is interesting that this enormous debate is taking place regarding an amendment that says nothing in the repeal of the previous amendment regarding low-yield weapons. "Nothing in the repeal made by subsection (a) shall be construed as authorizing the testing, acquisition, or deployment of low-yield nuclear weapons."

We could say we do not believe what we are saying, that it is not true, if America wants to direct its scientists--the same scientists I just spoke of, incidentally--it will be the same laboratories. They will not invent some new ones. In addition to everything you are doing, you will be given permission to think about, to hypothesize, to ponder, to make pictures of, draw diagrams of low-yield bombs and what they are all about.

Does it make sense, in the kind of world we live, to say to the greatest scientists in the world--we are spending about \$6 billion a year for them to make sure the current nuclear weapons are OK, safe, and will deliver, if called upon, without underground testing, but to say to that same group, you cannot spend any time--you cannot have a department, you cannot have a division, you cannot have your smartest people or even any people in those institutions thinking about low-level nuclear bombs--not making them, not preparing to deploy them, for this statute forbids it.

Our laboratories are filled with dedicated Americans. They want to do their jobs. They want to do no more or no less than they are authorized. They do not want to be called upon by a congressional committee to respond to doing more than they had authority to do; and clearly they never want to be accused of having done less than they were supposed to.

DOCUMENTEN

White House

Statement of administration policy

H.r. 1588 -national defense authorization act for fiscal year 2004

22 May 2003

[...]

Low-Yield Nuclear Weapons: The Administration appreciates the support for research of low yield nuclear weapons in section 3111. However, maintaining the prohibition on development will hinder the ability of our scientists and engineers to explore technical options to deter national security threats of the 21st century. A complete repeal of section 3136 of the FY 1994 National Defense Authorization Act is needed. This in no way would usurp Congress's right to authorize and appropriate the funds necessary to develop and build new or modified nuclear weapons should this or a future President determine that such weapons were in the supreme interest of the United States.

[...]

Zie ook beantwoording Kamervragen Van Bommel (SP) (8 april 2003) in Facts and Reports nr. 25 - pp. 42-43

NIEUWSBERICHTEN

Natural Resources Defense Council

Bush administration considers new nukes

January 10, 2003

On January 27, 2000, the *New York Times* quoted George W. Bush as saying, "The point is, is that I want America to lead the nation -- lead the world -- toward a more safe world when it comes to nuclear weaponry." A lot has changed since then. The Bush administration has spurred major developments in U.S. nuclear weapon policies and more may be on the way.

In a series of documents issued throughout 2002 the Pentagon and the White House have spelled out an elaborate new national security strategy that gives priority to pre-emptive strikes against enemies and especially against their weapons of mass destruction. Pentagon planners have even drawn up contingency plans for a nuclear strike against Iraq and have put Saddam Hussein on notice that any use of chemical or biological weapons by his army would result in a devastating response by the United States.

Now, according to press reports, officials from the Defense and Energy departments are planning to meet this summer to map out a strategy to possibly revive development of "mininukes," (low-yield weapons) and perhaps even new versions of the neutron bomb. The rationale is that because these smaller bombs have less power, they might be more easily used. It is for this very reason that critics say that any lowering of the threshold is dangerous and misguided.

President Bush's budget for FY 2004 requests \$6.4 billion for the Department of Energy's nuclear "Weapons Activities" representing a 9.1 percent increase over the current year, and a whopping 52 percent increase over the \$4.2 billion average level of spending (in current dollars) for the same account during the Cold War. Included is money to explore designs of new or modified "earth penetrator" nuclear weapons, so-called "bunker buster" bombs, to attack hard and deeply buried targets. Republican members of a subcommittee of the House Policy Committee have jumped on board the nuclear express recently calling for weapon designers at Lawrence Livermore and Los Alamos national labs to explore advanced types of nuclear weapons, recommending repeal of a 1993 ban against research on low-yield (under five kilotons), and reducing the time it would take to resume nuclear testing to between 12 and 18 months.

Bush officials have downplayed any controversies over pursuing new weapons and point to "Moscow Treaty," signed last May with Russia, as evidence of their commitment to nuclear weapon reductions. The problem with the treaty is that when the fine print is read the bottom line is that after a decade the United States will

still possess approximately the same number of weapons as it has today. The limits only refer to "operationally deployed strategic weapons." Shifting hundreds and eventually thousands of "operationally deployed" weapons to a reserve status allows them to be kept and even returned to service at a later date. The treaty is silent on so-called tactical weapons and does not ban new weapons. "It doesn't take a nuclear physicist to see that the development and possible use of nuclear weapons is on the fast-track," said Thomas Cochran, a physicist and head of NRDC's nuclear arms program. "All Americans, and everyone in the world, need to be wary of these weapons."

Oakland Tribune

President mulls plan to build mininukes

Policy shift reflected in Bush's \$21 million budget request for design of new weapons in 2004
By Ian Hoffman – 15 February 2003

Top Bush administration nuclear-weapons executives and weapons scientists are sketching out a strategy for adding a new menu of mininukes, neutron bombs and other nuclear arms to the nation's Cold War-style arsenal.

In talks at the Pentagon last month, federal defense executives and weapons scientists from California and New Mexico set the stage for a debate over "selecting first 'small builds'," or choosing tailor-made weapons for limited production runs.

"What's clear is, in this administration, the brakes are off in nuclear development and the push for nuclear testing," said Greg Mello, head of the Los Alamos Study Group, an arms-control group in New Mexico that obtained minutes to a meeting of top nuclear-weapons advisers.

The revelations are the latest herald of a potential sea change in U.S. nuclear policy:

- On Thursday, House Republicans touted an aggressive new nuclear-weapons policy calling for scientists at Lawrence Livermore and Los Alamos labs to begin studying "advanced concepts" for new weapons for the first time since 1994. GOP lawmakers say they also are thinking of repealing a 1993 ban on research into low-yield nuclear weapons, or those with an explosive yield at or below a third of the Hiroshima bomb.

- President Bush's new budget asks for \$21 million for design of new or modified nuclear weapons in 2004.

- White House pronouncements since September lay out a new defense policy giving greater prominence to pre-emptive strikes on foreign weapons of mass destruction. Pentagon war planners already are drawing up contingency plans for a nuclear strike in Iraq, to pre-empt or retaliate for a chemical or biological attack, according to a Los Angeles Times report.

- Nuclear Weapons Council Chairman and Assistant Defense Secretary E.C. "Pete" Aldridge Jr. asked weapons scientists in October "to assess the potential benefits that could be obtained from a return to nuclear testing." Meanwhile, Assistant Defense Secretary for Nuclear, Chemical and Biological Weapons Dale Klein has said the nation will have to test within five to 10 years.

"The drums are beating pretty loudly on all quarters," said Thomas Cochran, a physicist and head of the Natural Resources Defense Council's program on nuclear arms.

"Like kids in a toy shop, they have all these ideas (for weapons) they want to pursue but without any utility," Cochran said. "The U.S. has not designed a new, successful weapon in decades, and that's because all the practical improvements you can make in nuclear weapons were made at least two decades ago."

Senior administration officials stress that they have no requirements for new nuclear weapons, meaning the military services and Bush have not yet detailed a new attack mission demanding a new weapons design.

Yet according to minutes of a Jan. 10 meeting, federal defense executives and top lab scientists are laying the preliminary groundwork for those new weapons requirements as they prepare for a Stockpile Stewardship Conference in August, their first in seven years. They plan to debate among other things whether a return to low-yield or high-yield nuclear testing for the first time since 1992 would be needed in proving the new designs.

"What forms of testing will these new designs require?" Defense Department officials asked themselves and scientists on a panel advising the Nuclear Weapons Council, the foremost body for recommending weapons policy to the president.

"What is the role of nuclear testing in reducing risk in the stockpile? What parts of those risks are associated with the absence of nuclear testing, in comparison to the risk association with a 150kt (kiloton explosive yield) threshold or a low-yield test program. ...What would demand a test?"

The talks offer a rare glimpse into the Bush administration as it mulls building modified or wholly new bombs and warheads as hardware for pre-emptive attacks.

Administration officials cautioned that the document distilled frank conversations among the executives and scientists responsible for "very long-range issues for the nuclear stockpile."

"So it's appropriate that they consider any range of possibilities and that's exactly what this group is doing," said Anson Franklin, chief of governmental affairs for the National Nuclear Security Administration. "That shouldn't be read to suggest we are actively considering new weapons systems or a return to testing."

"It's a far cry from a planning document for administration policy," Franklin said.

Even so, the Bush administration is asking for \$21 million for "advanced concepts" studies of modified or new weapons in 2004. That includes \$15 million for scientists at Lawrence Livermore and Los Alamos national labs to compete for design of a "bunker-buster" bomb for attacking deeply buried, hardened concrete bunkers. Called the Robust Nuclear Earth Penetrator, the bomb would be based either on Livermore's B-83 or Los Alamos B-61, both featuring adjustable explosive yields.

The president also is asking for \$6 million for "additional and exploratory studies" of advanced weapons designs.

"These are not vague plans for the future," said the Los Alamos Study Group's Mello. "This is a detailed planning process that bespeaks a great deal of thought and coordination between branches of government."

He finds especially disturbing a portion of the document in which top defense executives and weaponeers ask themselves "what should the policy and practice be for granting authority to adapt and build small quantities?"

Traditionally, only the president may authorize the production of a nuclear weapon. The conversation to Mello suggests lax oversight and control of the nation's key nuclear weapons agencies at the Defense and Energy departments. "That you would even talk about that would suggest the democratic governance of these institutions is already very, very weak. Every member of Congress should sit up and take notice that we are losing congressional oversight of the nuclear weapons program of the United States."

Guardian

US plan for new nuclear arsenal

Secret talks may lead to breaking treaties

Julian Borger in Washington – 19 February 2003

The Bush administration is planning a secret meeting in August to discuss the construction of a new generation of nuclear weapons, including "mini-nukes", "bunker-busters" and neutron bombs designed to destroy chemical or biological agents, according to a leaked Pentagon document.

The meeting of senior military officials and US nuclear scientists at the Omaha headquarters of the US Strategic Command would also decide whether to restart nuclear testing and how to convince the American public that the new weapons are necessary.

The leaked preparations for the meeting are the clearest sign yet that the administration is determined to overhaul its nuclear arsenal so that it could be used as part of the new "Bush doctrine" of pre-emption, to strike the stockpiles of chemical and biological weapons of rogue states.

Greg Mello, the head of the Los Alamos Study Group, a nuclear watchdog organisation that obtained the Pentagon documents, said the meeting would also prepare the ground for a US breakaway from global arms control treaties, and the moratorium on conducting nuclear tests.

"It is impossible to overstate the challenge these plans pose to the comprehensive test ban treaty, the existing nuclear test moratorium, and US compliance with article six of the nuclear non-proliferation treaty," Mr Mello said.

The documents leaked to Mr Mello are the minutes of a meeting in the Pentagon on January 10 this year called by Dale Klein, the assistant to the defence secretary, Donald Rumsfeld, to prepare the secret conference, planned for "the week of August 4 2003".

The National Nuclear Security Administration, which is responsible for designing, building and maintaining nuclear weapons, yesterday confirmed the authenticity of the document. But Anson Franklin, the NNSA head of governmental affairs, said: "We have no request from the defence department for any new nuclear weapon, and we have no plans for nuclear testing."

"The fact is that this paper is talking about what-if scenarios and very long range planning," Mr Franklin told the Guardian.

However, non-proliferation groups say the Omaha meeting will bring a new US nuclear arsenal out of the realm of the theoretical and far closer to reality, in the shape of new bombs and a new readiness to use them.

"To me it indicates there are plans proceeding and well under way ... to resume the development, testing and production of new nuclear weapons. It's very serious," said Stephen Schwartz, the publisher of the Bulletin of

the Atomic Scientists, who added that it opened the US to charges of hypocrisy when it is demanding the disarmament of Iraq and North Korea.

"How can we possibly go to the international community or to these countries and say 'How dare you develop these weapons', when it's exactly what we're doing?" Mr Schwartz said.

The starting point for the January discussion was Mr Rumsfeld's nuclear posture review (NPR), a policy paper published last year that identified Russia, China, North Korea, Iraq, Iran, Syria and Libya as potential targets for US nuclear weapons.

According to the Pentagon minutes, the August meeting in Strategic Command's bunker headquarters would discuss how to make weapons to match the new policy. A "future arsenal panel" would consider: "What are the warhead characteristics and advanced concepts we will need in the post-NPR environment?"

The panel would also contemplate the "requirements for low-yield weapons, EPWs [earth-penetrating weapons], enhanced radiation weapons, agent defeat weapons".

This is the menu of weapons being actively considered by the Pentagon. Low-yield means tactical warheads of less than a kiloton, "mini-nukes", which advocates of the new arsenal say represent a far more effective deterrent than the existing huge weapons, because they are more "usable".

Earth-penetrating weapons are "bunker-busters", which would break through the surface of the earth before detonating. US weapons scientists believe they could be used as "agent defeat weapons" used to destroy chemical or biological weapons stored underground. The designers are also looking at low-yield neutron bombs or "enhanced radiation weapons", which could destroy chemical or biological weapons in surface warehouses.

According to the leaked document, the "future arsenal panel" in Omaha would also ask the pivotal question: "What forms of testing will these new designs require?"

The Bush administration has been working to reduce the amount of warning the test sites in the western US desert would need to be reactivated after 10 years lying dormant.

Alliance for Nuclear Accountability

Secret Pentagon documents call for "usable" nuclear weapons;

Alliance for Nuclear Accountability Seeks Release of Declassified Versions of New "Military Requirement" for Nuclear Bunker Buster and "Implementation Plan" for Nuclear Posture Review
Press release – 3 April 2003

The Pentagon will soon complete two secret documents that will spur development of a nuclear "bunker buster," according to senior Bush Administration officials who recently met with leaders of the Alliance for Nuclear Accountability (ANA).

Dr. Dale Klein, Executive Director of the U.S. Nuclear Weapons Council, a joint panel of top Department of Defense (DOD) and Department of Energy (DOE) leaders, told an ANA delegation that the Pentagon is developing a "new military requirement" for a Robust Nuclear Earth Penetrator (RNEP) to be issued in "one month or months."

A separate report, delivered by DOD to Congress late last month cleared the way for the release of \$15 million in dedicated funding for RNEP research and development but fell short of containing a full military requirement for RNEP.

In addition, Dr. Klein told ANA representatives that an "Implementation Plan" for the Administration's controversial Nuclear Posture Review (NPR) was nearly finished. That statement was confirmed to ANA by high-ranking staff at DOE's National Nuclear Security Administration. The NPR expands potential nuclear targets from two countries to seven, including Iraq and North Korea, and prioritizes the destruction of "hardened, deeply buried targets" by nuclear bunker busters.

Both documents are expected to be labeled "secret," but ANA is working with Members of Congress to seek declassified versions.

"Taxpayers have a right to know that the Pentagon is quietly pursuing a brave new world of more 'usable' nuclear bombs and warheads at the same time it forcibly instructs other nations to abstain from developing weapons of mass destruction," explained Jay Coghlan, Executive Director of Nuclear Watch of New Mexico (NWNM), a group that monitors DOE weapons laboratories.

"These plans send a dangerous, contradictory message to the world about the military value of nuclear weapons," added Marylia Kelley, who lives across the street from DOE's Lawrence Livermore National Laboratory and has directed Tri-Valley Communities Against a Radioactive Environment (TVC) for two decades. "They must be viewed in the context of implementing the policy shift to 'pre-emptive' strikes made

public in leaked reports about the Bush Administration's nuclear posture. The result could further destabilize an already volatile world."

Coghlan, Kelley and more than five dozen other activists from communities near nuclear weapons sites around the U.S. spent three days in Washington last month meeting with Congressional and Administration officials as part of ANA's fifteenth annual "DC Days." In addition to the RNEP military requirement and the NPR Implementation Plan, ANA also learned from senior Congressional staff that the Pentagon has drafted legislation to overturn the nation's current prohibition against the research and development of "mininukes."

Washington Post

Nuclear Weapons Development Tied to Hill Approval

Senate Democrats Fight Administration's Effort to Build 'Mini-Nukes' and 'Bunker-Busters'

By Helen Dewar – 22 May 2003

The Senate agreed yesterday to require President Bush to win approval of Congress before ordering full-scale development of a new generation of battlefield nuclear weapons but turned back a Democratic drive to retain a decade-old statutory ban on such work.

Democrats vowed to continue fighting what they described as a determined effort by the Bush administration to produce new nuclear weapons, arguing that it would undermine U.S. efforts to curb the spread of nuclear weapons, prompt a new arms race and invite nuclear war.

"We are in this for the long haul," said Sen. Edward M. Kennedy (D-Mass.), suggesting Democrats will try again to halt the weapons development when spending bills are debated this summer and fall.

In response to Democratic attacks, Republicans said the administration is interested only in research at this point and argued that the new weapons could prove critical in modern warfare, especially in dismantling chemical and biological weapons. It makes no sense not to explore all options, they argued.

At issue were two systems: low-yield "mini-nukes" of 5 kilotons or less that Congress put off-limits in 1993; and high-yield, burrowing nuclear "bunker-busters" that target underground military facilities or arsenals.

Funds to continue studies on the bunker-busters and language lifting the mini-nuke ban were included in legislation to authorize \$400.5 billion in military programs for next year, an increase of nearly \$18 billion over current spending.

A comparable bill before the House would remove the ban on research but retain it for other steps in the process and continue to fund the bunker-buster project. Differences between the two bills will have to be resolved in a conference between the chambers.

Although Senate Democrats conceded defeat in failing to retain the ban on smaller nuclear weapons, they claimed credit for prompting Republicans to strike the compromise requiring congressional authorization before full-scale development.

Sen. Jack Reed (D-R.I.), one of the leaders in the fight against the administration plans, said the compromise did not go as far as many Democrats wanted but was an improvement over the administration's proposal for repeal of the ban. "It's better than nothing but nowhere near as good as a prohibition" would have been, said Sen. Carl M. Levin (Mich.), ranking Democrat on the Armed Services Committee.

Yesterday's votes came a day after the Senate voted to lift the ban that Congress imposed in 1993 on all future work on low-yield nuclear weapons of less than 5 kilotons, or one-third the force of the bomb dropped on Hiroshima at the end of World War II. The ban was originally levied because nuclear scientists wanted to use low-kiloton weapons against deeply buried targets such as Saddam Hussein's bunkers. Studies showed that much higher yields would be needed.

Democrats tried to retain the ban but failed on a largely party-line vote.

As a fallback strategy, Democrats yesterday offered an amendment to permit research but retain the ban on further steps toward development of the weapons. Armed Services Committee Chairman John W. Warner (R-Va.) headed off the Democratic initiative with a counteroffer requiring congressional approval for advanced work on the weapons. The Warner plan was approved, 59 to 38.

Warner argued that his proposal would "put Congress entirely in control of this program . . . every step of the way," a claim described as "preposterous" by Sen. Byron L. Dorgan (D-N.D.), who said the Pentagon does not work that way. "I can't think of a more destructive public policy than to continue this nonsense," Dorgan said.

In a subsequent 56 to 41 vote, the Senate decided to keep a \$15 million allocation for continued research on the Robust Nuclear Earth Penetrator, or bunker-buster, that Levin said could explode with as much as 70 times the force of the Hiroshima bomb. But it also imposed the same conditions as it did for the low-yield weapons.

United States: Democrats Fear New Effort to Repeal Mininukes Production Ban

By David Ruppe – 9 July 2003

WASHINGTON — Democrats in the U.S. House of Representatives are planning to conduct a parliamentary maneuver soon intended to prevent an anticipated Republican attempt to repeal a 10-year-old ban on developing and producing new low-yield nuclear weapons.

“I can absolutely confirm that Republicans in the House-Senate conference on the defense authorization act are trying to back away from ... the 10-year-old Spratt-Furse ban,” said a House Armed Services Committee member’s aide, who asked not to be identified.

That ban prevents the Bush administration from conducting major research and development into small nuclear weapons, and the House and Senate have each approved partial repeals of the ban in their respective versions of the defense authorization bill. Differences between the two versions are scheduled to be resolved in a House-Senate conference this month.

House Democrats plan to offer a “motion to instruct,” the staffer said, describing a maneuver where any minority House member can require the entire House to vote to advise its conferees to insist on certain legislative language in the conference. Such motions do not bind the conferees to accept the recommendation, but it would force Republicans to indicate whether they intend to stand by the language the House already approved.

In May, the House approved its version of the 2004 defense authorization bill and partially repealed restrictions on research — but not on development or production — of low-yield nuclear weapons.

“We’re trying to force a vote on whether or not they actually support the language they’ve already voted on,” the aide said.

Total Repeal Allegedly Sought in Conference

The Precision Low-Yield Weapons Development Law, passed as part of the 1994 defense authorization bill, allows early research and development of low-yield nuclear weapons — those with yields equivalent to less than 5 kilotons of TNT — but prohibits research and development that could lead to the production of such weapons.

The White House and some senior House Armed Services Committee Republicans, including Chairman Duncan Hunter (R-Ind.), are seeking a full repeal of the ban. The Bush administration advocates development of new low-yield nuclear weapons for potential use against deeply buried targets and suspected chemical and biological weapons stocks.

“Maintaining the prohibition on development will hinder the ability of our scientists and engineers to explore technical options to deter national security threats of the 21st century,” the White House said in a May statement.

Critics charge developing such weapons could undermine international nonproliferation efforts and foster insecurity about U.S. intentions, which could drive certain countries to accelerate efforts to obtain nuclear weapons.

A full repeal of the law, Representative John Spratt (D-S.C.) said in May, would be “backsliding on a decade of progress on nuclear weapons [arms control], especially our move away from tactical, or ‘battlefield’ nukes, a move begun by [former] President [George H.W.] Bush ... in 1991.”

“They are preparing the way for testing and new weapons,” said John Isaacs, president of the Council for a Livable World arms control organization.

In May, the Republican-led House Armed Services Committee voted for a partial repeal. It adopted compromise language that would allow full research but not full development or production, and that language was later approved by the full House as part of the 2004 defense authorization bill.

The Senate also approved a partial repeal that would allow research and development, but would require the administration to seek further congressional authorization before “testing, acquisition or deployment.”

Now Democrats believe House Republican leaders aim to write in a total repeal during a conference of members from both chambers to resolve differences in their respective versions of the bill.

“It’s clear in conference that you’ve got House Republicans trying to back away from it [the compromise language],” according to the aide.

The staffer said that during recent informal House-Senate negotiations, Strategic Forces Subcommittee Chairman Terry Everett (R-Ala.) indicated House Republican intentions to work for a total repeal.

“When the first meeting of the panel dealing with these issues met, the chairman of the House subcommittee opened the meeting by basically saying ‘let’s go with what you guys did on mini-nukes, except drop all those caveats,’ which means, let’s just repeal the damn thing,” said the staffer.

Staff members for Everett and Hunter did not respond to requests for comment.

Insufficient Outrage

A significant question looms as to whether the Senate Republican conferees would be willing to join House Republicans in fully repealing the ban over opposition from Senate Democrats, congressional aides said.

The Senate Armed Services Committee in May had voted for a full repeal, but when faced with a Democratic challenge on the Senate floor that looked likely to succeed, Senate Armed Services Committee Chairman John Warner (R-Va.) introduced a compromise amendment for a partial appeal that was approved.

Democrats say if Warner and Hunter, the senior Republican conferees, now decide to push through a total repeal, the only recourse Democrats would have is to try to muster sufficient Democratic and Republican opposition to the entire defense bill over the issue.

Such a move would probably fail, however.

“There’s not remotely that level of outrage. There’s an awful a lot of Democrats who are concerned about it, but it’s not even unanimous within the Democratic caucus,” the staffer said.

The only real leverage the Democrats may have is that Republicans might prefer to achieve bipartisan support for the defense bill, and if Republicans in the conference trampled Democrats on many other issues, it could produce a large Democratic vote against the conference report.

Republican leaders will “try to measure their ability to railroad things through with this desire to keep enough Democrats around,” the staffer said

Contra Costa Times

House panel cuts Bush's nuclear weapons research funds

By H. Josef Hebert

Associated Press Writer

16 July 2003

WASHINGTON -- In a surprise break with the Bush administration, the Republican-led House is moving to scale back an administration nuclear weapons development plan that includes research into new "bunker-busting" nuclear warheads.

The Appropriations Committee approved a spending bill Tuesday that excluded \$51 million the Energy Department has considered essential for the new nuclear weapons research programs for the fiscal year beginning Oct. 1.

The money had been stripped from the legislation by a subcommittee, and no effort was made Tuesday to restore it as part of a \$27.1 billion bill to provide money for the Energy Department and other programs.

Rep. David Hobson, R-Ohio, chairman of the subcommittee that removed the funds, said the spending requests failed to reflect a post-Cold War era where the country's nuclear weapons stockpile was being reduced.

"Unfortunately, the Department of Energy continues to ask Congress to fund a Cold War nuclear arsenal, and the nuclear weapons complex necessary to maintain that arsenal, even though we no longer face a Cold War adversary," said Hobson.

His Republican-led panel:

--Cut all but \$5 million from the \$15 million the Bush administration has requested to study the development of an earth-penetrating nuclear warhead, a so-called bunker-buster the administration has been promoting for months.

--Eliminated \$6 million requested for early research into smaller, advanced concept nuclear weapons, including so-called mininukes, at three federal research labs.

--Rejected \$25 million requested to shorten the lead time necessary to resume underground nuclear bomb testing from the current 36 months to 18 months, should the president determine that testing, which has been suspended since 1992, be resumed.

The legislation also cut in half, to \$11 million, a request for \$22 million to continue environmental studies for a manufacturing plant to make plutonium triggers for the existing nuclear arsenal. The Energy Department is expected to decide whether to continue with the plutonium "pit" production plant and select a site next year.

Energy Department officials were stunned by the cuts, noting the money already was authorized by both the House and Senate this year. Tuesday's action involved an allocation bill, which approves actual spending.

"We're disappointed. ... We didn't expect it," said Anson Franklin, a spokesman for the National Nuclear Security Administration, which oversees all nuclear weapons programs at the Energy Department.

He said the administration will try to get the money restored when the spending bill gets before the full House, or, failing that, in the Senate when the spending bill comes before it.

The House action rejuvenated efforts in the Senate to make similar cuts.

Sen. Dianne Feinstein, D-Calif., said in a letter to leaders of the Senate Appropriations subcommittee on nuclear weapons spending that developing mininukes or bunker-buster warheads could "blur the line between conventional and nuclear weapons."

"This may actually be encouraging the very (nuclear) proliferation we seek to prevent," she wrote Sens. Pete Domenici, R-N.M., the subcommittee chairman, and Sen. Harry Reid, D-Nev., its top Democrat.

The Bush administration maintains that the advanced weapons research efforts, as well as new plutonium pit production and increased readiness for testing, are nothing more than attempts to be better prepared to meet the changing character of future security threats.

In a recent meeting with reporters, Energy Undersecretary Linton Brooks said the proposed earth-penetrating nuclear warheads and research into low-yield nuclear weapons will "preserve the capability to adapt to changing times" and is not intended to restart an arms race.

While he envisions nothing at this time that would warrant a resumption of nuclear testing, Brooks said it's critical that the lead-time needed to prepare for such testing be reduced.

Separately, the House Appropriations Committee voted initial approval to a \$90 billion measure for next year that would provide a modest increase for veterans, space programs and housing but less than this year for the Environmental Protection Agency.

The measure also would provide \$480 million for the Corporation for National and Community Service, \$96 million more than this year.

That agency oversees the financially troubled AmeriCorps, the federal volunteer program that has been cash short amid accusations by lawmakers of mismanagement. The extra money would let AmeriCorps have 55,000 volunteers next year, 5,000 beyond this year's total.

Arizona Republic

Nuclear-weaponry funds get OK

Senate panelists refuse cutbacks

Associated Press – 17 July 2003

WASHINGTON - A Senate subcommittee gave its support Wednesday for development of bunker-busting nuclear warheads and research into other advanced nuclear-weapons technology, days after the House voted to cut funding for the same programs.

The Senate panel refused to cut any of the \$68 million the Bush administration requested for the programs, which critics have argued would lead to development of a new generation of nuclear weapons.

Sen. Pete Domenici, R-N.M., chairman of the Appropriations subcommittee dealing with nuclear programs, said he expects further attempts on the Senate floor to cut money for the programs but said he was confident the degree of cuts being pursued in the House "won't stand."

The nuclear programs are part of a \$27.3 billion spending bill for the Energy Department and various other programs that Domenici's panel advanced for consideration by the Appropriations Committee, likely later this week.

On Tuesday, the House counterpart panel advanced its own version of the spending legislation after Republican lawmakers, to the surprise of the Energy Department, cut most of the \$68 million for the administration's advanced nuclear-weapons research effort.

The Senate bill includes all \$15 million the administration has requested to study the development of an Earth-penetrating nuclear warhead, a bunker-buster; \$6 million in early research into "mininukes" of less than 5 kilotons; and \$25 million to shorten the lead time necessary to resume underground nuclear bomb testing to 18 months from the current 36 months.

The United States has suspended bomb tests since 1992 and administration officials have said they see no reason at this time to resume testing but only want to be better prepared to do so if there again is a need.

House Votes to Curb New Nuclear Weapons Funding

28 July 2003

Two controversial requests by the Bush Administration regarding the nuclear weapons programs were significantly constrained by the House when it passed H.R. 2754, the Energy and Water Development Appropriations bill for FY 2004. The Administration's request of \$15.0 million for a new type of weapon, the Robust Nuclear Earth Penetrator, was reduced to \$5.0 million. The House did not provide the requested \$6.0 million for other advanced concepts definition studies. In addition, the House did not provide funding to reduce the current 24-36 month test readiness posture at the Nevada test site to 18 months. See FYI #100 for information on testing readiness.

Both of these positions conflict with the Senate's version of this legislation, and will have to be resolved in a conference committee later this year (assuming that the Senate does not amend its own Appropriations Committee bill on the floor.)

Relevant selections from House Report 108-212 follow. The first section is critical of the relationship between the Defense Department and Energy Department, and provides context for the appropriators' decisions on the new nuclear weapons program and testing.

RELATIONSHIP BETWEEN DOE AND DOD:

"Nuclear weapons budget requirements- This Committee continues to believe that our nation's nuclear arsenal provides a vital deterrent to potential aggressors. In order to maintain a modern nuclear stockpile, the Nation needs to have a modern, efficient, and flexible nuclear weapons complex with the necessary design, production, testing, refurbishment, and dismantlement capabilities. Unfortunately, the country possesses neither a modern stockpile nor a modern nuclear weapons complex. Instead, both are largely carryovers from the Cold War era. After careful consideration, the Committee has concluded that much of the current situation results from a flawed budget process. Under the current process, the Department of Defense (DoD) establishes the military requirements for Nation's nuclear weapons stockpile (i.e., numbers and types of warheads), which in turn dictates the requirements that DOE must meet to ensure the safety, security, and reliability of those weapons. The size, capability and cost of DOE's weapons complex is a direct result of the specific requirements established by DoD for warhead refurbishments, design modifications, testing, and dismantlement. However, when DoD develops their requirements their decision process is not constrained by the normal types of budget trade-offs that an agency confronts in the process of formulating a budget request. In effect, DoD sets the requirements and leaves it up to DOE to come up with the budget to support the nuclear weapons complex each year. If these costs were funded directly by DoD, the nuclear weapons activities would be considered against other national defense priorities, such as developing improved conventional weapons, procuring more of existing weapon systems, paying ever-increasing operational and training costs, and providing a better quality of life for our soldiers, sailors, and airmen. Similarly, if the costs of the nuclear weapons complex were solely determined by the DOE, they would be balanced against other DOE priorities, such as nonproliferation, science research, improving the Nation's energy supply, or accelerating the cleanup of contaminated sites. Instead, the weapons activities portion of the NNSA budget is effectively insulated from any such tradeoffs - DoD sets requirements that another agency has to fund, and DOE treats the weapons activities budget as untouchable because DoD set the requirements.

"There needs to be a serious debate about whether the approximately \$6 billion spent annually on DOE's nuclear weapons complex is a sound national security investment. Until that debate occurs and the DOE weapons budget request is subject to meaningful budget trade-offs, this Committee will not assume that all of the proposed nuclear weapons requests are legitimate requirements."

DIRECTED STOCKPILE WORK (DSW): ROBUST NUCLEAR EARTH PENETRATOR (RNEP) AND ADVANCED CONCEPTS RESEARCH:

"The Committee notes that the National Nuclear Security Administration has requested \$21,000,000 in DSW Stockpile R&D to explore advanced weapons concepts, including \$15,000,000 to continue feasibility and cost studies for the Robust Nuclear Earth Penetrator (RNEP) and \$6,000,000 for other advanced concepts definition studies. The Committee provides \$5,000,000 for RNEP and eliminates funding for additional advanced concepts research in favor of higher priority current mission requirements. The Committee is concerned the NNSA is being tasked to start new activities with significant outyear budget impacts before the Administration has articulated the specific requirements to support the President's announced stockpile modifications. Under current plans, the NNSA is attempting to modernize the industrial infrastructure of the weapons complex and restore production plant capability in order to refurbish the entire START I stockpile,

reengineer the federal management structure of the complex and downsize the workforce by 20 percent by the end of fiscal year 2004, while struggling to successfully demonstrate its core mission of maintaining the existing stockpile through the Stockpile Stewardship Program. Before any of the existing program goals have been successfully demonstrated, the Administration is now proposing to spend millions on enhanced test readiness while maintaining the moratorium on nuclear testing, aggressively pursue a multi-billion dollar Modern Pit Facility before the first production pit has even been successfully certified for use in the stockpile, develop a robust nuclear earth penetrator weapon and begin additional advanced concepts research on new nuclear weapons. It appears to the Committee the Department is proposing to rebuild, restart, and redo and otherwise exercise every capability that was used over the past forty years of the Cold War and at the same time prepare for a future with an expanded mission for nuclear weapons. Nothing in the past performance of the NNSA convinces this Committee that the successful implementation of Stockpile Stewardship program is a foregone conclusion, which makes the pursuit of a broad range of new initiatives premature. Until the NNSA has demonstrated to the Congress that it can successfully meet its primary mission of maintaining the safety, security, and viability of the existing stockpile by executing the Stockpile Life Extension Program and Science-based Stewardship activities on time and within budget, this Committee will not support redirecting the management resources and attention to a series of new initiatives.

"The Committee directs that funding provided for the Robust Nuclear Earth Penetrator (RNEP) be used for research on the problem of deep earth penetration through hard or hardened surfaces, including modeling and simulation of the use of advanced materials, and varied trajectories and speeds. The Committee further directs that the National Nuclear Security Administration (NNSA) coordinate the RNEP research program with ongoing programs at the Department of Defense relating to research on earth penetration to maximize the dual-use applicability for both conventional and nuclear weapons.

"The fiscal year 2004 budget request identified specific funding amounts by weapons system in the Selected Acquisition Reports that accompanied the submission of the President's budget request. The Committee is to be notified in advance if the proposed funding levels for any weapons system change from the estimate provided in the Selected Acquisition Reports submitted with the fiscal year budget justification. Congressional approval will be required before any actual RNEP modifications are initiated."

Democracy Now

U.S. Marks Hiroshima Anniversary By Holding Top Secret Summit to Discuss Expanding Nation's Nuclear Arsenal

5 August 2003

This week marks the 58th anniversary of the bombing of Hiroshima, 150 top U.S. officials and defense contractors will quietly meet in Omaha Nebraska to develop plans for the U.S. to expand its nuclear arsenal.

The meeting was supposed to be top secret. The list of attendees hasn't been released. Rumor has it that Vice President Dick Cheney will be in attendance. A man often compared to Dr. Strangelove, Keith Payne will be there. There are expected to be no advocates for nuclear disarmament.

The agenda of the meeting is also unknown but observers say the attendees are expected to begin rewriting the country's nuclear policy. Calls to resume nuclear testing are expected. So are calls to build a new generation of nukes.

To get an idea of what will likely be discussed you can just browse some of the headlines that have appeared in the nation's press over the past year.

Facing A Second Nuclear Age

Bush pushes for new nukes

A New Nuclear Age; Planners design technology to withstand the apocalypse,

Bush Plans to Serve Little Nukes At Next War Party

US sees renewed role for nukes in military arsenal

The bomb is back.

To protest the government's return to nuclear-friendly policies, over the weekend hundreds gathered outside the gates of the U.S. Strategic Command center, better known as Stratcom, where Thursday's meeting will take place. Four survivors from the U.S. nuclear bombing of Hiroshima and Nagasaki were in attendance. Presidential candidate Dennis Kucinich addressed the crowd. And a handful of attendees attempted to conduct citizens weapons inspections at Stratcom. Among those citizen weapons inspectors was Greg Mello, executive director of the Los Alamos Study Group. His organization revealed earlier this year that the government was planning to hold these secret nuclear talks.

Greg Mello, director of the Los Alamos Study Group which monitors arms labs. He took part in protests in Nebraska and attempted to conduct a citizen's weapons inspection at the United States Strategic Command but was denied entry.

TRANSCRIPT

GREG MELLO: Good morning.

AMY GOODMAN: Good to have you with us Greg. Tell us more about this meeting in Omaha, Nebraska, at Stratcom.

GREG MELLO: It's Almost unprecedented to bring this many senior decision makers in the executive branch and their contractors together to discuss nuclear policy. On the terms of reference for these meetings are topics like how to frame the discussion in congress. What kind of authority do we need to begin small production runs of special weapons. Is the production complex agile enough to make these special weapons at short notice. What kind of nuclear testing do we need. And of course what are the weapons we want that will be as they put it most likely to be used. It is really a breathtaking agenda and yesterday I learned that those congressional staff members, committee staff members who want to just come and observe are being barred from the meeting. So we have a meeting which is pretty much stacked with contractors and it would be inaccurate not to say just ideologues and congressional oversight is being stifled at the door.

AMY GOODMAN: What do you say about Pentagon saying it wants to develop a class of relatively small nuclear weapons, what does that mean?

GREG MELLO: It means many things. There are quite a few different candidates for production that will be discussed. We know this because the subject has come up in the 1990's. These plans aren't exactly new, but they have legs in the Bush administration. They didn't have before. So they're going to be high yield weapons discussed. There are going to be earth penetrating weapons. Socalled agent defeat weapons which are optimized to attempt the crazy mission of trying to incinerate biological weapons or chemical weapons. They're going to be enhanced radiation weapons. You remember that neutron bombs, there may even be some microwave weapon ideas brought to the table. We don't know all the kinds of weapons. But we know that they will run the gamut.

AMY GOODMAN: Can you talk about Keith Paine?

GREG MELLO: Keith Paine wrote an article in 1980, I think the title was, why not victory. There he suggested that the United States might be able to absorb losses of 20 million dead in a nuclear war with the Soviet Union. Which as you may remember is not too different than what Buck Turgidson said in "Dr. Strangelove" he has been very active in think tank circles that are close to the Bush administration. The national institute for public policy(NIP), I think he is or was the president, I haven't kept up whether he is in government, in Mr. Rumsfeld's shop at this moment or gone back to NIP. In any case our best information is he is going to be there. Whether that's true or not, it's not too important because his coauthors of that 1980 article in are the Bush administration as well. People that were on the margins at one time are now very central in policy making .

AMY GOODMAN: So, what are your plans for this week, how did you discover that this meeting was taking place at Stratcom.

GREG MELLO: a document kind of fell into our hands. We can't take a lot of credit for it wasn't one of the documents that you struggle for a year to get. It just kind of fell out of the sky. We would like to know who exactly is going to be there. We'd like to know what exactly is the agenda. We'd like to know what are the socalled prereads, the material circulated to the committee members and what will be the outcome of this meeting and how will it be applied in the decision-making process. All of this is hard to pry out and I'm afraid that one of the things that makes it more difficult is that the democratic opposition to these nuclear weapons policies is not firm enough. People are most of the democrats are a little passive about this. Perhaps because they don't understand how dynamic this process is. And how many of the cards in the deck already are in the hands of those who would proceed with your testing, with development of these weapons.

AMY GOODMAN: Greg Mello, head of the Los Alamos group. Part of the protesting outside the Stratcom this week in Omaha, Nebraska, where major meeting that could launch a new generation of nuclear weapons is taking place, the United States strategic command which is host of this meeting controls the nation's deployed nuclear arms and writes the war plans for their use.

To purchase an audio or video copy of this entire program, call 1 (800) 881-2359.

Hiroshima mayor hits out at U.S.

6 August 2003

HIROSHIMA, Japan (AP) --The mayor of Hiroshima has criticized the U.S. for pursuing new nuclear weapons technology, as he marked the 58th anniversary of the world's first atomic bomb attack.

Tadatoshi Akiba said Washington's apparent worship of "nuclear weapons as God" was threatening world peace.

"The Nuclear Non-Proliferation Treaty, the central international agreement guiding the elimination of nuclear weapons, is on the verge of collapse," Akiba said during the annual ceremony held Wednesday at the Peace Memorial Park.

"As the U.S.-British-led war on Iraq made clear, the assertion that war is peace is being trumpeted as truth."

At 8:15 a.m., a bell tolled, marking the minute on Aug. 6, 1945 when the U.S. atomic bomb's explosion devastated this city, 429 miles southwest of Tokyo. For 60 seconds, tens of thousands of survivors, residents, activists and officials from around the world bowed in silence to commemorate the 160,000 people who were killed or injured in the blast.

Reminding the crowd of the "blazing hell fire that swept over this very spot 58 years ago," Akiba called all nuclear weapons "utterly evil, inhumane and illegal under international law."

This year's ceremony comes less than a week after North Korea agreed to U.S. demands for six-nation talks to resolve the standoff over the isolated communist regime's nuclear programs. China, Russia, Japan and South Korea were expected to take part, though no timeline for the meetings has been decided.

Akiba didn't directly criticize Pyongyang's nuclear ambitions. But he urged North Korean leader Kim Jong Il, President Bush and the heads of other nuclear-armed countries to visit Hiroshima and confront the nuclear attack's aftermath.

The Bush administration wants Congress to approve \$68 million for research into advanced nuclear weapons technology, including research on a ground-penetrating nuclear warhead, known as a bunker-buster, and smaller, so-called mini-nukes, of less than 5 kilotons.

The United States has had a self-imposed ban on nuclear testing since 1992.

During Wednesday's ceremony, Prime Minister Junichiro Koizumi reaffirmed Japan's policy banning the production, possession and transport of nuclear weapons within its borders.

"Our country's stance on this will not change," Koizumi said, adding that Tokyo would push for countries to ratify the Comprehensive Test Ban Treaty, which would impose a moratorium on nuclear explosion tests.

Afterward, thousands of people lined up in the sweltering heat to burn incense, pray and shoot photographs at the arch-shaped stone memorial, which contains the names of hundreds of thousands of people who were in the city on the day of the bombing.

Hiroshima city added to the cenotaph 5,050 names of those who have died from cancer and other long-term ailments over the past year, raising the toll to 231,920, city official Yukiko Ota said.

Ceremonies will be held Saturday on the anniversary of the atomic bombing of Nagasaki, on the southernmost main island of Kyushu. About 70,000 people were killed by an atomic bomb dropped on Nagasaki from a U.S. aircraft, three days after the one that leveled Hiroshima.

Six days later, on Aug. 15, 1945, Japan's surrender ended World War II.

BBC

Mini-nukes on US agenda

by Paul Reynolds – 6 August 2003

A conference to plan the future of the American nuclear arsenal, including the development of so-called mini-nukes, is being held this week at StratCom, the headquarters of US Strategic Command in Nebraska.

The Bush administration appears determined to build a new generation of small nuclear weapons, especially "earth penetrators", designed to attack nuclear, chemical or biological materials buried deep underground.

A new form of warfare is coming. It is the extension into the nuclear field of the highly accurate conventional bombs and missiles already in use.

Some 150 top scientists and senior officials will meet at the Offutt Air Force Base and the meeting will be in private. According to an agenda leaked earlier this year by an anti-nuclear group, one of their panels will tackle the issue of mini-nukes.

In the jargon preferred by those in this business, they are called "small build" weapons - weapons of about one kiloton, 1,000 tonnes of explosive.

According to the leaked agenda, the "Future Arsenal" panel will examine "requirements for low-yield weapons, EPW's, enhanced radiation weapons, [and] agent defeat weapons."

Decoded, this means nuclear devices with that produce small amounts of radiation, earth-penetrating weapons to attack underground bunkers, larger devices with greater radiation effects and weapons to destroy chemical and biological agents.

The meeting, called the "Stockpile Stewardship Conference", grew from a re-assessment of US nuclear strategy in the post-Cold War era.

This "Nuclear Posture Review" was sent by the Pentagon to Congress in December 2001.

More flexible

It basically said that there had to be a switch away from the old nuclear deterrent - using long-range bombers, missiles and submarines - to a more flexible approach based more on defences such as the anti-missile system now being developed and small devices yet to be made.

The major weapons systems have to be reduced anyway under a treaty with Russia, cutting deployed nuclear warheads to between 1,700 and 2,200 by the year 2012.

At the time of the review, the US Assistant Secretary for International Security Policy, J D Crouch, said: "Today we have a very different situation (from the Cold War). We have a situation where the United States may face multiple potential opponents, but we're not sure who they might be. There are multiple sources or potential sources of conflict."

Multiple sources of conflict are leading to multiple sources of weapons.

'Earth penetrator'

The review identified the earth penetrator as one element of the new arsenal:

"With a more effective earth penetrator, many buried targets could be attacked using a weapon with a much lower yield than would be required with a surface based weapon.

"This power yield would achieve the same damage while producing less fallout (by a factor of ten to twenty).

"For defeat of very deep or larger underground facilities, penetrating weapons with large yields would be needed to collapse the facility," it said.

A report from the House of Representatives subcommittee on national security said in February 2003: "The president should have options - the options of conventional forces, of precision conventional weapons and of nuclear weapons that are capable of holding all targets at risk."

Opposition

There has been an anti-nuclear demonstration at StratCom this week by the Los Angeles Study group, the organisation which leaked the agenda.

And numerous anti-nuclear pressure groups have criticised the mini-nuke plan.

In Britain, Ben Miller, a spokesman the Campaign for Nuclear Disarmament, told BBC News Online: "It is shocking, disgusting and disgraceful that US defence department officials are meeting in the very week of the anniversary of the bombing of Hiroshima and Nagasaki in which over 110,000 people died.

"The US is pressing the world to get rid of nuclear weapons yet is doing the exact opposite itself."

In the United States, Robert Musil, executive director of Physicians for Social Responsibility, said: "Why in the world would we move towards manufacturing small nuclear weapons and then expect that no one will ever try to steal, beg or borrow one and use it against us?"

Other panels at this week's conference will consider the issue of how to maintain the US nuclear stockpile in working order without being able to carry out live tests.

The US has observed a moratorium on testing since 1992 and is developing a computer-based simulation programme instead.

It is not known however if these computer tests will do the job.

So there will be an examination at the meeting as to whether live testing will be recommended again.

A Pentagon spokesman, Major Michael Shavers, said: "They're going to take a look at the status of the nation's nuclear stockpile, particularly with an eye towards the Moscow Treaty that says we've got to get our stockpile numbers down and how we do that in a manner that still allows us to maintain a credible nuclear deterrent."

'Dr Strangeloves' meet to plan new nuclear era

Julian Borger – 7 August 2003

US government scientists and Pentagon officials will gather today behind tight security at a Nebraska air force base to discuss the development of a modernised arsenal of small, specialised nuclear weapons which critics believe could mark the dawn of a new era in proliferation.

The Pentagon has not released a list of the 150 people at the secret meeting, but according to leaks, they will include scientists and administrators from the three main nuclear weapons laboratories, Los Alamos, Sandia and Livermore, senior officers from the air force and strategic command, weapons contractors and civilian defence officials.

Requests by Congress to send observers were rejected, and an oversight committee which included academic nuclear experts was disbanded only a few weeks earlier.

The purpose of the meeting, at Offutt air force base, only became known after a draft agenda was leaked earlier this year, which included discussions on a new generation of low-yield "mini-nukes", "bunker-buster" bombs for possible use against rogue states or organisations armed with nuclear, biological or chemical weapons.

The session will also debate whether development of the weapons will require the White House to end the US moratorium on nuclear testing declared in 1992.

Major Michael Shavers, a Pentagon spokesman, said: "We need to change our nuclear strategy from the cold war to one that can deal with emerging threats."

He said the administration remained committed to the test moratorium (the US has not ratified the Comprehensive Test Ban Treaty, but has pledged to observe it). But he said: "The meeting will give some thought to how we guarantee the efficacy of the [nuclear] stockpile."

While insisting that it has no plans to resume testing, the administration has asked Congress for funds for a project that would cut down the amount of time it would take for the cold war-era test site in Nevada to start functioning again.

Yesterday, a steady stream of men in summer suits and uniforms arrived at Omaha airport, to be met by welcoming parties of air force officers and taken to the Offutt base, 10 miles to the south in the small town of Bellevue.

The lushly-landscaped base, where the grey shell of a B-52 bomber has been mounted behind a screen of fruit trees, sits atop a labyrinth of high-tech bunkers from where strategic command is poised, 24 hours a day, to fight a nuclear war. It inspired the setting for the 1964 film *Dr Strangelove*. It is where President George Bush was flown on September 11 2001, when it was thought that the terrorist attacks could be part of a sustained onslaught on the US.

The place and time of the Offutt meeting is infused with apparently unintended historical irony. The visitors arrived on the anniversary of the Hiroshima bombing and the last will be leaving on Saturday, the anniversary of the attack on Nagasaki. The B-29 planes which dropped those nuclear bombs, *Enola Gay* and *Bock's Car*, were both built at Offutt.

The use of those weapons marked the beginning of the cold war and the first nuclear age. Today's meeting, many observers believe, could mark the start of a second.

"This is a confab of *Dr Strangeloves*," said Daryl Kimball, head of the Arms Control Association, a national non-partisan membership organisation dedicated to working for arms control.

"The fact that the Pentagon is barring the public and congressional staff from this key meeting on US nuclear weapons policy suggests that the administration seeks to discuss and deliberate on its policies largely in secret."

The uncanny echoes of Hiroshima and Nagasaki did not go unnoticed by a handful of Catholic protesters from Iowa who have gathered at Offutt to mark the anniversaries for the past 25 years.

Blasphemy

Father Frank Cordaro, the leader of the protest group, said: "This is an American blasphemy to life and to God. They are going to violate another treaty by developing small nuclear weapons. We had made the promise not to do these weapons, but this sole superpower is just ignoring the non-proliferation treaty. That's madness."

Today's meeting traces its origins to a report by the National Institute for Public Policy (NIPP) published in January 2001 as the Bush administration took office. The report argued for a "smaller, more efficient, arsenal"

of specialised weapons. Some deeply buried targets, it argued, could only be destroyed by "one or more nuclear weapons". Only by developing these new weapons could the US maintain its deterrent, it said. Paul Robinson, the head of the Sandia weapons laboratory, who is attending the Offutt meeting, believes that America's new adversaries would be more successfully deterred if the line between conventional and nuclear weapons was blurred.

Senior jobs

He argued in a recent commentary in the Albuquerque Tribune that "military strategy is evolving to consider combinations of conventional and/or nuclear attacks for pre-emption or retaliation."

Many of the NIPP report's authors went on to take senior positions in the administration, including Linton Brooks, head of the national nuclear security administration which oversees new weapons projects, Stephen Hadley, the deputy national security adviser, and Stephen Cambone, undersecretary of defence for intelligence.

The report became the basis for the administration's Nuclear Posture Review in late 2001 which contemplated the use of nuclear weapons pre-emptively against rogue states, to destroy stockpiles of nuclear, chemical or biological weapons.

The officials involved in compiling both documents will play a prominent role at Offutt, but scientists and officials with dissenting views have not been invited.

"I was specifically told I couldn't come," a congressional weapons expert said.

Greg Mello, the head of the Los Alamos Study Group, a watchdog organisation, said: "There will be tonnes of contractors there from the weapons labs and the weapons plants. Contractors can come, but Congress can't."

The Pentagon insists that today's meeting is technical rather than policy-making, but critics are concerned that it is being used to build up momentum behind the development of the weapons, despite opposition from Congress.

"I'm suspicious that further down the road, they're going to say 'this was decided at Offutt', or 'this comes out of the recommendations at Offutt', a congressional staff member said.

TESTPERIODE

NIEUWSBERICHTEN

Daily Telegraph

US to boost N test readiness

By Maxim Kniazkov – 9 April 2003

THE US has decided to dramatically bolster its readiness for conducting underground nuclear tests in order to ensure the reliability of its nuclear deterrent force, a senior administration official said. Linton Brooks, the acting head of the National Nuclear Security Administration, told Congress yesterday that a study conducted by his agency last year had led the US government "to conclude that the right posture is to be ready for a test within approximately 18 months".

The United States has maintained a voluntary moratorium on nuclear tests since 1992, along with Britain, China, France and Russia.

But a directive signed by former president Bill Clinton in 1993 instructed US federal agencies to have the capacity to resume nuclear testing in 24 to 36 months, if the international situation would warrant such a step.

The decision, announced by Brooks before the Senate Subcommittee on Strategic Forces, essentially discards Clinton's order while positioning the Republican administration of President George W Bush on a faster track toward resuming nuclear testing, should it decide to do so.

The money needed for altering the posture has already been included in the nearly \$US5.9 billion (\$9.83 billion) US nuclear weapons budget approved by Congress earlier this year, according to Brooks.

The budget is expected to be boosted by 8.2 per cent in fiscal 2004 beginning on October 1.

"The Nuclear Weapons Council has concurred that our intended action is appropriate," Brooks assured lawmakers.

He said the transition to the 18-month readiness posture will take about three years.

The move is certain to raise concerns among arms control advocates, who have always suspected the Bush administration of nurturing a secret desire to abandon the test moratorium in order to move toward a new generation of smaller bunker-busting nuclear weapons.

These fears were fuelled last year, when a secret nuclear posture review leaked to the media revealed the Defence Department's ambivalence about the moratorium.

"While the United States is making every effort to maintain the stockpile without additional nuclear testing, this may not be possible for the indefinite future," the document said.

It pointed to the need to maintain the effectiveness of the US nuclear arsenal "to meet the nation's defence goals in the 21st century".

While denying any immediate plans to resume nuclear testing, US Energy Secretary Spencer Abraham and other administration officials have repeatedly refused to rule out such a possibility.

A top official informed members of the House of Representatives last month of the administration's decision to "proceed beyond the 'paper' stage" in its feasibility study of nuclear bunker busters.

The study is aimed at determining if two existing nuclear warheads - the B61 and B83 - "can be sufficiently hardened through case modifications and other work to allow the weapons to survive penetration into various geologies before detonating," Brooks said.

Associated Press

U.S. Won't Resume Nuclear Tests for Now

Barry Schweid – 7 August 2003

Washington - Secretary of State Colin Powell said Thursday a resumption of U.S. nuclear testing could not be ruled out forever but there was no need to test now.

"The president has no intention of testing nuclear weapons," Powell said at a news conference. "We have no need to."

While the United States and other nuclear powers have a responsibility to keep their nuclear weapons stockpiles safe and reliable, "we see no need to test in order to do that at the moment," Powell said.

"We can't rule it out forever," he said, but "we have no plans to test" and the topic is not likely to be discussed by President Bush and Russian President Vladimir Putin at their meeting next month at Camp David in Maryland.

The United States has not signed the international treaty to ban nuclear tests because the Senate refused to ratify it. But Bush, like his predecessor, Bill Clinton, has imposed a voluntary moratorium.

Some Bush administration officials have suggested that tests may be necessary if there is a decision to develop new U.S. nuclear weapons.

Daryl Kimball, executive director of the private Arms Control Association, said, "It's useful that the secretary is reinforcing the current commitment to the test ban."

However, Kimball said in an interview, "That commitment is not solid, given the view of others in the administration that nuclear testing might be needed to develop and produce new types of nuclear weapons."

He said nuclear testing "definitely should be on the agenda with Russia because the United States and Russia continue to be concerned about activities at each other's test sites and there is an important opportunity to reach agreement on transparency measures to allay concerns about cheating."

DOCUMENTEN

Los Alamos National Laboratory

Los Alamos restores U.S. ability to make nuclear weapons

22 April 2003

LOS ALAMOS, N.M., April 22, 2003 -- Los Alamos National Laboratory has successfully made the first nuclear weapons pit in 14 years that meets specifications for use in the U.S. stockpile

The six-year effort at Los Alamos' plutonium processing facility restores the nation's ability to make nuclear weapons, a capability the United States lost when the Rocky Flats Plant near Boulder, Colo., shut down in June 1989.

On hand to mark the milestone and to celebrate the 60th anniversary of the Laboratory's founding were U.S. Sen. Pete Domenici, R-NM, Ambassador Linton Brooks, administrator of the National Nuclear Security Administration, University of California President Richard Atkinson and Ralph Erickson, manager of NNSA's Los Alamos Site Office.

"The Laboratory has delivered on a major commitment to the Department of Energy's National Nuclear Security Administration, Congress and the taxpayers," said Pete Nanos, Los Alamos' interim director.

A pit is the fissile core of a nuclear weapon's physics package. The newly made pit, called Qual-1 because it was built with fully qualified processes, is for the W88 warhead, which is carried on the Trident II D5 Submarine-Launched Ballistic Missile, a cornerstone of the U.S. nuclear deterrent.

"Our next challenge is to carry out the required experiments, analyses and computer modeling so we can certify that this newly manufactured pit will perform reliably in the stockpile, without conducting underground nuclear tests," Nanos said.

Los Alamos' certification work includes fundamental physics experiments, material studies, ongoing subcritical experiments at the Nevada Test Site and hydrodynamic experiments at the newly completed Dual Axis Radiographic Hydrotest facility. Los Alamos has committed to complete the certification process and to have the ability to deliver a pit to the military that meets all stockpile requirements by 2007.

Los Alamos will make roughly half a dozen pits a year from now until 2007 to ensure certification is completed successfully and to put into place the capacity to begin making 10 stockpile pits a year by 2007.

The Department of Energy identified the Laboratory as the site to recapture the nation's capability to manufacture nuclear weapon pits through the 1996 Stockpile Stewardship and Management Environmental Impact Statement. The DOE selected Los Alamos in part because the Laboratory has the nation's only full-capability plutonium facility, and has made pits since the 1940s.

Without the fabrication capability Los Alamos has regained, the nation could not replace stockpile pits in the future. New pits will be needed to replace those in the current stockpile used during periodic destructive surveillance, or any pits that the surveillance program identifies with problems that affect weapon safety, reliability or performance.

To make Qual-1, Los Alamos brought back the expertise, along with drawings, specifications and equipment. The Plutonium Facility at Technical Area 55 was modified, new equipment acquired and new technologies, materials and processes developed.

More than 700 Laboratory staff and contractors have been involved in the effort that culminated in Qual-1, many working overtime.

The Laboratory has made 18 pits in the current program to recapture the capability to manufacture pits. The first pit, called Early Development Unit-1, was completed in February 1998.

In August 2002, the Laboratory made the first pit that exercised all 42 processes required to make a certifiable pit, one that could be certified for placement in the active nuclear weapons stockpile. In December 2002, all 42 processes were qualified.

Qual-1 is the first pit manufactured in accordance with all 42 qualified processes, which required extensive testing and analysis to demonstrate rigorous control. In other words, Qual-1 meets all quality requirements and could be placed in the stockpile if needed, once all the required engineering and physics tests have been completed. All these processes went through step-by-step design, engineering and production reviews to confirm that the processes result in pits that meet specifications.

"All of these manufacturing processes meet today's health, safety, and environmental regulations, so some materials and processes differ from those used at Rocky Flats," Nanos said.

Los Alamos cleans pits with environmentally responsible cleaners instead of solvents that are prohibited today. Rocky Flats used a wrought process to make the initial shape while Los Alamos casts the part. Rocky Flats used machine oil for all the manufacturing steps, while Los Alamos dry machines its pits and adds lubricant only for the final pass. Los Alamos pits are welded with lasers instead of older electron beam welders.

In December 1999, the Laboratory committed to complete a Qual-1 pit before June 2003. In March 2001, a baseline agreement between the Laboratory and the NNSA set deadlines and cost estimates for the current plan. Los Alamos and NNSA report to Congress quarterly on progress in meeting the plan milestones.

The total cost of the manufacturing program to date is roughly \$350 million; the total project cost for the manufacturing and certification program, beginning with the new baseline, is estimated at \$1.5 billion.

Los Alamos National Laboratory is operated by the University of California for the National Nuclear Security Administration (NNSA) of the U.S. Department of Energy and works in partnership with NNSA's Sandia and Lawrence Livermore national laboratories to support NNSA in its mission.

Los Alamos enhances global security by ensuring the safety and reliability of the U.S. nuclear stockpile, developing technologies to reduce threats from weapons of mass destruction, and solving problems related to energy, environment, infrastructure, health and national security concerns.

US Department of Energy

Modern Pit Facility Draft Environmental Impact Statement Issued

Press release – 2 June 2003

WASHINGTON, D.C. -- The draft environmental impact statement (EIS) for a plutonium production facility was released today by the National Nuclear Security Administration (NNSA).

The draft EIS for the Modern Pit Facility (MPF) evaluates reasonable alternatives for manufacturing plutonium pits to support the nation's nuclear weapons stockpile. It will provide a basis for Secretary of Energy Spencer Abraham to make a record of decision on or before April 2004 on whether to proceed with a MPF, and if so, where to locate the facility.

The United States was, until recently, the only nuclear power without the capability to manufacture plutonium pits. In 1989, pit production was shut down at the Rocky Flats plant. Last month, Los Alamos National Laboratory announced it had manufactured the first W88 pit that could be used to maintain our current stockpile. However, the lack of a permanent plutonium pit production facility is a critical issue in defense readiness that has been identified by a variety of sources as a national security issue that needs immediate attention, including by the administration in the Nuclear Posture Review, by Congress and the Department of Defense, and by outside experts.

Secretary Abraham said, "This issue is an important one since it deals directly with the national security of the U.S. and our ability to keep our nuclear stockpile safe, reliable and secure."

If Secretary Abraham decides to proceed with a MPF, the new facility will reestablish the capability to manufacture current and future pit types for the nuclear stockpile by 2020, in an environmentally compliant manner.

The five locations for a MPF are evaluated in the draft EIS: (1) Los Alamos Site, New Mexico; (2) Nevada Test Site; (3) Carlsbad Site, New Mexico; (4) Savannah River Site, South Carolina; and (5) Pantex Site, Texas. The draft EIS also evaluates the alternative of upgrading the existing plutonium fabrication facility at Los Alamos, and a "no action" alternative of not proceeding with a MPF. The preferred alternative in this draft EIS is to construct and operate a MPF. A preferred site for the MPF will be identified in the final EIS.

Het volledige Environmental Impact Statement is te vinden op de website www.mpfais.com

NIEUWSBERICHTEN

Las Vegas Sun

New Mexico lab resumes production of triggers for nuclear bombs

By Leslie Hoffman – 22 April 2003

LOS ALAMOS, N.M. (AP) - Los Alamos National Laboratory, the birthplace of the atomic bomb, has restored the nation's ability to make triggers for nuclear weapons for the first time in nearly 14 years.

"Six decades ago, Los Alamos produced the first trigger. ... And today, on our 60th anniversary, we delivered" a plutonium pit that meets the requirements of the U.S. nuclear stockpile, the lab's interim director, Pete Nanos, said Tuesday in making the announcement.

The U.S. capability to produce plutonium pits - the heart of a nuclear weapon - ended when the Rocky Flats plant near Denver shut down in June 1989.

In 1992, when the Cold War ended, the United States decided not to resume production of nuclear weapons parts at Rocky Flats.

That left the United States as the only nuclear power in the world that couldn't make pits, said Linton Brooks, chief of the National Nuclear Security Administration.

"All these acknowledged nuclear powers could make pits. It seems clear many of the unacknowledged nuclear powers could make pits, but we couldn't until today," Brooks said.

Now the United States has the capability to replace pits in its current stockpile. Officials said, however, that does not mean the lab will turn into a nuclear weapons manufacturer.

"What it means is that we now have the capability if something goes wrong with the stockpile to fix it," Brooks said.

Nanos said a decision on a permanent manufacturing facility will be up to the Department of Energy, and that the lab's capability is an interim function.

Brooks said, however, that for at least the next decade "the capability we have at Los Alamos is all the capability we'll need."

The pit made at Los Alamos is for the W88 warhead carried on the submarine-launched cruise missile.

The lab will make about half a dozen pits a year between now and 2007.

Los Alamos' plutonium processing facility worked for six years to develop the capability after the DOE chose the lab to recover the nation's ability to make nuclear weapons pits.

The manufacturing program to date has cost \$350 million. The total cost for the manufacturing and certification program is estimated at \$1.5 billion.

Five facilities, including Los Alamos and the Waste Isolation Pilot Plant in New Mexico, are under consideration to become home to the DOE's proposed permanent Modern Pit Facility. The facility would process, manufacture and assemble plutonium pits for the Pantex plant in Amarillo, Texas.

A DOE review placed WIPP last on the list of possible sites and Los Alamos first.

Los Alamos scored well because the factory was viewed as highly compatible with the lab's nuclear weapons mission and its existing plutonium operations. Former lab director John Browne had said lab officials didn't believe the factory fit with the lab's research and development mission.

Pantex also is on the finalists' list. That facility, the nation's primary assembly and disassembly plant for nuclear warheads, currently repackages old plutonium pits to meet new safety standards.

Other possible sites are the Nevada Test Site and Savannah River Site in South Carolina.

The facility is expected to be operating by 2020.

Arms Control Today

U.S. Produces First Plutonium Pit Since 1989

Christine Kucia – May 2003

Los Alamos National Laboratory announced April 22 that it has produced the first U.S. plutonium pit since 1989 that complies with nuclear stockpile specifications, thus re-establishing the U.S. capability to remanufacture or produce new plutonium cores for nuclear weapons.

The United States has not had the ability to produce pits, which trigger a fission reaction that sets off a thermonuclear weapon, since the closure of the plutonium pit facility at Rocky Flats, Colorado, in 1989. The Department of Energy decided in 1996 to restart pit manufacturing on a small scale at Los Alamos, and since then, the laboratory has been re-establishing the processes to create pits that comply with U.S. stockpile requirements. The laboratory built the pit, named Qual-1, using 42 processes required to make a certifiable pit.

The processes were qualified in December 2002 to meet the standards for pit production, but the pit itself must be certified separately before it can be used in a nuclear weapon. "Our next challenge is to carry out the

required experiments, analyses, and computer modeling so we can certify that this newly manufactured pit will perform reliably in the stockpile, without conducting underground nuclear tests," said Pete Nanos, interim director of Los Alamos. The Energy Department estimates that certification of Los Alamos-produced pits will be complete by 2007.

Qual-1 is the first pit manufactured under the program to replace pits in W-88 warheads, which are used on submarine-launched ballistic missiles. Several more pits will be produced at Los Alamos each year through 2007 for the certification process and to establish the ability to begin manufacturing up to 10 pits annually by 2007 for nuclear weapons or for testing purposes. Eventually, Los Alamos could produce 20-50 pits each year.

According to Nanos, "All of these manufacturing processes meet today's health, safety, and environmental regulations, so some materials and processes differ from those used at Rocky Flats." The former U.S. pit production facility was shut down in 1989 following environmental safety and occupational health violations.

As Los Alamos establishes a limited pit production capability, the Bush administration is pursuing a larger plan to establish a more robust pit production capacity. John Gordon, then-head of the National Nuclear Security Administration, announced in February 2002 that a new facility will be established for plutonium pit production, slated for completion in 2018. The Modern Pit Facility will allow the United States to produce at least 125 pits per year, which officials claim are needed to replace aging pits or those used in diagnostic tests. Critics of pit production efforts claim that U.S. reserves are sufficient for U.S. stockpile maintenance needs.

Kansas City Star

U.S. Considers More Plutonium Triggers

By H. Josef Hebert – 2 June 2003

Washington - The Bush administration may make more than 450 plutonium warhead triggers a year under a plan to resume production of the devices, according to an Energy Department draft environmental review released Monday.

The department stopped making plutonium pits, or triggers, for warheads in 1989. The pit, about the size of a softball, is a critical component of a nuclear weapon.

The department announced plans a year ago for a pit manufacturing plant, saying new triggers are needed to maintain the safety, security and reliability of the current and future U.S. nuclear arsenal.

The draft environmental review did not narrow the previously announced five potential federal sites for the manufacturing facility - two in New Mexico and one each in Nevada, Texas and South Carolina.

But the review provided additional details on the possible scope of the production plans. It examined three alternatives for making the devices, including options to produce from 125 pits a year, 250 pits a year or more than 450 pits a year when in full service by 2020. The facility would be expected to operate for 50 years.

The plant is expected to cost \$2.2 billion to \$4.4 billion, depending on the production capacity, according to department estimates.

"This issue is an important one, since it deals directly with the national security of the U.S. and our ability to keep our nuclear stockpile safe, reliable and secure," said Energy Secretary Spencer Abraham in a statement.

The potentially large-scale production plant has raised worries about nuclear proliferation from anti-nuclear activists.

"There is no justification whatsoever to proceed with plans for this huge nuclear bomb factory," said Tom Clements, who follows nuclear proliferation issues for Greenpeace International. He said the scale of the proposed plant "would enable rapid rebuilding not only of the entire deployed nuclear arsenal but also new design 'bunker buster' weapons as well."

The environmental review will provide the basis for Abraham's decision on how to proceed with the manufacturing facility and where it should be built, department officials said. The decision is due within a year.

Currently the department relies on refurbishing triggers from disassembled warheads when they are needed. That limited production capability at the Pantex facility in Texas cannot meet long-term needs, officials have said.

Defense officials and some members of both the House and Senate committees involved with defense matters have expressed said they fear future nuclear weapons readiness might be jeopardized if the government were unable to make new triggers for existing and possible future warheads.

The plutonium pit is the trigger that allows modern nuclear weapons to operate properly. They were last produced at the Energy Department's Rocky Flats facility in Colorado. That facility has been closed and is being cleaned of radioactive waste.

The five sites under consideration for the new plant are Los Alamos National Laboratory in New Mexico; the Waste Isolation Pilot Plant facility, also in New Mexico; the Nevada Test Site; the Pantex facility in Texas; and the Savannah River weapons complex in South Carolina.

Associated Press

Plutonium pit facility hearing scheduled in Texas

23 June 2003

Amarillo, Texas - U.S. Energy Department officials are heading to the Texas Panhandle to discuss a new plant that would make components to trigger the country's nuclear weapons.

The site near Pantex is competing for the facility with the Savannah River Site near Aiken, S.C., along with sites in Los Alamos and Carlsbad in New Mexico and the Nevada Test site.

The Pantex site is the nation's primary assembly and disassembly plant for nuclear warheads and currently repackages old plutonium pits to meet new safety standards. Pantex stores more than 12,000 plutonium pits.

Environmental groups, including Greenpeace, have opposed plans to build the pit facility. They have expressed concerns over safety as well as threats to the environment.

Energy Department officials will conduct hearings in Amarillo on Thursday on the department's proposed sites for the so-called Modern Pit Facility.

Estimated to cost between \$2 billion and \$4 billion, the facility is expected to begin production in 2020 and could produce between 125 to 450 plutonium pits annually. A pit, a sealed radioactive plutonium core, serves as the trigger for a nuclear warhead.

Energy Department officials are expected to decide in April 2004 whether to continue with the new facility and where it will be built, with construction to begin about 2011, peak in 2014 and last about six years. Once operating, the plant is expected to employ about 1,000 workers.

Charlotte Observer

Sparks fly at meeting on plutonium pit

Julie Halenar – 8 July 2003

North Augusta, S.C. - About 600 protesters, workers, supporters and politicians took part in a public hearing Monday night about how a proposed \$4 billion plutonium pit facility at Savannah River Site would affect the environment.

The meeting, which became contentious at times, was the next step in preparing a final Environmental Impact Statement for the project.

Officials from the federal Energy Department presented their proposal. Then those attending were given three minutes apiece to speak -- loudly at times -- about the project.

While SRS workers at the meeting cheered for the project, those opposed held signs of protest.

One supporter said the project was the area's obligation to America's soldiers and the nation's defense, while another read from the Bible in protest.

The region needs "clean jobs that won't harm the environment and people," said Susan Bloomfield, a 79-year-old resident of nearby Augusta, Ga.

People have until August to submit comment that will go into the completed impact statement.

The federal department is expected to decide in April on the pit project.

SRS is among five sites under consideration.

An initial screening by the Energy Department ranked SRS second, behind the Los Alamos, N.M., National Laboratory.

"Savannah River Site has an extensive nuclear infrastructure, a great security work force, can-do workers, and general community support," said Jay Rose, document manager for the DOE's Environmental Impact Statement.

The new plutonium pit -- a critical component of nuclear weapons -- would replace existing pits at SRS by 2020. The facility could offer as many as 1,800 new jobs for up to 50 years. SRS now employs more than 13,000 people.

There were about a dozen security guards on hand. One woman protester was escorted out of the building several hours into the meeting.

SRS mechanical engineer Steve Sheetz has worked at the nuclear weapons plant for 19 years.

He said the meeting wasn't about whether the pit facility should be built, but about the Savannah River plant.

"If it is to be built, Savannah River Site is the right place to build it," Sheetz said.

Susan Corbin, 52, of Columbia, is a Sierra Club member, but said her religion drew her to the meeting as much as the environment.

"I don't think that the message we're sending about making more bombs is the kind of peaceful message that spiritual and that creature-loving people should be sending out in the world," she said.

COMMENTAAR EN VRAGEN

De aangehaalde documenten in deze F&R geven een zorgwekkend beeld van het beleid van de huidige Amerikaanse regering aangaande kernwapens. Hoewel president Bush bij herhaling heeft verklaard dat bestrijding van de proliferatie van massavernietigingswapens van groot belang is voor hem, heeft hij tegelijkertijd op verschillende terreinen een beleid voortgezet dan wel geïnitieerd dat een nieuwe wapenwedloop op dit gebied juist aanmoedigt. We hebben in eerdere nummers van F&R (nrs. 1 en 12 en elders) gewezen op het unilateralisme in het Amerikaanse beleid aangaande massavernietigingswapens. Een reeks vorig jaar gepubliceerde documenten heeft de doctrine van zogenaamde pre-emptive strike, dwz een mogelijke dreiging bij voorbaat aanvallen, uitgediept en zelfs in verband gebracht met een reeks staten, die afwisselend 'states of concern' dan wel 'boevenstaten' werden genoemd. Deze laatste term werd in ieder geval nog gebruikt in de 'State of the Union' van afgelopen januari. Daarna werd Irak als eerste aangevallen in het kader van deze strategie.

Deze stap is alom erkend als een die buiten het internationale rechtsstelsel valt. In de aanval op Irak werden conventionele wapens gebruikt, maar uitspraken van Amerikaanse woordvoerders hebben altijd de mogelijkheid opengelaten om kernwapens in te zetten. Recente stappen naar de ontwikkeling van nieuwe kernwapens hebben dit naderbij gebracht.

Deze stappen worden duidelijk uit de in dit dossier gepresenteerde informatie:

1. De VS heeft het teststopverdrag, de CTBT, wel ondertekend, maar niet geratificeerd. In tegendeel, in 1999 werd ratificatie afgewezen door het Senaat. Onder andere door deze weigering (ook andere landen, waaronder China, hebben nog niet geratificeerd) kan het teststopverdrag niet in werking treden. De bezorgdheid daarover is groot, vandaar dat er begin september weer een zogenaamde 'art XIV' conferentie bij elkaar wordt geroepen. Deze vergadering van ondertekenaars van het verdrag (in totaal 168 lid-staten, met 104 ratificaties) heeft de bedoeling om naar wegen te zoeken om het verdrag alsnog in werking te laten treden. Begin juli verklaarde een Amerikaanse regeringsambtenaar echter dat de VS geen vertegenwoordiger zou sturen.
2. In de VS zijn in de loop van dit jaar een reeks stappen genomen in het Congres om de ontwikkeling van verschillende typen kleinere kernwapens (het gaat om wapens met een explosieve kracht van een-derde en achtentwintig maal de bom die op Hiroshima werd afgeworpen). De huidige situatie is dat het Congres onderhandeld over de aard van de wetgeving die het geld aan het relevante ministerie, het 'Department of Energy' toewijst. Tegenstand van de Democraten heeft er toe geleid dat de wetgeving in het beste geval onderzoek zal toestaan, maar nog niet het maken van een technisch ontwerp en de bouw van de nieuwe kernwapens. In het slechtste geval zal de ontwikkeling en bouw ook worden toegestaan.
3. Een ander stuk wetgeving dat er haast zeker doorkomt is het bekorten van de periode waarin nieuwe kernproeven mogen worden voorbereid. Dit wordt waarschijnlijk 18 maanden.
4. Een vierde stuk wetgeving legt financiering vast voor de bouw van een reeks 'pits', dat wil zeggen nucleaire kernen van kernwapens.

Het geheel van deze maatregelen zet dus een proces op gang dat uitloopt op een nieuwe generatie kernwapens en vermoedelijk een reeks kernproeven om ze uit te proberen. De afrondende wetgeving zal in de eerste helft van september in het Congres aan de orde komen. Op 3 september begint de CTBT conferentie in Wenen. Vorig jaar drong de EU in een verklaring afgelegd in de VN aan op ratificatie van het teststopverdrag.

Vragen aan de regering

1. In zijn antwoord op de vragen van kamerlid Van Bommel ((8 april jl., nr. 1091, afgedrukt in F&R 25, p42) verklaard minister De Hoop Scheffer dat de "terugdringing van kernwapens" in ieder geval niet wordt bevorderd door "dergelijke ontwikkelingen" (zoals in de hier beschreven wetgeving, die inmiddels verder gevorderd is in het Amerikaanse Congres). Wat gaat hij doen in het geval dat de wetgeving aangenomen wordt en de ontwikkeling van 'mini-kernwapens wordt ingezet?
2. Wat was de reactie van de Amerikaanse regering op de "zorgen met betrekking tot dit voorstel" die door de minister via Ambassadeur Sobel zijn overgebracht, volgens het antwoord op vraag 5 van Van Bommel?
3. De Amerikaanse regering zal afwezig zijn bij de komende 'art XIV' teststopverdrag conferentie in Wenen. Wat gaat de Nederlandse regering hieraan doen, aangezien ratificatie van het CTBT alleen mogelijk is als de VS ook ratificeert?

4. Welke stappen gaat de Nederlandse regering in Wenen ondernemen om de ratificatie van het teststopverdrag te bewerkstelligen?
5. Welke stappen gaat de regering ondernemen als de Amerikaanse regering proeven met de nieuwe kernwapens gaat uitvoeren?

Gezien de nauwe betrokkenheid van de Nederlandse regering bij de ontwikkeling van het teststopverdrag en haar expliciete stellingname voor de ratificatie van het verdrag, lijkt het van belang dat ze stappen onderneemt om de Amerikaanse regering er toe te brengen om af te zien van de hier geschetste plannen. Dit kan wellicht in EU verband of samen met ander NAVO lidstaten die de zorgen van de regering delen. Het zou zinvol zijn als kamerleden zich expliciet uitspreken voor zo een handelwijze.

KRONIEK 2003

11 juli-24 augustus	Reces Europees Parlement
28 juli-10 sept	Conference on Disarmament, Geneve
19-22 augustus	VN Conferentie inzake 'Arms control, multilateral disarmament and their future, Osaka
26-27 augustus	Six-way meeting on North Korea's nuclear ambitions, Beijing
2-5 september	CTBT Article XIV Conference, Wenen
1 ^e weekend september	Proliferation Security Initiative meeting – Paris
8-12 september	Conference on Facilitating the Entry Into Force of the Comprehensive Test Ban Treaty, Wenen
15-19 september	IAEA Board of Governors Meeting in Wenen
22-26 september	CTBTO Advisory Group, Wenen
8-9 oktober	Informele bijeenkomst NAVO Ministers van Defensie, Colorado
16-17 oktober	Europese Raad, Brussel
7-11 november	NAVO Parlementaire Assemblée in Orlando
10-14 november	BWC States Parties bijeenkomst, Geneve
10-14 november	CTBT PrepCom, 21 st Session, Wenen
10-14 november	OPCW States Parties bijeenkomst, Den Haag
17-18 november	EU Commissie buitenlandse zaken, mensenrechten, gemeenschappelijke veiligheid en defensiebeleid, Brussel
1-3 december	WEU Assemblée, Parijs
7 december	Parlementsverkiezingen Rusland
12-13 december	Europese Raad, Brussel

FACTS AND REPORTS

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2. Veiligheidsvraagstukken en de verkiezingen – standpunten van de politieke partijen
Relevante delen van de partijprogramma's van de Nederlandse politieke partijen, plus citaten van politici op het terrein van oorlog en vrede.
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Overzicht van recente ontwikkelingen in de transatlantische betrekkingen, met name binnen de NAVO, mede naar aanleiding van uitspraken in de State of the Union.
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Periodiek overzicht van ontwikkelingen rond kernwapens in de internationale en nationale politiek, met uitgebreide hoeveelheid bijlagen.
5. Nucleaire vraagstukken – standpunten van de Nederlandse regering en de Tweede Kamer
Overzicht april 2001 – april 2002
6. Crisis in de OPCW – de verwijdering van directeur-generaal Bustani
Documenten en artikelen over het ontslag van directeur-generaal Bustani van het OPCW
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Verklaringen en rapporten van staten en ngo's tijdens de Prepcom van het NPV
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14. Aanval op Irak (2) – recente ontwikkelingen
15. Documenten First Committee Verenigde Naties 2002 – resoluties, verklaringen, rapporten
16. De NAVO-top in Praag – documenten
17. Aanval op Irak (3) – het inspectieregime
18. Internationaal veiligheidsbeleid Verenigde Staten – officiële documenten en reacties van de Nederlandse regering
19. Veiligheidsvraagstukken en de verkiezingen (2) – standpunten van de politieke partijen
Een update voor de verkiezingen van 22 januari 2003
20. Korea, de tweede crisis
21. Aanval op Irak (4) – de aanloop
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Overzicht april 2002 – mei 2003

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