

programs, pro and con. This has been a much talked about Department of Energy program for the last three years.

Let me add that the Arms Control Association is a public education and policy advocacy organization. We publish "Arms Control Today" and we're happy that Exchange/Monitor Publications has allowed us to put this session together, because this is a very key time in this subject and I think we've got a panel with three excellent speakers, three of the principal players in the ongoing discussion on this. My organization I should note also has been an active opponent of these programs, but we believe it's very important for there to be a clear and straightforward and fact-based dialogue on this, and I'm glad that all three of our speakers have come here to make the time to have a discussion about this very important issue.

And before I introduce them briefly, let me just set the stage with some facts, in the event that you're not familiar with some of the details and recent developments on Capitol Hill with respect to this program. Four years ago, the United States Congress asked the president to reassess the military requirements for nuclear weapons in the post Cold War era, resulting in the Nuclear Posture Review. And among other things, the 2002 NPR recommended new nuclear weapons capabilities, particularly designed to address deeply buried and hardened targets.

And so in the Fiscal 2003 budget cycle, the Bush administration requested authorization and appropriations for research and modification on two existing nuclear gravity bombs to enhance their earth penetrating capability. This is known as the Robust Nuclear Earth Penetrator, or the RNEP, as you'll hear us refer to this. And then, again, in the Fiscal 2004 cycle, the administration again asked for research moneys for this program and also asked Congress to overturn a decade-old law prohibiting research leading to development of lower yield new nuclear weapons, defined as 5 kilotons or below, this prohibition having been introduced by Congressman John Spratt of South Carolina.

Now, in the past year there was substantial debate again on this subject. Congress narrowly approved, I should say in the last couple of years, these funding requests. They overturned the Congressional prohibition on low-yield research on new weapons. But at the same time, House and Senate appropriators disagreed on the funding levels and somewhat restricted the spending. And Congress also stipulated that any work beyond the research phase, that is the development phase, would require explicit Congressional approval.

Now, just this last year the administration upped its budget request for this program, asking for \$27 million for RNEP, \$9 million for the associated Advanced Concepts Research Program. However, last month, Congressional appropriators blocked funding for both these programs and redirected the monies for the Advanced Concepts Program to the Reliable Warhead Replacement Program and urged accelerated warhead dismantlement activities. So for now the Robust Nuclear Earth Penetrator program and Advanced Concepts Research Program is on hold.

And so I will stop there and leave our panelists to describe their perspectives on this subject, some of the pros and cons, some of the issues that they feel are at play. We're going to begin with John Harvey, who is Director of Policy, Planning, Assessment & Analysis for the National Nuclear Security Administration. And as his title suggests, John has a big portfolio. He's responsible for analysis of program policy, budget options and plans, and you've worked with the Nuclear Weapons Council and also interagency policy reviews on these issues. Before being at the NNSA, John was the Deputy Assistant Secretary for Defense for Nuclear Forces and Missile Defense Policy.

Also with us is Scott Burnison of the Majority Staff for the House Energy and Water Appropriations Subcommittee, which is lead by David Hobson of Ohio, who was a key player in the end of the year budget discussions that led to the cuts of this program. Mr. Hobson has represented Ohio's 7th District for over a decade and is also a senior member of the Defense Appropriations and Veterans Appropriations Subcommittees.

And then finally I'm pleased that we have Mike Lieberman, who is the Defense Legislative Assistant for Congressman John Spratt, who has been in Congress since 1982, representing South Carolina's 5th District. Congressman Spratt is a leading member of the House Armed Services Committee and

assistant to the Democratic leader.

So I'm glad that you're all here. Thank you very much. And we'll start with you, John. The floor is yours.

JOHN HARVEY: Thanks very much. I'm very pleased to be here to share this stage with this distinguished group who have achieved a lot, not all of which I agree with. The subject of today's session is the possible effect of the U.S. push, the so-called push for new nuclear weapons on developing a consensus for restructuring the current nonproliferation regime. I'm going to summarize my points very briefly first and then elaborate.

First, there is no push for new nuclear weapons. Indeed, there are no current U.S. military requirements for new nuclear warheads. Second, were the United States at some future point to seek newer modified nuclear warheads in response to new military requirements, the implications for nonproliferation would, of course, depend on the specific nature of such modernization. Modest U.S. nuclear modernization I would argue is unlikely to upset the current nonproliferation regime by causing states with nuclear weapons to improve them or vertically proliferate, or by causing non-nuclear weapon states to seek to acquire nukes.

Nor should it disrupt in any significant way efforts to strengthen the regime with ambitious new initiatives. The efforts themselves to reach broad international consensus on such initiatives will pose the greatest challenge to change. Let me elaborate. Yesterday at this conference, Deputy NNSA Administration Jerry Paul highlighted the growing recognition that the traditional nonproliferation regime, based on the NPT and on a certain set of activities undertaken by the IAEA, is inadequate for today's threats and need to be augmented and strengthened. That concern is very real.

The war in Iraq in 1991, which led to the discovery of an advanced Iraqi nuclear weapons program began to alter our perception about the adequacy of the nonproliferation regime. Subsequent and recent revelations about covert nuclear weapons programs in North Korea, Iraq, Iran and formerly Libya have crystallized this concern.

President Bush called attention to the proliferation risks by certain states' acquisition of enrichment and reprocessing capabilities for ostensibly peaceful purposes, but who exploit these possibilities in covert nuclear weapons programs. Possession of these capacities in the hands of states with questionable commitments to nonproliferation must be discouraged. In this connection, efforts to augment the current nonproliferation regime could consist of the following elements. First of all, widespread and full implementation of the additional protocol, both to promote increased transparency and openness, and to give the IAEA a strengthened hand in uncovering illicit activities, exploration of options to limit the spread of the most sensitive elements of the fuel cycle, and third, alternative security constructs for countries that have considered or might consider seeking nuclear weapons but who have renounced that option.

The challenges in gauging and gaining international consensus for implementing these ideas, particularly the last two, would no doubt be formidable. Our job today is to try to understand whether potential U.S. nuclear modernization could pose an additional roadblock to their realization.

I have to reiterate that the United States has no development programs underway for new or modified nuclear warheads. We have not developed and fielded a new warhead for nearly 20 years. The last time we modified an existing warhead, the B61-11 earth penetrator, was during the Clinton administration. Certain warhead concept and feasibility studies are underway, or have been underway, the most controversial being the one Daryl referred to, the cost and feasibility study for a Robust Nuclear Earth Penetrator, which Congress recently eliminated funds for.

Thus, the two separate but related questions that I will discuss with you are, at this point, purely hypothetical. Would U.S. nuclear weapons modernization stimulate proliferation, and would it hamper efforts to secure one or more elements of a strengthened nonproliferation regime. If the answer to the first question is yes, the argument goes, it would undermine U.S. leadership in seeking a strengthened regime. Obviously any presumed proliferation implications of U.S. nuclear weapons modernization would depend on the specific nature of the warhead concepts under consideration.

For example, research and development on nuclear designs that could increase confidence in stockpile safety and reliability under a test moratorium would be unlikely to generate a comparable reaction from nuclear weapons-possessing states.

As a case in point, the recent announcement from President Putin that Russia was developing a hypersonic cruise missile to penetrate U.S. ballistic missile defenses was greeted with silence at the Pentagon. Because our missile defenses are not directed against Russia, why should we become alarmed if Russia decides to invest substantial resources on this system? After all, although we are not yet allies, neither are we the adversaries that we were during the Cold War, when one side's modernization cycle generated a reaction in the other.

A major nonproliferation objective of the United States is to prevent rogue states and terrorists from acquiring weapons of mass destruction. U.S. nuclear modernization will not increase incentives for terrorists to acquire such weapons. Those incentives are already high and are unrelated to U.S. nuclear or even conventional defense capabilities. Nor is it likely to have any impact on rogue states, whose proliferation marches forward independently of the U.S. nuclear program. Over the past decade we have seen very significant reductions in the numbers of U.S. and Russian nuclear weapons, reductions in the alert level of nuclear forces, no U.S. nuclear testing, no U.S. production of nuclear materials for weapons, and very little U.S. nuclear modernization.

There is absolutely no evidence that these developments have caused North Korea or Iran to slow down covert programs to acquire capabilities to produce nuclear weapons. On the contrary, these programs have accelerated during this period. Nor, by the way, did such U.S. constraint convince India and Pakistan not to test in 1998, or to continue to build up their nuclear capabilities. Rather, North Korea and Iran appear to be seeking weapons of mass destruction to deter the United States from taking steps to defend its interests and allies in each of these regions.

In this regard, their incentives to acquire weapons of mass destruction may be shaped more by U.S. advanced conventional capabilities and the demonstrated will to employ them to great effect in Bosnia, Kosovo, Afghanistan, and during both wars in Iraq, than to anything the U.S. has done or is doing in the nuclear weapons arena. We should, of course, be concerned about how our actions could affect international support among friends, allies and partners for strengthened nonproliferation commitments and programs. In this connection, I'm bothered by charges that our policies have harmed nonproliferation, because our nonproliferation record is exceptionally good. Our nuclear posture and our nonproliferation policy are mutually supportive and entirely consistent with our obligations under Article VI of the Nonproliferation Treaty.

In 1995, when the Nonproliferation Treaty was indefinitely extended, the United States reiterated its commitment under Article VI to work toward the ultimate goal of eliminating nuclear weapons and to general and complete disarmament. Remarkable progress has been made in fulfilling this commitment and reducing reliance on nuclear forces in our National Security Strategy. The nuclear arms race has, in fact, been halted. The United States has been reducing its nuclear forces and nuclear weapons stockpile in a consistent fashion through both unilateral and bilateral initiatives, and is working cooperatively with allies and partners to further reduce nuclear threats.

The record speaks for itself. Let me just highlight a few points that have been highlighted by Jerry yesterday. First of all, the two-thirds reduction in operationally deployed nuclear forces as a result of the Moscow Treaty between now and 2012. And just last May, the president made a decision to reduce the stockpile by half, which would be a net factor of four reduction since the end of the Cold War. These accomplishments are helping to realize the president's vision of achieving the lowest possible number of nuclear weapons, consistent with national security needs.

Moreover, this record of action, coupled with the great progress the U.S. has made in the past two decades in reducing nuclear threats in other areas demonstrates strong U.S. adherence to its nonproliferation commitments. This should go far to negate the complaints of a few states who would highlight, often in a misleading way, certain activities in U.S. nuclear weapons R&D in order to call into question our commitments under the nonproliferation regime. More to the point, the challenges in establishing such a regime, for example, gaining international consensus on who should be the fuel cycle states and who should not be the fuel cycle states, will no doubt overwhelm

these other considerations.

Let me conclude there and I'll be happy to answer questions after the end of this session.

KIMBALL: Why don't we move on to Scott and we'll take you questions after all three panelists are finished.

SCOTT BURNISON: I'd like to thank Ed and Daryl for the invitation today. As just Chairman Hobson's staff guy, I was pleased to get the invitation and I hope no one expects any profundity from staff. We work on a one-hour turnaround, where legibility is our biggest goal. But fortunately, once in a while, we get to work with someone like Chairman Hobson and get to be involved in some very interesting legislative and policy debates, so I appreciate this opportunity. I'm just going to take a couple minutes to highlight a couple points and I'll be brief and I really mean that. I will be brief.

The first point I'd like to make is something that Chairman Hobson has been very much out front on in terms of his discussion with the administration and his position. And I guess I'd characterize it simply as a credibility issue. And I think the safest thing for me to do would be just to quote Chairman Hobson from a speech he gave in August that some of you may have heard, so I apologize if this is retelling some old ground.

The Chairman stated that: "I view the advanced concept research proposal for a Robust Nuclear Earth Penetrator and the effort to reduce nuclear test readiness posture to 18 months as very provocative and overly aggressive policies that undermine our moral authority to argue to other nations that they should forgo nuclear weapons. We cannot advocate nuclear nonproliferation around the globe and pursue more usable nuclear weapons here at home."

That inconsistency is not lost on anyone in the international community. I guess to put a finer point on that, in reference to the nuclear posture review, that his statement tracked to the fact that all these initiatives, along with the Modern Pit Facility were included in a package within the NPR and represented a very high profile policy initiative pushing a revitalized nuclear weapons complex not so much to revitalize the life extension programs of the existing stockpile but to look in new directions and directions that made the Chairman uncomfortable. I think by highlighting these initiatives, the NPR emphasized not only the importance of nuclear weapons, but the importance of new capabilities. And I don't believe that that point is lost on any wannabe nuclear states or the rest of the world. If the United States, as the unequivocal greatest military power on the planet, views these weapons with high value, how can we credibly deny that others should not? Particularly on the grounds of making the world safe. So I think that characterizes in a very straightforward way Chairman Hobson's fundamental point that he's made over the last couple of years.

Point number two is a subset of point number one and is an observation coming as an appropriator and it's a question of looking at priorities and looking at where we put our money. It's the old axiom of just follow the money. There's obviously a lot of political discussion, most of it for domestic consumption. I think the international community is probably more interested in what we actually do. And so, what matters and what people look at is where we spend our money. And there were significant budget commitments tied up with these new weapons initiatives, particularly in the out-years. So they - from a budget perspective, as an appropriator - they represented a shifting in policy priorities and it was a priority shift that Chairman Hobson, I think, our subcommittee, and ultimately the entire House didn't support. In the past couple of years, the Chairman has supported weapons dismantlement initiatives and higher funding for nonproliferation efforts. In this case, I think the Chairman's position was that resources matter more than rhetoric and he put his marginal dollars to the activities that he supported.

My third and final point will just be a comment that on a recent trip, a Congressional delegation that Chairman Hobson and I was able to take part in, principle reason was going over to Kosovo to have Thanksgiving Dinner with the Ohio National Guard, but on the way we stopped into Vienna and on November 24, the day before the Board of Governors meeting began at the IAEA, Chairman Hobson met with Director General ElBaradei and pushed hard I think in a way that only Chairman Hobson can get away with and in a way that I think ElBaradei was a little surprised at in terms of pushing the IAEA to push hard on Iran for rigorous and intrusive inspections. It wasn't your typical meet and

greet, but I think his point was simple and that for international agreements to be credible, they have to be adhered to. In this case, the IAEA needed to press for stronger verification and inspection requirements and if needed, and when challenged by the Iranians in this situation, the international community needs to stand up and be accounted for.

So, just as a final statement, I think Chairman Hobson's position and his policy position has always been one of leading by example. And his perspectives on the new nuclear weapons initiatives as they relate to nonproliferation is that's not an example that he supports.

Thank you.

KIMBALL: Thank you, Scott. We'll go next to Mike Lieberman.

MIKE LIEBERMAN: Thanks Daryl. And thank you to Ed Helminski for hosting this important forum. It's a real pleasure for me to share this stage here with Scott Burnison of Congressman Hobson's office, who I heartily commend for his decision to remove funding for the development of new nukes this year. And I really do sincerely appreciate John Harvey coming over to take the time to share the Bush administration's views on these issues with us.

The presidential election waged over the last year brought renewed attention to the threat that nuclear weapons pose for our society. During the first debate, the candidates were asked by the moderator, "If you were elected president, what will you take to that office is the single most serious threat to the national security of the United States?" Without hesitation, Senator Kerry answered, "Nuclear proliferation." President Bush followed suit soon thereafter, saying, "I agree with my opponent that the biggest threat facing our country is weapons of mass destruction in the hands of a terrorist network."

The truth of the matter is that the development of new nuclear weapons runs directly counter to our goal of preventing nuclear weapons from falling into the wrong hands, and in doing so, it makes the world a more dangerous place for America and Americans. In 1993, my boss, Congressman John Spratt, and Representative Elizabeth Furse coauthored the Spratt-Furse Ban on the development of new nuclear weapons with a yield of under 5-kilotons, or so called "tactical nuclear weapons," We proposed it and Congress enacted it to ratchet in place the progress that the first President Bush made in moving the United States and the Soviet Union away from the use of tactical nuclear weapons. We argued then and we hold now that tactical nuclear weapons had little military utility and that the fallout from the use of such weapons, both physical and political, would be disastrous.

However, last year, at the behest of the National Nuclear Security Administration, Congress repealed the Spratt-Furse ban on research and development of low-yield nuclear weapons. In support of this measure, opponents of the Spratt-Furse Ban repeatedly stated that they were not calling for the development of new nuclear weapons, they just wanted to have the option if they needed it. But not even two weeks after enactment of the bill repealing the ban, the administrator of the NNSA, Linton Brooks, sent a memo to the directors of Sandia, Los Alamos, and Lawrence Livermore National Labs, stating, "We are now free to explore a range of tactical options without any concern that some ideas could inadvertently violate a vague and arbitrary limitation."

As NNSA began to exercise that option in FY04, we saw a budget request for DOE for \$15 million for the development of the RNEP and \$6 million for the development of Advanced Concepts Designs for new nuclear weapons. In FY2005, this increased to \$27.6 million for RNEP and \$9 million for Advanced Concepts. [Defense] Secretary Rumsfeld went to great pains to describe the RNEP as "only a study, nothing more, nothing less." But the budget justification documents from NNSA tell a different story. This so-called RNEP study, originally budgeted at \$45 million over three years, is now slated for \$485 million over the next five years. DOE officials say that to transition from research to development would require Congressional approval, and they're right. But at this level of projected expenditure, it's hard to believe that we're just doing research. Give an inch, take a mile. It's the RNEP is the Spratt-Furse story all over again.

But while we're troubled about the way the administration has pursued new nuclear weapons, we are even more concerned about the impact of these weapons themselves. Before deciding to develop

new nuclear weapons, I believe we must be able to answer three questions. Number one, will the weapons do what they intend them to do? Number two, are there any alternatives to going nuclear? And number three, does the development of new nuclear weapons help our strategic goals? The answers to each of these three questions is troubling.

Well, what do we intend these weapons to do? For the RNEP, advocates argue that we need a new nuclear weapon to threaten deeply buried targets, such as leadership bunkers or bunkers that could hold weapons of mass destruction hundreds of feet below the earth's surface. But RNEP could never get that deep. A high-speed impact required to drive RNEP deep into the ground would melt the bomb casing, even if it was hardened steel. Because of this problem, RNEP could go no deeper than about 60 feet into rocky ground. Command bunkers are likely to be much deeper than this. Mines in Africa, for example, are up to 10,000 feet deep. In order to destroy realistic buried targets, RNEP would have to have more than ten - be ten times the size of the bombs that destroyed Hiroshima and Nagasaki and would spray a massive amount of radioactive dirt across an enormous area, potentially killing hundreds of thousands of innocent civilians.

Let me give you an example, during the Baneberry U.S. Nuclear Test in 1970 at the Nevada test site, the U.S. placed a 10-kilaton weapon in a vertical shaft 900 feet deep, far deeper than the RNEP could go. The fallout cloud rose 10,000 feet into the air and it was tracked all the way to the Canadian border. If we extrapolate the use of a similar weapon to Iraq for example, where we could assume the weapon would be buried much shallower than 900 feet, radioactive fallout could settle over the entire country. Not exactly the best way to win the hearts and minds of the Iraqi people.

So is there an alternative to going nuclear? In fact, there is. If buried sufficiently, conventional weapons are reported to be nearly as effective as their nuclear alternative and can destroy buried bunkers without the risk of radioactive fallout and the ensuing political consequences. This year, Congresswoman Ellen Tauscher, another champion on this issue, and my boss, Congressman Spratt, introduced an amendment to take all the money out of new nuke development and put it into better intelligence on deeply buried targets and hardening cases so conventional weapons could better survive ground impact. The amendment failed by a close vote, but to many it seemed like a prudent alternative to the nuclear option.

And finally, the focus of this talk: does the development of new nuclear weapons match our strategic interests? The answer to this question is a resounding no. Article VI of the nuclear Nonproliferation Treaty made every party pledge to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and to disarmament. The development of new nuclear weapons runs directly counter to that pledge. It's not only unnecessary, but counterproductive at a time when we're trying to get countries like Iran and North Korea to give up their nuclear ambitions. If we develop new nuclear weapons, it could be seen by these countries as an abandonment of the NPT and a green light to begin the open development of their own nuclear weapons. In shattered economies like these, one could easily imagine a scenario where the government sold these weapons to rogue terrorist groups or where those same governments were lax on security and those weapons were stolen.

But before we pursue the development of new nuclear weapons, we must ask ourselves a fundamental question: can we really continue to move the world away from nuclear weapons, while we ourselves are doing the exact opposite? In the words of Congressman Ed Markey, "We're like those who would preach temperance from a bar stool."

Nearly half a century ago, President Eisenhower rejected the counsel of his advisors, who wanted a new variety of nuclear weapons that they said would allow the United States to fight and "win" a nuclear war. When asked why, Eisenhower responded, "You can't have that kind of war. There just aren't enough bulldozers to scrape the bodies off the streets." Our generation is now faced with a similar challenge: to lead the world down a path toward true nuclear nonproliferation or to pursue a new nuclear ambition with limited military utility that could lead us to a new arms race and increase the chance of these weapons falling into terrorist hands. By zeroing out funds for new nukes, Congressman Hobson has fired an important opening salvo in this fight and joined with Mr. Spratt and others who believe nuclear weapons are not the best way to make America safer. We can only hope that the administration and the leadership in Congress will soon follow suit.

So thank you and I look forward to your questions.

KIMBALL: Thank you very much, Mike. I think we can see that there are various perspectives. I hope that you'll come up to the microphones and put forward your questions to try to draw out our panelists on some of these issues. I see David Ruppe of Global Security Newswire. David?

DAVID RUPPE: Hi. This is for Dr. Harvey. How you doing?

HARVEY: We meet again.

RUPPE: Yeah.

(Laughter.)

Your answer in response to sort of the core question of the panel, your core answer was our pursuit of new capabilities or even research of new capabilities is not going to increase proliferation because it's been going on in the past, is likely to go on in the future. But to me, that sounds like a red herring argument because the real question isn't whether it's going to increase proliferation, but undermine efforts that are ongoing to convince certain countries to give up their pursuit of nuclear weapons. That's the real question. And how are we going to convince North Korea and Iran, which you admit they see us as our principle object of deterrence, how are you going to convince them to give up their nuclear weapons if we're pursuing new capabilities that might be used against them? Thanks.

HARVEY: First of all, again, I want to point out that the issue - the question is hypothetical. We don't have any modernization going on other than trying to sustain the existing stockpile. If we were to do some modernization in the future, the issue then was would that have an impact on our ability to secure or strengthen nonproliferation regime? Or on the interests or the incentives for other countries to acquire? And I think I pointed out with a fairly compelling case that within a certain boundary of our modernization program, granted you could think of possibilities which would - you know, a renewed arms race, et cetera, et cetera - but within the bounds of where we're thinking of heading if we - in the future, if these requirements - if requirements come about, what we're going - what we might possibly do is unlikely to affect countries' decisions on whether to acquire or not, which is much more a function of their regional security situation than it is what the U.S. does. And I would argue that many countries have been dissuaded from acquiring nuclear weapons because of the U.S. extension of the U.S. nuclear umbrella to those states. Many states who could quite easily and quite rapidly acquire them.

KIMBALL: Anyone else on the panel have any thoughts on the question?

LIEBERMAN: Well, I would obviously, based on my talk, you can imagine that I would disagree completely with that answer. I think that it does have a significant impact on international bodies developing nuclear weapons. What kind of international check would we have through the NPT and through an enforcement mechanism like the United States or European Union going to these people and saying, "You shouldn't develop these weapons, but it's ok for us." How are we going to go to them and say that somehow we're allowed to and they aren't, and they're going to look at us and say, "Well, you could use these weapons against us." Well, why couldn't they then counter by saying we should have - they should have the same right to develop those weapons and have the right to defend themselves against our potential threat. I think that it has a definite impact on the credibility that we have on this issue in the world and on our ability to lead the world toward a real denuclearized stage.

KIMBALL: Yes, sir?

MICHAEL GLENZER: Hi, my name is Michael Glenzer, I'm with Nuclear Weapons and Materials Monitor. Thank you all first for the presentations. For Dr. Harvey though, more of a nuts and bolts question than that. Given that largely because of Mr. Burnison's boss's actions during the appropriations process that it won't be funding for RNEP or some of these other programs. What

NNSA plan to do in FY05 with the scientists and the staff that are involved? Will the programs continue in some sort of capacity or will they stop entirely and the scientists be diverted to another area or what will happen specifically.

And then two, what's the plan for FY06? Does it cost more money to start them back up if there's a proposal to or what happens?

HARVEY: You know, I'm sorry. I can't really go into that because we don't quite know - we haven't quite assessed the full situation, what its impact is on the design teams and others or what we're going to do in response yet. And we won't - that will probably be articulated when the president puts his budget forward in February. And one of the things we don't do in the administration is try to forecast what the president is going to do before he decides to do it.

KIMBALL: But John, if you could elaborate on what some of the considerations are as you think about that, at least at NNSA, if you could. What kinds of considerations are you looking at as you make that decision.

GLENZER: Just the options as well. I mean, if we're talking about - you said you haven't assessed all of your options - what the options are, basically for FY05.

HARVEY: The options are to fund it or not to fund it. One of the considerations I have, which may or may not be related to this, is the concern that if we want to sustain nuclear weapons capabilities into the indefinite future, and we don't know at what point world situation will evolve to the point where nuclear forces or even conventional forces aren't necessary anymore. But until that point, we will need to sustain our capabilities. Without doing some modernization work, we will not be able to sustain the design capabilities at our laboratories that we bring to bear in trying to assure the safety and reliability of the future stockpile. So that's a consideration.

BURNISON: I think I can add just one comment. In terms of the options for 05, there aren't any. There is zero funding and any carryover was burned up during the continuing resolution period, so what the department's looking at - there's no more spending on this program. However, there is a bomb casing on a sled track at Sandia, I believe, looking, waiting to do an experiment on the RNEP program that isn't going to be done now. So once the president signed the bill, there is no money. So there are no options. There are options for the department to come forward and ask for reprogramming of funds to address the immediate cutoff of this program, which I imagine will take place, but that won't be the case of new spending on RNEP, it may be new spending on shutting down RNEP. But I think that's pretty much where we are for 05.

KIMBALL: Any other questions? Mr. Tom Clements?

TOM CLEMENTS: Hi. Tom Clements of Greenpeace International. And my question is really been pretty much asked with this last. But just to pursue it a little bit more, the question was to Dr. Harvey about what would happen to the programs, but I would like to ask the Congressional panelists, what do you think Congress is going to do just to pursue this a bit more to actually make sure that DOE is not keeping these teams doing the work that they were doing?

BURNISON: The department can and the NNSA can only fund the activities that are proposed and appropriated for within the budget justification. So there's not so much a concern that they're going to do anything secretly. I mean, we have a wonderful working relationship with NNSA. We have some fundamental disagreements, but there's no issue about somebody trying to do something and hide it from Congress. I think these debates are not settled and we'll probably have them again in the 06 context, whether it be in Energy and Water, whether it might be in Defense Appropriations, I'm sure we'll still have discussions on the Armed Services on the authorizing side, so we'll continue to follow up particularly on the restructured Advanced Concepts program that is now the Reliable Replacement Warhead, which is something that Chairman Hobson's hopeful that NNSA proposes - and the labs propose in such a way that really fundamentally supports a movement ahead of the life extension programs to strengthen the existing stockpile in terms of reliability. So although it certainly was press worthy and maybe surprising to some on the decision of zero funding for RNEP, I think we're still working with NNSA to move forward in areas that are important for stockpile

reliability.

KIMBALL: Just on one thing you mentioned, Scott, if I could ask John to very briefly describe what the Reliable Replacement Warhead program is for those not familiar with the intricate details.

HARVEY: Well, it's the idea is to respond to the long-term challenge of being able to sustain the safety and reliability of the existing military capabilities reflected in the current stockpile. And the idea of how to do that, how to ensure that subsequent life extension programs that continue to change things, that introduce new technologies or existing technologies and replace other technologies in warhead components eventually may drive you to - because you're not testing - to decreased - with concerns about reliability - in the ideas, is there an approach we can take to think about an inherently reliable warhead that would be much easier to certify, much easier to manufacture and therefore leverage other elements of the DOE infrastructure.

LIEBERMAN: I want to add one thing to what Scott had said and certainly if Congress doesn't provide funding, there is very little leeway that DOE has to move forward with these programs, but he did mention reprogramming. I did want to mention that any reprogramming request above a certain level does have to go through Congress, and I would presume to Scott's subcommittee and certainly that would provide a second check on the system should there be any - though we don't suspect it and certainly we have a good relationship with NNSA as well - any backdoor attempt to try to fund these programs.

KIMBALL: Yes, sir?

DAVE KRAMER: Dave Kramer of Science and Government Report. Mr. Harvey, I wonder, you seem to be saying that the - you have to sustain the capabilities and the design. Are you saying that we have to keep these people busy? And is that why we're developing these new concepts? And secondly, I was wondering if you could respond to the comment by one of the other panel members that the RNEP was budgeted for \$485 million over five years? I believe the RNEP is supposed to be a modification of existing warheads, so is that - could you answer what that money is all for?

HARVEY: This is not to keep folks busy. The idea here is that over the past almost 15-20 years, we've done very little modernization in the nuclear weapons stockpile. As a result, we have not challenged the design teams to be able to broadly apply their ideas to new concepts. This is a - they do exercise some of those skills in the life extension programs, but not the full range of skills that we need to have were we to have to develop systems in the future or to ensure that the changes we make to warheads that take us further away from the nuclear test design base are not going to affect the safety and reliability of these systems. So we need to keep a credible, current design effort at our laboratories to ensure that we can sustain things in the future.

With regard to the \$485 million, I mean, Mike and Scott understand that there was no decision to proceed to full-scale engineering development on RNEP. The idea was to complete this study and then make a decision. And that decision if we were to move forward into full-scale engineering development would have another review by Congress to approve that decision. We could not move into full-scale engineering and development without Congressional approval. What we did last year was to show, were a decision to be made to move into full-scale development, what the out year impacts would be. And that was a - the purpose of that was increased transparency in the system and it backfired.

KIMBALL: Well, if I could just comment and step out of my moderator role, I think that transparency is helpful. And one question that cancellation of Fiscal 05 funds raises is what impact might that have on the schedule that was outlined for that five year plan, in terms of when and if a request might come from NNSA and the administration to move from the research phase to the development phase. I believe that the original plan had it outlined at was it Fiscal 2007? I think that was the year it would have been. Does this mean that either this would be exactly a one year delay? How would you calculate it?

HARVEY: I think if you were to reestablish the program, you would have a delay. And you would have to do some - you would have some additional delay as a result of ramping up - were Congress

to approve funding in 06 and - I'm sorry, in 07 - we would have to ramp up from those - from a stop. And that would take some additional time. That would be my sense.

LIEBERMAN: I would want to add because I was the one who mentioned the \$485 million dollars initially, the budget justification documents, which we very much appreciated for their transparency also raise a question for me. And that is, why project development if you're insisting that this is certainly and only a study? Secretary Rumsfeld says this is a study, nothing more, nothing less. That's DOD, not DOE, but certainly they coordinate. Why develop a study if you're not going to move into the development phase, and certainly, why put enough staff on a project to develop what that cost would be of the development phase if that's not the direction you're moving.

Now, Mr. Harvey is absolutely right. Does that have to come back through Congress for a check off before they move it into development? Absolutely it does. That was written into the law when they repealed the Spratt-Furse Ban. But it certainly suggests to me that that is the direction that they may be moving and I think that that adds additional gravitas to the decision that Congress made this year to discontinue the program because that's the direction that we collectively saw that they were moving as well.

HARVEY: Just clarify one point. There's been no attempt to hide the fact that this study was to inform a decision on whether to proceed with the full-scale engineering development. And the issue is we're not going to go into full-scale engineering development if the system's not feasible. That's what this study's designed to establish. Or if the system is too costly, which is what the study is designed to establish.

Secretary Rumsfeld was absolutely right, it's a study. But the purpose of the study is to form a subsequent decision.

KIMBALL: Alright, I think we have time for one more question.

STEPHEN YOUNG: Stephen Young with the Union of Concerned Scientists. First, I want to sincerely thank Dr. Harvey for coming out and being willing to speak in forums like this. It's great, I appreciate that you're willing to come out and do this; it's not everyone who does do that. I really appreciate it. The question I have is one you might not want to answer, but I want to know is it actually an option that could be considered on funding FY06 for the RNEP. Is it even possible that you could try and shift that pocket of money from Energy and Water Appropriations, where Congressman Hobson plays a key role, to Defense Appropriations, where others might be more supportive would be controlling that budget? Is that it could happen, is that impossible, is that realistic, is that a possibility you're looking at? Do you have any idea, can you answer that at all?

HARVEY: Look, anything is possible. But let me tell you something. You'll get me into the biggest trouble I can get if you start trying to get me to forecast what the president is going to do in the budget.

KIMBALL: That sounds like we're going to have to wait 'til - what is the date? February 7?

HARVEY: February 8, or something.

KIMBALL: February something. Ok. Until that point, we'll have to speculate on some of this, discuss it further. I want to ask you to, before we break for lunch, to join me in thanking our panelists.

(Applause.)

And I do want to add that I share Stephen Young's view that it's been very helpful to have all three gentlemen with their different perspectives coming here to share them with us in a public forum. It's very important for the quality of the public dialogue and in addition to reading Exchange Monitor publications and following this, I would encourage you to take a look at Arms Control Today. We did a very interesting interview with Administrator Linton Brooks last year, also covering the subject. We also had a very good article by Congressman John Spratt. So I encourage you to follow this issue and others through those publications.

Ed?

HELMINSKI: Since we're back on schedule, we are back on schedule. So, we'll be back here at 1:15 and reconvene.

[END OF PANEL.]

- [United States](#)
- [Nuclear Nonproliferation](#)
- [U.S. Nuclear Policy & Budget](#)
- [Disarmament](#)

Source URL: <https://www.armscontrol.org/events/2004-12/possible-effect-us-push-new-nuclear-weapons-developing-consensus-restructuring>