Congress Limits Warhead Dismantlement

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By Kingston Reif

Long opposed to the Obama administration’s nuclear weapons risk reduction agenda, the Republican-controlled Congress voted in May to prevent the National Nuclear Security Administration (NNSA) from implementing the former administration’s proposal to accelerate the rate of dismantlement of retired nuclear warheads.

Congress approved $56 million for nuclear warhead dismantlement and disposition activities, a reduction of $13 million, or 19 percent, from the Obama administration’s proposal of $69 million in its final budget request. The funding provision is part of the fiscal year 2017 omnibus appropriations bill, which President Donald Trump signed into law on May 5. Fiscal year 2017 started on Oct. 1, 2016, and runs until Sept. 30.

When a warhead is retired and removed from the U.S. nuclear stockpile, the NNSA, a semiautonomous agency of the Energy Department, takes the weapon apart to ensure that it can never be used again. The transition from retirement to disassembly can take years and involves a number of steps and facilities.

In a January speech in Washington, Vice President Joe Biden stated that the Obama administration dismantled 2,226 warheads during its eight years in office. Biden also said that the queue of warheads awaiting dismantlement stood at 2,800 warheads as of September 2016.

The Obama administration’s fiscal year 2017 budget request included funds to begin accelerating the rate of dismantlement by 20 percent pursuant to an announcement made by Secretary of State John Kerry in April 2015 at the nuclear Nonproliferation Treaty review conference in New York to further demonstrate the administration’s commitment to nuclear disarmament and nonproliferation.

But a number of Republican members of Congress strongly opposed the proposal, calling it unilateral disarmament.

The fiscal year 2017 national defense authorization act signed by President Barack Obama last December sets an annual limit of $56 million for NNSA dismantlement expenditures in fiscal years 2017 to 2021 and prohibits spending beyond that amount unless a number of stringent conditions can be met. (See ACT, January/February 2017.)

Although the House and Senate appropriations committees last year approved the Obama administration’s request to accelerate the dismantlement rate, the final funding level in the omnibus bill follows the direction in the defense authorization bill.

The omnibus bill also includes a policy provision prohibiting the use of fiscal year 2016 funds “to reduce or to prepare to reduce” the number of deployed and nondeployed U.S. strategic nuclear delivery systems below the levels the Pentagon has said it will retain as it adjusts its forces to meet the requirements of the New Strategic Arms Reduction Treaty by the treaty’s implementation deadline of 2018.
The Obama administration last year considered reducing the size of the deployed arsenal below New START levels, but ultimately decided not to do so. (See ACT, January/February 2017.)

**Defense Spending Increased**

The omnibus appropriations bill is a nearly $1.2 trillion conglomeration of 12 appropriations bills that had to be passed to keep the government operating. For the first seven months of the fiscal year, Congress passed a series of continuing resolutions that extended funding for most discretionary governmental programs at the previous year’s levels, although several programs, including nuclear weapons programs, received fresh funding at the fiscal year 2017 request level.

The bill includes $14.8 billion of the extra $30 billion in spending requested by the Trump administration in March. The administration requested the funds as a supplement to the Obama administration’s original budget submission.

Congress included the additional funds in the Defense Department’s overseas contingency operations account, which is nominally used to fund the wars in Afghanistan and Syria but in fact also funds other defense programs, as the account is not limited by the 2011 Budget Control Act. That act places limits on discretionary spending, including military spending.

The Trump administration’s budget request for fiscal year 2018, released on May 23, includes a total of $603 billion for national defense, which includes the Energy Department’s nuclear weapons programs. This is an increase of $54 billion above the budget cap in effect for fiscal year 2018 and $19 billion, or 3 percent, above the projected spending level for fiscal year 2018 contained in the Obama administration’s fiscal year 2017 request.

**Nuclear Modernization**

The omnibus bill largely supports the Obama administration’s proposed funding increases for programs to sustain and to rebuild nuclear-armed missiles, submarines, and bombers and their associated nuclear warheads and supporting infrastructure. (See ACT, March 2016.)

The bill includes the requested amounts of $1.9 billion for the Navy’s Ohio-class submarine replacement program, an increase of $360 million above the fiscal year 2016 appropriation; $114 million for the Air Force’s effort to develop a replacement for the Minuteman III intercontinental ballistic missile (ICBM) system, an increase of almost $39 million over 2016; and $96 million for a new fleet of nuclear-capable air-launched cruise missiles (ALCMs), almost six times as much as Congress appropriated last year.

The bill funds the nuclear-capable B-21 “Raider” bomber program at $1.3 billion, a small reduction of $20 million below the budget request level. The bill also includes a provision calling on the Defense Department’s inspector general to review the secrecy of the program.

The Air Force has refused to release the value of the contract awarded to Northrop Grumman Corp. in October 2015 to develop the B-21 and the estimated total cost of the bomber program, citing classification concerns.

The bill also provides $9.3 billion for nuclear weapons activities conducted by the NNSA, an increase of $399 million, or 4.5 percent, above the fiscal year 2016 appropriation. The appropriation for weapons activities includes $223 million to begin refurbishing the existing ALCM warhead and $616 million for the B61 nuclear gravity bomb life extension program.

**GMD System Gets Boost**

The omnibus bill provides $968 million in research and development funding for the ground-based midcourse defense (GMD) system designed to protect the United States against a limited ICBM attack from North Korea or Iran, an increase of $106 million above the budget request level of $862 million. The increase restores funding to the level the Obama administration planned to request for fiscal year 2017 in its fiscal year 2016 budget submission.
The GMD system consists of interceptor sites in Alaska and California supported by radars and sensors around the globe and in space.

Overall, the bill provides approximately $8.2 billion for the Missile Defense Agency, an increase of $700 million above the Obama administration request.

**MOX Construction Continues**

Congress provided the NNSA with $335 million to continue construction of the mixed-oxide (MOX) fuel fabrication plant at the Savannah River Site in South Carolina, rejecting the Obama administration’s proposal to end the project. (See *ACT, March 2016*.)

The MOX fuel program is designed to turn surplus plutonium from the U.S. nuclear weapons program into fuel for power reactors.

The U.S. effort to dispose of its plutonium via the MOX fuel path has suffered from large cost increases and schedule delays that put the project in jeopardy, prompting the Obama administration to propose ending the program and instead pursue an alternative approach. The alternative “dilute and dispose” process would down-blend the plutonium with an inert material for direct disposal in a repository. That approach can be implemented decades sooner at a much lower cost and with fewer risks, according to the Energy Department. (See *ACT, June 2015*.)

Despite the Energy Department’s efforts to terminate the MOX fuel project, Congress, led by the delegation from South Carolina, has refused to abandon it. Nonetheless, the bill provides $15 million, the same as the budget request and an increase of $10 million over the fiscal year 2016 level, to complete design activities for the dilute-and-dispose alternative.

Overall, the bill includes $1.9 billion for NNSA fissile material security and nonproliferation efforts, an increase of $75 million above the budget request and a decrease of $57 million from the current level.

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