



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 109<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 151

WASHINGTON, Wednesday, March 16, 2005

No. 32

## Senate

### Statement of Senator Dianne Feinstein

#### *“The Fiscal Year 2006 Budget Request for Nuclear Weapons”*

MRS FEINSTEIN: I thank the Chair. Mr. President, as we all know, this budget cuts a score of critical domestic programs: food for women and infants; community development block grants for cities, which cities use for vital purposes; and health and education programs for children. That is just a few. It cuts Medicaid by \$15 billion over 5 years. It zeros out reimbursements to States and counties of the cost of incarcerating criminal aliens. It is an unfunded mandate in that regard. Yet this budget contains \$41.3 million for nuclear weapons initiatives including \$8.5 million for a nuclear program that scientists say is impossible to achieve.

The seriousness of the issue and the clear intent of this administration to renew funding this year for this nuclear initiative that was zeroed out by the Congress last year compel me to come to the floor today.

President Bush's fiscal year 2006 budget calls for \$8.5 million, including \$4 million for the Department of Energy and \$4.5 million for the Department of Defense, for the research and development of a nuclear bunker buster, a 100-kiloton weapon called the robust earth nuclear penetrator. The purpose of the research is to determine whether a missile casing on a 100-kiloton warhead can survive a thrust into the earth and take out a hardened and deeply buried military target without spewing millions of cubic feet of radioactive debris into the atmosphere. Scientists know that the laws of physics will not allow that to happen.

It includes \$25 million to lower the Nevada test site time-to-test readiness from the current 24 to 36 months to 18 months. This sends a clear signal of an urgent move to begin underground nuclear testing as soon as possible. This is despite the fact that our country has had a moratorium on nuclear testing since 1992. We have had it for more than 13 years.

It also contains \$7.8 million for a so-called modern pit facility. This is a facility to build 450 new pits. These are the nuclear triggers for nuclear weapons, the shells in which the fissile material is contained and detonated. This is 450 new pits a year, some of which would be designed for new nuclear weapons.

Currently the United States has approximately 15,000 warheads. Under the Moscow Treaty, the United States is to decrease its strategic nuclear force to 1,700 to 2,200 by 2012. To maintain a 2,200-warhead force at replacement level -- and this is important -- we would only need to build 50 pits a year, not 450 which is called for in this budget. So why build a new facility unless there are plans underway to develop a new generation of nuclear weapons?

Perhaps because the explosion and use of nuclear weapons took place at the end of World War II, we forget what it is like. I hope people will look at this and see what it is like. This is Hiroshima. This is at the end of World War II. This is a 15-kiloton nuclear weapon, not a 100-kiloton nuclear weapon. This is incomprehensible to me. This is what

the Enola Gay dropped on Hiroshima. It cleared bare 4 square miles. It killed immediately 90,000 people. It caused hundreds of thousands of people to die of radiation sickness. Again, why fund this program?

Congress made a strong statement last year. We took out the appropriations for these new nuclear weapons. This defunding was made possible by the leadership of Representative David Hobson, the chairman of the House Appropriations Energy Committee, who was successful, with our support, in eliminating \$27.5 million in funding for this 100-kiloton nuclear bunker buster and \$9 million for the advanced weapons concepts initiative. This is a fallacious concept of creating low yield tactical nuclear weapons, under 5 kilotons, to use on a battlefield no less. Who would ever want to send their sons and daughters to any war where the battlefield had nuclear weapons? It also eliminated funding to lower the time-to-test readiness at the Nevada test site to 18 months and limited funding for the Modern Pit Facility to \$7 million.

Congress spoke last year. We said: We will not approve appropriations for this program. And yet once again those appropriations have crept into this budget.

I will take a few minutes to make that evident to Members of the Senate. Last year was a consequential victory for those of us who believe very deeply -- and I might say passionately -- that the United States will not be safer because of this program and that the United States sends the wrong

signal to the rest of the world by reopening the nuclear door and beginning the testing and development of a new generation of nuclear weapons.

This year, our message is clear: Don't reopen this nuclear door. Those of us who are appropriators will once again try to remove this funding from the budget.

I am so disappointed to learn that the administration has requested funding again this year for a 100-kiloton nuclear bunker buster, to lower the time-to-test readiness at the Nevada test site to 18 months, and to fund a modern plutonium pit facility that could produce 450 new plutonium pits a year when only 50 are needed.

There should be no doubt that this is the Secretary of Defense's program. He is determined to get it funded. It is that Secretary who requested the Secretary of Energy to place \$4 million in the energy budget and \$4.5 million in the defense budget. This is very clever. In this way Secretary Rumsfeld hopes to get it done in the defense budget, if he can't through energy appropriations.

I ask that the Senate know that the development of a 100-kiloton robust nuclear earth penetrator is simply not possible without spewing millions of tons of radioactive material and killing large numbers of people.

Secondly, the development of new nuclear weapons will only undermine our antiproliferation efforts and will make our Nation less safe, not more safe.

And thirdly, as a nation, we are sending the wrong message, a message that will only encourage nuclear proliferation by others. In fact, it already has.

The bottom line: There is simply no such thing as a clean or usable 100-kiloton nuclear bunker buster that could destroy a hardened and deeply buried military target without spewing radiation.

Consider this: A 1-kiloton nuclear weapon, detonated 25 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. Given the insurmountable physics problems associated with burrowing a warhead deep into the earth, you would need a weapon with more than 100 kilotons of yield to destroy an underground target at a depth of 1,000 feet. Yet the maximum feasible depth a bunker buster can penetrate is about 35 feet. At that depth, a 100-kiloton bunker buster would scatter 100 million cubic feet of radioactive debris into the atmosphere.

There is no known missile casing that can survive a 1,000-foot thrust into the earth to avoid overwhelming and catastrophic consequences. That is not me saying this, that is science saying this.

Let me give you the words of the head of the National Nuclear Security Administration, if you don't trust me. At the March 2, 2005, House Armed Services Strategic Forces Subcommittee, Congresswoman Ellen Tauscher asked Ambassador Linton Brooks the following question:

"I just want to know, is there any way a [robust nuclear earth penetrator] of any size that we would drop will not produce a huge amount of radioactive debris?"

The answer, according to the Ambassador: "No, there is not."

When Congresswoman Tauscher asked him how deep he thought a bunker buster could go, using modern scientific concepts -- in other words, here we get to the missile casing -- he said:

"...a couple of tens of meters maybe. I mean certainly -- I really must apologize for my lack of precision, if we in the administration have suggested that it was possible to have a bomb that penetrated far enough to trap all fallout. I don't believe that -- I don't believe the laws of physics will ever let that be true."

So here we have the administration saying what we who have opposed this program from the start have said.

The laws of physics will never allow the development of a "clean" 100-kiloton robust nuclear earth penetrator.

Again, simply stated, there is no casing that will withstand a 1,000-foot thrust into the earth -- the depth at which a spewing of radioactivity might be contained. Such an admission begs the question: Why are we even spending a dime on this research? Or as Secretary Rumsfeld said to me in a Defense Appropriations Subcommittee hearing with a shrug,

"Oh, this is just a study."

Do I believe that answer? Absolutely not. This has never been about a study. It has been about the intent of the administration to develop new nuclear weapons, and I have followed this for a long time now.

This year, this budget funds \$8.5 million. In fiscal year 2007, it increases to \$17.5 million, including \$14 million for the Department of Energy and \$3.5 million for the Pentagon.

While the administration is silent this year on how much it plans to spend on the program in future years, last year they let it all out. Last year's budget request called for spending \$485 million on a 100-kiloton nuclear bunker buster over 5 years, which scientists say is impossible to devise. The laws of physics won't allow it, unless you are going to prepare one that is going to spew tons of radioactivity.

Let me, for a moment, mention the policies underlying this initiative. These policies began in 2002 with the document called the Nuclear Posture Review. That document places nuclear weapons as part of the strategic triad for the first time in our history, therefore, blurring the distinction between conventional and nuclear weapons -- a very bad policy decision.

Then take National Security Directive 17, which came out later that year, which indicated for the first time in America's history that we would

engage in a first use of nuclear weapons -- a historic statement.

We have never had a no-first-use policy, but we have never said that we would countenance a first use of nuclear weapons. And in National Security Directive 17 we do just that. We say we would engage in a first use of nuclear weapons -- again, that is a historic statement -- to respond to a chemical or biological attack against certain nations. The Nuclear Posture Review named seven nations against whom we would countenance a nuclear attack. One of those nations legally is a nuclear nation.

This is ridiculous and foolish policy, and it jeopardizes the future of all Americans. But what it does also is it encourages other nations to develop their own nuclear weapons, thereby putting American lives and our national security at risk.

That is why the North Koreans are moving ahead. They see what we are going to do. They see that we have said we would enter into a first use of nuclear weapons. North Korea is one of the seven nations named. That is what is happening in Iran now. Iran is one of the seven nations named. Other countries are now looking at advanced weapons concepts, based on the fact that we have moved in this direction.

The next nuclear nonproliferation review conference is in May, and it will allow parties to the treaty to measure progress in implementing their obligation and to discuss additional steps to meet the treaty's objectives.

In public statements -- this is the hypocrisy -- the administration recognizes the importance of the NPT. Last week, President Bush stated that the NPT "represents a key legal barrier to nuclear weapons proliferation and makes a critical contribution to international security," and that "the United States is firmly committed to its obligations under the treaty."

If we are indeed serious about strengthening our nonproliferation efforts and increasing international nuclear security, we should lead in

reducing nuclear arsenals; we should lead in preventing nuclear proliferation; and we should know that a production of a 100-kiloton nuclear bunker buster is sheer hypocrisy on our part.

Make no mistake, the rest of the world is watching us and paying close attention to what we do. I believe the United States can take several actions to make better use of our resources and demonstrate our commitment to keeping the world's most dangerous weapons out of the hands of the most dangerous people. We have to strengthen the Nuclear Non-Proliferation Treaty at this May 2005 review conference.

This includes supporting tougher inspections to monitor compliance, more effective controls on sensitive technologies, accelerated programs to safeguard and eliminate nuclear weapon usable materials, and agreement that no state may withdraw from the treaty and escape responsibility for prior violations of the treaty.

We should expand and accelerate Nunn-Lugar threat reduction programs. I hear Senator after Senator saying they support the Nunn-Lugar program. We should provide the necessary resources to improve security and take the rest of the Soviet era nuclear chemical and biological weapons arsenal and infrastructure out of circulation.

Third, we should strengthen the ability of the DOE's global threat reduction initiative to secure and remove nuclear weapons usable material from vulnerable sites around the world.

Last year, Senator Domenici and I sponsored an amendment to the 2005 National Defense Authorization Act, which authorized the Secretary of Energy to lead an accelerated, comprehensive worldwide effort to secure, remove, and eliminate the threat by these materials.

Finally, we should improve -- this has to do with the bunker buster -- our intelligence capabilities in relation to underground targets and expand conventional options to put them at

risk. Every underground target has entry and exit, has air vents, presents a way to take them out with conventional weapons. That is what we should be doing instead of exploring, doing research and development of a 100-kiloton nuclear bunker buster, which science says cannot be done without the spewing of millions of tons radiation. History repeats itself.

I yield the floor and suggest the absence of a quorum and ask unanimous consent that the time be equally divided.