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## Senate

### Statement of Senator Dianne Feinstein

*“Support the Kennedy-Feinstein Amendment to Prohibit the Use of Funds for the Support of New Nuclear Weapons Development”*

Mrs. FEINSTEIN. Mr. President, I am very happy to join with Senator Kennedy in support of this amendment. I come at this from a passionate, moral point of view so my arguments are going to reflect that. We have been hearing for 2 years now that this is just a study. Yet the Congressional Research Service has shown in its reports that, in fact, it is much more than a study. This is the reopening of the nuclear door and the development of a new generation of nuclear weapons.

We, the strongest and most technologically proficient military on Earth now see fit to reopen that door and begin to study and develop a new generation of nuclear weapons: One, the robust nuclear earth penetrator, a

100-kiloton bunker buster, which at present cannot be developed to drive deeply enough into the ground to prevent the spewing of massive amounts of radioactive debris; two, something called advanced concepts initiative, which is the development of low-yield nuclear weapons, under 5 kilotons, to be used as strategic battlefield nuclear weapons; and three, the development of a plutonium pit facility with enough capacity to create up to 450 plutonium pits per year, which are the trigger devices in a nuclear weapon.

I strongly believe that to proceed on this path is folly because by doing so we are encouraging the very nuclear proliferation we are seeking to prevent. In other words, we are telling

other countries, don't do what we do, do what we say. We are practicing the ultimate hypocrisy. And there is now emerging evidence that others are going to follow this course.

When I stood on the floor last week, I mentioned the report that India is beginning the development of battlefield nuclear weapons. You can be sure Pakistan will follow. We also know Brazil is looking at that opportunity as well. In April of this year, Brazil refused to allow IAEA, the International Atomic Energy Agency, inspectors to examine a uranium enrichment facility under construction. They insisted that the facility will only produce low-enriched uranium, which is legal under the Nuclear Nonproliferation Treaty, so

long as it is safeguarded. They also refused to fully cooperate with the IAEA's investigation into the nuclear black market operated by Pakistani scientist A.Q. Kahn.

These are all the signs. We saw them in North Korea as well. Brazil appears to be rebelling against what it perceives to be a double standard in the global nuclear proliferation regime. It views President Bush's proposals, which significantly curtail the sharing of potentially peaceful nuclear technology, as a radical departure from the standards agreed to under the NPT. I am quoting from a statement issued by the former Foreign Minister of Great Britain, Robin Cook, and former Secretary of State Madeleine Albright in a document entitled "A Nuclear Nonproliferation Strategy for the 21st Century." We know that other countries follow the example of the United States. Why are we doing this?

There is good news. Last week the House Appropriations Subcommittee on Energy and Water eliminated all funding for these programs, everything -- for the pit facility, for the advanced weapons concepts, and for the nuclear bunker buster. That was a wise decision. I believe the action of the House is a reflection of the growing bipartisan concerns that I know many of my colleagues share about this administration's nuclear weapons programs. That is why the Senator from Massachusetts and I and the Senator from Michigan and others have offered our amendment to eliminate funds for programs to develop new nuclear weapons capabilities, including the robust nuclear earth penetrator.

This administration continues to argue that no new weapons production is currently planned. But again, the facts belie this statement.

Ambassador Linton Brooks, head of the National Nuclear Security

Administration, stated in a recent interview that it is important, in his view, to maintain a manufacturing and scientific base so that the United States can meet the goal of "being able to design, develop, and begin production of a new warhead within 3 to 4 years of a decision to enter engineering development."

That is the ball game -- the development of a new warhead. It is not just a study; it is development.

I mentioned the Congressional Research Service report. I was staggered when I saw that it concluded that the administration's long-term budget plans, including \$485 million for the robust nuclear earth penetrator between 2005 and 2009, casts doubt on the contention that the studies of a new nuclear weapon are, in fact, just studies. Why would the administration be including \$485 million in future funds in its long-term budget for a robust nuclear earth penetrator if it was just a study? The fact is, they would not. The study

doesn't cost \$485 million. The answer is that they are planning to go into the engineering and the development phases.

What I find most troubling with the administration's approach is the suggestion that we can make nuclear weapons more usable.

I strongly believe it must be a central tenet of the U.S. national security policy to do everything at our disposal to make nuclear weapons less desirable, less available, and less likely to be used.

According to press reports, the 2001 Nuclear Posture Review cited the need to develop a new generation of nuclear weapons and suggested a "new triad" which blurred the lines between conventional and nuclear forces. I keep mentioning that because this paper is often postulated as a throwaway -- don't pay attention to it -- but it is a very important statement of administration policy.

As early as 2001, this administration was creating

a new triad of strategic forces, and one part of that would be the nuclear triad -- in other words, the creation of new weapons that could be used along with conventional weapons.

This document also names seven countries -- not all of them possessing nuclear weapons -- against which we would consider launching a nuclear first strike.

So this new triad, with its emphasis on the offensive capability of these weapons -- even in first-strike scenarios -- represents a radical and dangerous departure from the idea that our strategic nuclear forces are primarily intended for deterrence. This is significant. We have always looked at our nuclear arsenal as a deterrent arsenal. This is now changing to an offensive arsenal. If you think about how the robust nuclear earth penetrator would be used, how low-yield nuclear weapons would be used, they would not be used in a defensive posture; they would be

used as part of an offensive thrust.

A recent report of the Pentagon's Defense Sciences Board argues that "nuclear weapons are needed that produce much lower collateral damage," precisely so these weapons can be more "usable" and integrated into war-fighting plans.

Now, the problem in all of this is that there is no such thing as a "clean" or usable nuclear bomb. A lot of studies have been done.

A leader in this effort is Dr. Sidney Drell, a physics professor at Stanford University. He points out how 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.

The depth of penetration of the robust nuclear earth penetrator is limited by the strength of the missile casing. The deepest our

current earth penetrator can burrow is 20 to 35 feet of dry earth.

Casing made of even the strongest material cannot withstand the physical force of burrowing through 100 feet of granite to reach a hard or deeply buried target -- much less the 800 feet needed to contain the nuclear blast.

So if a nuclear bunker buster were able to burrow into the earth to reach its maximum feasible penetration depth of 35 feet, it would not be able to be deep enough to contain even a bomb with an explosive yield of only 0.2 kilotons, let alone a 100-kiloton bomb like the robust nuclear earth penetrator.

So given the insurmountable physics problems associated with burrowing a warhead deep into the earth, destroying a target hidden beneath 1,000 feet into rock will require a nuclear weapon of at least 100 kilotons. So anything short of 800 feet will not contain a fallout. A fireball will break through the

surface, scattering enormous amounts of radioactive debris -- 1.5 million tons for a 100-kiloton bomb -- into the atmosphere. Is that what we want to be doing as a Nation?

The 1962 Sedan nuclear test at the Nevada Test Site illustrates the enormous destructive effects of a 100-kiloton nuclear blast detonated 635 feet below the surface of the Earth -- far deeper than any robust nuclear earth penetrator can be engineered to go. The radioactive cloud it produced continued to rise as debris settled back to Earth, and the base surge of the explosion rolled over the desert. Even at 635 feet below the ground, the blast could not be contained.

On the floor of the Senate last week, my friend, the distinguished Senator from Arizona, Mr. Kyl, argued that because conventional earth-penetrating munitions failed to knock out Saddam Hussein in his underground bunker on the eve of the Iraq war, "only nuclear weapons can address the deeply buried targets that

are protected by manmade, or even hard geology."

I usually, on security matters, agree with my friend. But consider the implications of this statement. If we had used a nuclear earth penetrator, we might have killed Saddam Hussein -- that is, assuming we had the right location in the first place, and clearly our intelligence was not right -- but at the same time the United States would have used a nuclear weapon against a nonnuclear weapon state, detonating it in the middle of a city of 5 million people. Would leveling Baghdad have been the right way to liberate an oppressed people from a brutal dictator? Of course not.

I thank the Chair and I yield the floor.