

Speech to the Energy Facilities Contractors Group
Rep. Ellen Tauscher
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<http://www.house.gov/tauscher/issues/speech-06-09-04.html>

Thank you, Dennis, for your introduction and for your invaluable work here with the Energy Facilities Contractors Group and at Livermore Lab.

Thank you, Tom Stephens and all of the members of EFCOG here today, for having me here a second time.

Just a year ago, I spoke before the EFCOG and discussed challenges to nonproliferation and my recommendations for meeting them. I raised concerns about the direction that the Bush administration was taking on nuclear policy and outlined an alternate path that I believe would better protect the American people.

A lot has happened since then, both because of initiatives taken by the administration and because of significant developments abroad. The picture is decidedly mixed. On one hand, the first war fought to prevent a nation from using weapons of mass destruction against the civilized world turned out to have been waged against a paper tiger without any proscribed weapons. On the other, the administration recently announced it would reduce the U.S. nuclear arsenal by nearly half, thereby easing some doubts that the reductions promised in the Strategic Offensive Reductions Treaty would come to pass.

As we approach the end of the Bush administration's term in office, I would like to review four developments that will have the greatest impact on the future of the United States' efforts to defeat the threat of weapons of mass destruction and make several recommendations for the following administration.

First, let's examine the use of force in defeating the threat of weapons of mass destruction.

The use of force as a tool for reducing the threat of WMD has had both positive and negative outcomes. While the administration's determination to use force against Saddam Hussein may have been the tipping point in causing Libya to abandon its illicit weapons program, the circumstances surrounding the administration's actual use of force in Iraq has made it much harder for the United States to conduct such an operation in the future.

The alleged threat posed by Saddam's WMD in spring 2003 posed an important test for the world's resolve in facing down a rogue nation armed with weapons of terror. Diplomacy and military action have always been balanced options in responding to danger or threats. One of the reasons I supported giving the President authority to use force against Iraq was that arms control can only have teeth if it is backed by a credible threat of military force.

The conduct of operations against Iraq and the discovery that Saddam did not actually possess

the suspected WMD arsenal will have three consequences:

First, we will face compromised credibility for intelligence gatherers and policymakers.

If the U.S. is to use a preemptive strike against a country suspected of developing or acquiring nuclear weapons, the intelligence about that country's capability must be rock solid. In the case of Iraq, while Saddam Hussein put forward an extensive effort to deceive the international community about his true capabilities, he had neither the proscribed weapons nor advanced programs for new ones. David Kay, the first head of the administration's team of weapons inspectors has said, "I don't think they existed...I don't think there was a large scale production program in the 1990s."

Another consequence will be reduced international cooperation on inspections.

Days before the President announced the beginning of military operations against Iraq, the United Nations weapons' inspection team led by Hans Blix was overseeing the destruction of long range Iraqi missiles. Saddam was reluctantly meeting one of the international community's demands. After a short window of activity between November 2002 and March 2003 in which they conducted hundreds of inspections and several interviews with Iraqi scientists, the UN weapons inspectors were ordered out, leaving many of their tasks undone. Their forced withdrawal left unanswered the question of whether or not the mere threat of force might have been sufficient to allow the United States and coalition forces to verify Saddam's compliance with demands.

While the withdrawal of the inspectors and subsequent war hindered efforts to get a clear picture of Saddam's capabilities, the subsequent inability of the occupying forces to secure possible WMD locations was uniquely dangerous and may have encouraged WMD proliferation. The administration's obstinate decision to reject help from the UN even after the end of major combat operations and the Pentagon's decision to recreate its own substitute inspection team has been a costly waste of taxpayer dollars. The Administration's inability to work with the UN even after the end of major combat operations is damaging to any similar efforts where we would like UN inspection teams to get access, identify, and destroy any rogue nation's weapons capability.

Finally, we must recognize the new military order: an environment where the Pentagon will take offensive steps to head off rogue states' suspected intentions.

Beyond the capabilities that a particular nation may possess, a good understanding of that country's intentions is equally important. In the case of Iraq, the CIA determined Saddam would not strike with weapons of mass destruction against the United States unless provoked. In an October 7, 2002 letter to the Chairman of the Senate Committee on Intelligence, the Director of Central Intelligence made two important claims that directly undermined the case for striking Iraq first:

Tenet wrote: "Baghdad for now appears to be drawing a line short of conducting terrorist attacks with conventional or chemical and biological weapons against the United States."

And, responding to a question about whether Saddam would use weapons of mass destruction if he did not feel threatened, the answer was: “My judgment would be that the probability of him initiating an attack would be low.”

That the administration instigated military operations against a contained adversary who posed no imminent danger makes U.S. foreign policy unpredictable to allies and enemies alike. Paradoxically, it may encourage rogue states to assume that waiting for the U.S. to focus on them is too risky and that they must take preemptive action of their own. While Libya chose to disarm, the impact on North Korea and Iran has been just the opposite with both countries accelerating their nuclear programs.

Second in our examination of Bush Administration policy is a look at the role of nuclear weapons in U.S. national security strategy.

Today, the Cold War is over and we are no longer facing an enemy armed with tens of thousands of nuclear weapons. The administration just announced that it was reducing our overall stockpile but only dismantling some weapons, while keeping others in storage and, at the same time, embarking on a multi-billion dollar investment to build a Modern Pit Facility to replace every warhead that ages or is destroyed.

The Bush administration’s central policy legacy will be the 2001 Nuclear Posture Review which has guided all nuclear policy.

In the previous Nuclear Posture Review, completed in 1994, the U.S. would reduce its nuclear arsenal while at the same time sustaining its ability to rearm – understandable given the very recent end of the Cold War. Now, however, it is hard to justify the White House’s naked effort to restore nuclear weapons to prominence in their 2001 Nuclear Posture Review authored seven years later.

Even after the President's reduction in deployed strategic weapons, our remaining nuclear arsenal would be sufficient to raze entire countries to rubble several times over.

The Nuclear Posture Review is based on the questionable premise that the enemies of the United States cannot be deterred by the existing mix of conventional and nuclear weapons in our arsenal, prevented from acquiring weapons of mass destruction, or constrained by the existing arms control regime.

The Nuclear Posture Review makes a number of assumptions that seem divorced from any rational concept of today’s threat. It continues to require a large nuclear arsenal, reinvigorates the United States nuclear weapons testing and production infrastructure, takes the initial steps required to develop the next generation of nuclear weapons, and blurs the line between the traditional deterrence function of nuclear weapons and their potential offensive uses against threats.

This last emphasis on smaller nuclear weapons causing less collateral damage creates a new generation of tactical nuclear weapons. Secretary of State Powell was right in his memoirs

when he wrote about similar weapons during the Cold War, “No matter how small these nuclear payloads were, we would be crossing a threshold. Using nukes at this point would mark one of the most significant political and military decisions since Hiroshima.”

The nuclear deterrent necessary to protect the United States and guarantee our treaty commitments is much smaller than the one postulated in the NPR.

Third, we must address the future of America’s nuclear stockpile.

Perhaps the most significant step that the Administration took to advance nonproliferation since the President took office came last week with the announcement that the United States would reduce its operationally deployed stockpile to within the range codified in the Moscow Treaty, between 1700 to 2200 warheads. Reducing the topline of the U.S. nuclear arsenal is a tangible measure in keeping with our Article 6 obligations under the Nonproliferation Treaty to take "effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament."

However, many questions remain regarding the future size of the stockpile and plans for the infrastructure that supports it. The stockpile position still merits a criticism leveled at it by last year’s House Energy and Water Committee which criticized the Department of Energy for 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."

While those words were harsh, the administration's actions have done little to suggest otherwise.

With regard to the size of the stockpile, the reduction is laudable but still woefully inadequate. There are some 30,000 nuclear weapons in the global arsenal whose combined explosive yield equals 650,000 Hiroshima-sized bombs. If the U.S. plans to reduce its stockpile from roughly 10,000 to 6,000 warheads, the reduction is slightly more than a dent in the world's arsenal. Of those 6000, 1700 to 1200 would still be operationally deployed and ready for launch at a moment's notice. Those weapons are largely still positioned against Russia and once launched they cannot be diverted or destroyed in flight. Russia’s reductions are strongly influenced by ours and the longer it takes to dismantle our warheads, the longer they will keep theirs in insecure locations on hair trigger alert.

With regard to the DO’s plans for a Modern Pit Facility, the administration’s objectives seem out of sync with its plans to restore a pit manufacturing facility. According to the NNSA’s Modern Pit Facility Report, many additional pits beyond simple replacement pits will be needed for a range of activities including spares and logistics units, quality control pits, and production start-up pits. Furthermore, pits will be needed to replace not just the operationally deployed warheads, but also those kept in reserve. Pits may also be needed if the Administration pursues its course and Congress approves building new nuclear weapons that are not simply modifications of legacy systems. Any delay in the start date of the MPF would require an even larger initial production of pits to meet the 2050 goal.

A final variable casts uncertainty on the contemplated MPF: the amount of warheads actually dismantled. If the amount dismantled were more significant, it is unclear why we would need to have a 125 pit per year facility. The administration's argument for the low level of actual dismantlement has to do with throughput at the Pantex facility. A real political commitment to dismantlement would allow for an investment in increased capacity at Pantex.

The NNSA seems to recognize that its 125 number is conservative and the Pit Facility report observes that "a 125 pits per year plant also provides an appropriate modular base size that can be scaled to higher production capacities if required." In light of reduction in our arsenal, I believe it is important to take another look at the planned MPF and reevaluate what size is really necessary.

Finally, I would like to make several recommendations for the next administration.

Despite identifying an axis of evil which includes Iran, Iraq, and North Korea and articulating a national strategy that proposes military response to rogue nations that acquire WMD capabilities, the administration's policy toward states with or in the process of acquiring nuclear capabilities is stupefying at best.

In Iraq, the administration is occupying a country on the grounds of unsubstantiated allegations and still refuses to let international inspectors help look for Hussein's alleged WMD.

In North Korea, the U.S. has collected a large group of regional partners who have yet to convince the nation's leader to abandon his nuclear program.

With regard to Iran, which ironically is both a member of the Nonproliferation Treaty and the Chemical Weapons Convention, the U.S. has voiced its displeasure, but has subcontracted diplomacy to the Europeans and the IAEA with little success.

Pakistan, a nation at the origin of one of the largest black markets in nuclear technology, and India have both refused to sign the Nonproliferation Treaty.

And in Israel, of course, we find a close ally who is a nuclear power in all but name. Finally, the administration has no policy for dealing with a series of less threatening countries that stand on the cusp of nuclear capability.

There are a variety of ways to deal with nuclear states and rogue nations. Nonetheless, the United States loses all credibility when it acts in blatant error. For instance, the files of the ridiculous should note recent American commendation of the Pakistani leader for promptly firing his nuclear scientists and U.S. acceptance of his denial that the Pakistani government is not involved in the transfer of technology across Asia, the Middle East, and North Africa. You simply cannot fight proliferation if you electively sanction, invade, or otherwise penalize would-be nuclear powers and turn a blind eye to the purveyor of the largest black market in nuclear materials.

As the President declared in his February 11 speech at the National Defense University, “The greatest threat before humanity today is the possibility of secret and sudden attack with chemical or biological or radiological weapons.”

To meet those threats, there a number of areas requiring attention:

Within the United States, the administration should create an office in the White House to coordinate U.S. nonproliferation programs of the Departments of State, Defense, and Energy. A well-respected report by former White House Counsel Lloyd Cutler and Senator Howard Baker notes that current nonproliferation programs have achieved impressive results so far, but their limited mandate and funding fall short of means required to adequately address the threat.

Despite ambitious rhetoric, funds for nonproliferation programs under this administration have either been cut or failed to keep pace with inflation year to year. The flagship Nunn-Lugar programs touted by the President in February were cut in this year’s budget request. A nonproliferation coordinator is urgently needed to overcome damaging roadblocks in programs like the Nuclear Cities Initiative, which helps find alternate employment for Russian scientists and downsize Russian nuclear complexes.

The administration should undertake a new Nuclear Posture Review that takes a hard look at the role of nuclear weapons in our arsenal and the size of the infrastructure needed to support them. One item to consider is our new relationship with Russia, which should mitigate the Cold War need for some six thousand nuclear warheads or even more. The Review should look at the ability of conventional, rather than nuclear, weapons to deter threats. And it should also look at the impact that the development of new nuclear weapons has had on other countries’ desire to develop their own arsenals.

The U.S. needs to engage in sustained diplomacy to amend or alter the Nonproliferation Treaty. While it has well-known deficiencies that must be fixed, it has enjoyed more success than expected. John F. Kennedy’s alarming 1963 prediction that an additional twenty-one countries might develop nuclear weapons within the decade was disproved. Since the end of the 1960s, the number of nations joining the nuclear club fell every decade and several nations chose to renounce their nuclear arsenal as a result of the Nonproliferation Treaty. The United States must work with UN member states to encourage them to adopt a protocol allowing for broader inspection rights.

Furthermore, the treaty should be amended so that the withdrawal of any country from the agreement is automatically brought before the Security Council for possible sanction or other action. The U.S. should provide additional funding and support for the IAEA’s safeguards program. Careful consideration should be given to the idea of putting the processing of weapons-usable material in civilian programs and the production of new material through reprocessing and enrichment in facilities under multinational control.

The Fissile Material Cutoff Treaty must become reality. The Treaty has been bogged down at

the Conference on Disarmament in Geneva for close to eight years. While the administration is quick to call for measures to constrain others' activities, it is in no rush to bind itself to another multilateral treaty. The new ambassador to the Conference recently said that she did not have "ideas or proposals to lead the conference out of its current impasse." That mentality is simply not good enough when our leadership could make the historic difference to help prevent production of more fissile material that could find its way into terrorist hands.

The administration's commitment to reduce the U.S. nuclear arsenal is commendable but its schedule is much too timid. We should accelerate the timetable for dismantling nuclear weapons and take off high alert weapons slated to be put in the reserve. The longer we take to get rid of weapons slated for dismantlement, the longer Russia will feel compelled to maintain its deterrent at the same size, thereby running the risk of theft of materials or accidental launch.

The U.S. needs to take strong actions to crack down on the Pakistani nuclear black market. While the threat posed by Iraq received a lot of attention, I am deeply concerned by the scope of the market between Pakistan and various states which includes weapons blueprints, materials, and parts for thousands of centrifuges.

Weekly revelations about the Khan black market point to the need for a serious review of U.S. policy toward Pakistan and other countries with weak export controls and potentially unstable governments. The Talibanization of Pakistan and the resumption of tensions with India are serious problems.

It is vital that the United States engage Pakistan, India, and other allies in the war on terror to stop production of fissile materials and join the Nonproliferation Treaty. In countries like Pakistan, where there some nuclear sites are under IAEA safeguard, the United States should offer to work with the government on providing vulnerability assessments, assistance with security upgrades, and advice on improved command and control systems to prevent an unauthorized launch.

In addition, we face a vast global array of countries with so-called breakout potential, or virtual weapons states, such as Germany, Japan, Canada, Brazil, Belgium, Kazakhstan, Taiwan, and others who understand nuclear power and could quickly cross the line and make nuclear weapons. Currently, there is a risk that the IAEA will miss a developing nuclear program as was the case for 18 years with Iran. Others fear that the IAEA will not detect transfer of material to and from nuclear powers.

The U.S. has a key role to play in halting the emergence of more weapons states or the proliferation of nuclear material. It can do so by leading a global diplomatic effort to encourage all remaining states to enter into treaty-obligated safeguard agreements with the IAEA and equally important, implement the Additional Protocol which provides the IAEA with the tools not just to verify declared nuclear material, but also to confirm the absence of undeclared material or activity.

In the case of North Korea, time is on their side, not ours. Every day that goes by allows it to

build a bigger nuclear arsenal. A recent report revealed that it is suspected of possessing approximately eight nuclear weapons. The administration's approach has accomplished little. While the President has assembled an important regional coalition, breakthroughs will only occur when the administration engages North Korea bilaterally. It is time for what I have called "a grand bargain" to weigh North Korea's real and perceived energy and security needs, in conjunction with the international community's need for assurance that the nation has abandoned its weapons program.

While we do not have all the facts on Iran's nuclear plans, it is clear that abuse of their seemingly civilian program to develop nuclear weapons, would pose a clear threat to the international community. The IAEA should continue intrusive inspections to not only understand Iran's capabilities but to reverse engineer whatever components and technologies were provided to it from foreign sources such as Russia and the Khan network. Tighter controls on technology transfer should be a basic goal of all our allies. The solution to the Iranian situation will rely on thinking on a larger scale that we currently have shown capability. Iran lives in a dangerous neighborhood, as do many countries looking to develop nuclear weapons. It is up to us to come up with a broader set of initiatives that address these nations' insecurity.

Thank you for the opportunity to speak with you today. I am happy to answer questions.