

Boost to the Nuclear Weapons Industry under Obama: The Dangers of the New Nuclear Legislation in the US Congress

HR 5136,

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New Nuclear Legislation

Let's take a close look at Greg Mello's (Los Alamos Study Group severe criticism of the new proposed legislation, HR 5136 by the House Armed Services Committee, and need for vigilance as Congress and the Obama Administration veer strongly to the right on nuclear policies!

Despite the increase in nuclear activism, all the fine work that people been done leading up to and including the NPT Conference and NGO meetings, the overall situation is growing more alarming due to the persistence of the nuclear industry and pressures exerted on the US congress

Let us not lose heart but – somehow- regain fortitude to carry on and challenge these hawkish philosophies and policies now becoming even more embedded in American domestic and foreign policy. Too, we need to increase our ties and alliances with other activists/NGO's from other nations who also are wanting a nuclear-free world.

Arn Specter, editor, The Nuclear Review

Clearly, the sole use of disarmament rhetoric by the U.S. is now to disarm foreign and domestic opposition to U.S. policies, especially “non-proliferation- themed” geopolitical ambitions. Other than dismantlement of the thousands of warheads put into the dismantlement queue by that pacifistic president George W. Bush, there is no disarmament going on in the U.S., whether specifically of nuclear weapons or the more general disarmament foreseen in the second clause of the NPT's Article VI, and none is contemplated. Quite the reverse as we see here. The importance of nuclear weapons in U.S. defense policies is not decreasing. Not yet. There is no political force or reality yet visible which could make it decrease. It is extremely unlikely that any such force is will arise from within the U.S. during this Administration. Wishing or hoping won't change this. Should such a force appear, it will be from other sovereign states. We will do what we can

here, but the situation is far, far more difficult than it was even 3 or 4 years ago.

There is no sign of this international resistance yet — not at the NPT RevCon or anywhere else, according to the White House.

The Obama Administration has experienced very little international blowback regarding its plans to maintain the nation's nuclear weapons stockpile, a senior White House official said last week. Gary Samore, the White House's arms control and WMD coordinator, credited the President's ambitious nonproliferation agenda and push to eventually abolish nuclear weapons for easing international opinions on the nation's efforts to upgrade the infrastructure of its nuclear weapons complex and pour billions into maintaining its nuclear weapons stockpile. International support is especially important as the United States seeks to generate consensus on strengthening the wavering nonproliferation regime at this month's Nuclear Nonproliferation Treaty Review Conference. "I think that it's easier to do the maintenance part if you also show you have a long-term commitment to nuclear disarmament," Samore said during a May 11 exchange with the Defense Writers Group. "We've actually gotten very little criticism I would say from the things we're doing to make sure our forces are going to be adequate for the time being for the foreseeable future."

Todd Jacobsen, Nuclear Weapons and Materials Monitor, 5/14/10 p. 5

One reason for this is the unaccountable, not to say irrational, patience of the domestic and international NGO disarmament, peace, and justice community with the very hawkish Obama Administration.

I have been in Washington quite a bit in the last month and in my opinion Congress and Washington as a whole have shifted dramatically to the political right on nuclear weapons issues under Obama. Budgets are increasing and are likely to increase further before encountering what are likely to be very strong fiscal headwinds in a few years. When exactly that will be, and what will then happen, is unpredictable. Today's project delays could be tomorrow's terminations — or, as is also likely, the militarization of our society could increase much more, as U.S. geopolitical power decreases further overall and as our society begins to cave in further, leaving the military as by far the strongest and most trusted institution in society. It is easy to forget that corporations can now contribute unlimited sums to congressional races, a new factor in our politics.

Hawks in Congress foresee the fiscal problems ahead and want to lock in commitments to nuclear weapons upgrades and new factories, as we see below. They are counting on congressional, NGO, and media support for Obama's rhetoric about "disarmament" to be part of the wind at their back, specifically via the push for New START ratification. Secretary of Defense Gates called this "ironic" in Senate testimony last week.

[Gates] said he had been trying to get money for the modernization of nuclear infrastructure for three-and-a-half years. "This is the first time I think I have a chance of getting some," Gates said. "And ironically, it's in connection with an arms-control agreement [New START]. But the previous efforts have completely failed."

It seems critically important to inject the reality of U.S. policies into the NPT RevCon while we have the chance. Of what use is comity in comparison? As far as I can tell, the U.S. wants comity at the RevCon primarily as a foundation for punitive sanctions against Iran, which in our judgment have little to do with nonproliferation per se and everything to do

with U.S. geopolitical ambitions.

Does the following draft legislation passage square with what the U.S. delegation has been saying at the RevCon? With New START as a “first step” and all that?

Most of the leadership is probably going to have to come from non-U.S., or non-U.S.-big-foundation- funded, NGOs.

Greg Mello

Whole bill, HR 5136 as reported by House Armed Services Committee) <http://thomas.loc.gov/cgi-bin/query/D?c111:2:/temp/~c111GWTz Wm::>
(Section) <http://thomas.loc.gov/cgi-bin/query/F?c111:2:/temp/~c111GWTz Wm:e599705:>

SEC. 1058. LIMITATION ON NUCLEAR FORCE REDUCTIONS.

(a) Findings- Congress finds the following:

(1) As of September 30, 2009, the stockpile of nuclear weapons of the United States has been reduced by 84 percent from its maximum level in 1967 and by more than 75 percent from its level when the Berlin Wall fell in November, 1989.

(2) The number of non-strategic nuclear weapons of the United States has declined by approximately 90 percent from September 30, 1991, to September 30, 2009.

(3) In 2002, the United States announced plans to reduce its number of operationally deployed strategic nuclear warheads to between 1,700 and 2,200 by December 31, 2012.

(4) The United States plans to further reduce its stockpile of deployed strategic nuclear warheads to 1,550 during the next seven years.

(5) The United States plans to further reduce its deployed ballistic missiles and heavy bombers to 700 and its deployed and non-deployed launchers and heavy bombers to 800 during the next seven years.

(6) Beyond these plans for reductions, the Nuclear Posture Review of April 2010 stated that, ‘the President has directed a review of potential future reductions in U.S. nuclear weapons below New START levels. Several factors will influence the magnitude and pace of such reductions.’ .

(b) Sense of Congress- It is the sense of Congress that-

(1) any reductions in the nuclear forces of the United States should be supported by a thorough assessment of the strategic environment, threat, and policy and the technical and operational implications of such reductions; and

(2) specific criteria are necessary to guide future decisions regarding further reductions in the nuclear forces of the United States.

(c) Limitation- No action may be taken to implement the reduction of nuclear forces of the United States below the levels described in paragraphs (4) and (5) of subsection (a), unless-

(1) the Secretary of Defense and the Administrator for Nuclear Security jointly submit to the congressional defense committees a report on such reduction, including–

(A) the justification for such reduction;

(B) an assessment of the strategic environment, threat, and policy and the technical and operational implications of such reduction;

(C) written certification by the Secretary of Defense that–

(i) either–

(I) the strategic environment or the assessment of the threat has changed to allow for such reduction; or

(II) technical measures to provide a commensurate or better level of safety, security, and reliability as before such reduction have been implemented for the remaining nuclear forces of the United States;

(ii) such reduction preserves the nuclear deterrent capabilities of the ‘nuclear triad’ (intercontinental ballistic missiles, ballistic missile submarines, and heavy bombers and dual-capable aircraft);

(iii) such reduction does not require a change in targeting strategy from counterforce targeting to countervalue targeting;

(iv) the remaining nuclear forces of the United States provide a sufficient means of protection against unforeseen technical challenges and geopolitical events; and

(v) such reduction is compensated by other measures (such as nuclear modernization, conventional forces, and missile defense) that together provide a commensurate or better deterrence capability and level of credibility as before such reduction; and

(D) written certification by the Administrator for Nuclear Security that–

(i) technical measures to provide a commensurate or better level of safety, security, and reliability as before such reduction have been implemented for the remaining nuclear forces of the United States;

(ii) the remaining nuclear forces of the United States provide a sufficient means of protection against unforeseen technical challenges and geopolitical events; and

(iii) measures to modernize the nuclear weapons complex have been implemented to provide a sufficiently responsive infrastructure to support the remaining nuclear forces of the United States; and

(2) a period of 180 days has elapsed after the date on which the report under paragraph (1) is submitted.

(d) Definition- In this section, the term ‘nuclear forces of the United States’ includes–

(1) both active and inactive nuclear warheads in the nuclear weapons stockpile; and

(2) deployed and non-deployed delivery vehicles.

HOUSE DEFENSE AUTH. AMENDMENT IMPOSES HURDLES ON FUTURE CUTS

If the United States wants to pursue further reductions to the size of its nuclear weapons stockpile beyond the New Strategic Arms Reduction Treaty with Russia, it will have to demonstrate to Congress that it has adequately maintained the nation's nuclear weapons stockpile and modernized the nation's nuclear weapons complex, according to language inserted into the House version of the Fiscal Year 2011 Defense Authorization Act last week. With strong support from Republicans on the House Armed Services Committee, the panel approved an amendment authored by Rep. Doug Lamborn (R-Colo.) that would require a host of certifications from the Pentagon and National Nuclear Security Administration—including a requirement that “measures to modernize the nuclear weapons complex have been implemented to provide a sufficiently responsive infrastructure”—before any additional stockpile cuts are made. “The world is safer with a strong America,” Lamborn said. “The Obama Administration must be prevented from enacting naive and short-sighted policies that erode our strength and weaken our national defense.”

The New START Treaty, which was submitted to the Senate May 13, would cap the strategic deployed stockpiles of the United States and Russia at 1,550—down from the 1,700 to 2,200 allowed under the 2002 Moscow Treaty—and would limit the countries to 800 deployed and reserve strategic delivery vehicles, with a maximum of 700 missile launchers and bombers allowed to be deployed at one time. The strategic deployed stockpiles represent only a part of each country's nuclear weapons arsenal, which includes non-deployed and reserve warheads as well as tactical warheads. Unveiling previously classified information earlier this month, the Obama Administration said that it had 5,113 active warheads in its stockpile, and experts believe another 2,600 to 3,000 are retired and awaiting dismantlement.

The Administration has said it would pursue further reductions to the nation's nuclear weapons stockpile once the New START Treaty is ratified, and talks could include tactical and non-deployed nuclear weapons, which were left out of the recent arms control talks. Arms control experts are not optimistic that those talks will be completed quickly, if at all, given the differences that exist between the United States and Russia on tactical nuclear weapons, non-deployed nuclear weapons and missile defense. Lamborn said the Administration's push for more reductions does not match the state of affairs in the world today.

“Rogue nations with nuclear weapons pose a constant threat to world peace and domestic security,” Lamborn said. “I am concerned that the Obama Administration has set our nation on a path to eliminate our nuclear weapons in a time when the threat to our nation has not diminished.”

‘It Seems Like Common Sense’

Nonetheless, the House amendment requires that any reductions in the nation's nuclear forces be supported by a “thorough assessment of the strategic environment, threat, and policy and the technical and operational implications of such reductions,” and demands that the Administration justify the reductions with several certifications by the Secretary of Defense and NNSA administrator. Primarily, the Administration would be required to certify that the strategic environment or the assessment of the threat has changed to allow for the reductions, or the safety, security and reliability of the nation's stockpile has improved, and that the remaining nuclear forces provide “a sufficient means of protection against

unforeseen technical challenges and geopolitical events.” The deterrence capability of the nation’s nuclear triad of intercontinental ballistic missiles, ballistic missile submarines, and heavy bombers should also be maintained, and the nation’s targeting strategy should not shift from counterforce targeting to countervalue targeting. “America once had tens of thousands of nuclear weapons,” Rep. Mac Thornberry (R-Texas) said. “Now we’re down to 1,500. It seems like common sense to me that before we proceed below the level included in the New START Treaty that we would want to ensure our stockpile is safe, secure, and reliable.”

Amendment Highlights Declaratory Policy Frustration

House Republicans also succeeded in getting language inserted into the bill that says the shift in the Nuclear Posture Review away from a nuclear declaratory policy of calculated ambiguity “weakens” the nation’s national security posture. A “Sense of Congress” amendment authored by Rep. Mike Turner (R-Ohio) highlights the committee’s frustration in the Administration’s pledge not to use nuclear weapons in response to a nuclear, chemical or biological attack by countries without nuclear weapons that remain up-to-date on their nuclear nonproliferation obligations. That group notably does not include Iran and North Korea, but previous administrations had left open the possibility of using nuclear weapons to respond to nuclear, chemical or biological attacks. “My amendment is aimed directly at attackers, aggressors and adversaries of this country,” said Turner, the ranking member on the panel’s Strategic Forces Subcommittee. “I do not think the American people expect that we are going to restrict our response to attackers, aggressors or adversaries regardless of the weapons or means they use against us. The American people expect that we would respond with any means possible.”

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