

# BACKGROUND

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## Bait and Switch on Nuclear Modernization Must Stop

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### Abstract

*President Obama's 2013 budget requests for the National Nuclear Security Administration (NNSA) reveal his nuclear weapons policy priorities. The NNSA budget includes funding in its Nuclear Activities accounts that does not advance U.S. nuclear weapons modernization. Some of these activities even fund U.S. nuclear disarmament. It is essential that Congress distinguish between the two activities and force the U.S. Department of Energy to provide an honest account of costs of nuclear weapons modernization. U.S. nuclear weapons modernization constitutes an essential element of deterring adversaries and assuring allies.*

President Barack Obama's nuclear modernization budget requests for the National Nuclear Security Administration reveal the President's nuclear weapons policy priorities. Despite declarations of strong commitment to the U.S. nuclear weapons program, the Administration is not following through with certifications to increase the nuclear modernization budget that it made to the Senate during its deliberations of the New Strategic Arms Reduction Treaty. In addition, programs and subprograms outlined in the President's fiscal year (FY) 2013 budget request often mix nuclear weapons modernization activities with nuclear reductions activities that do not advance U.S. nuclear weapons modernization. Congress must address this shortfall to get a more accurate idea of how much money the nation spends on nuclear weapons modernization. At the same time, Congress should also recognize scientific advancements and achievements that the National Nuclear Security Administration makes in fields beyond maintaining nuclear weapons.

### The Obama Administration's Nuclear Weapons Policy

President Obama formulated his vision for the U.S. nuclear posture

### KEY POINTS

- The current Department of Energy budget process does not provide enough clarity to enable Congress to distinguish between nuclear weapons modernization and nuclear weapons dismantlement activities. It is essential that Congress mitigate this shortcoming.
- President Obama failed to fulfill his commitments regarding nuclear weapons modernization made to the Senate during its deliberation of the New Strategic Arms Reduction Treaty. As a result, critical programs were delayed and the nuclear weapons complex will further atrophy under the President's leadership.
- The National Nuclear Security Administration (NNSA) should not bear expenses related to negotiations or implementation of international treaties that have not obtained the Senate's advice and consent. Such activities should be funded by the Department of State while preserving the NNSA's budget at least at the current levels.

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during his 2009 speech in Prague: “So today, I state clearly and with conviction America’s commitment to seek the peace and security of a world without nuclear weapons”—by reducing the role of nuclear weapons in U.S. national security strategy. President Obama, however, also emphasized that “as long as these weapons exist, the United States will maintain a safe, secure, and effective arsenal to deter any adversary, and guarantee that defense to our allies.”<sup>1</sup> The Administration’s 2010 Nuclear Posture Review translates the President’s vision into five key objectives of U.S. nuclear weapons policy and posture:

1. Preventing nuclear proliferation and nuclear terrorism;
2. Reducing the role of U.S. nuclear weapons in U.S. national security strategy;
3. Maintaining strategic deterrence and stability at reduced nuclear force levels;
4. Strengthening regional deterrence and reassuring U.S. allies and partners; and
5. Sustaining a safe, secure, and effective nuclear arsenal.<sup>2</sup>

The Obama Administration acknowledged the problematic state of the U.S. nuclear weapons infrastructure responsible for maintaining a safe, secure, and effective

arsenal during the November 2010 New Strategic Arms Reduction Treaty ratification debate. The President certified to the Senate that he would work toward mitigating problems related to the decrepit state of the nuclear weapons complex. The President said:

I intend to (a) modernize or replace the triad of strategic nuclear delivery systems: a heavy bomber and air-launched cruise missile, an ICBM, and a nuclear-powered ballistic missile submarine (SSBN) and SLBM; and (b) maintain the United States rocket motor industrial base; I intend to (a) accelerate, to the extent possible, the design and engineering phase of the Chemistry and Metallurgy Research Replacement (CMRR) building and the Uranium Processing Facility (UPF); and (b) request full funding, including on a multi-year basis as appropriate, for the CMRR building and the UPF upon completion of the design and engineering phase for such facilities.<sup>3</sup>

These promises have not survived the first year since New START entered into force. While the top-line number is indicative of the President’s commitment to the nuclear enterprise, it is important to look at programmatic details of how resources dedicated to the nuclear mission are directed. A closer look to the National Nuclear

Security Administration’s FY 2013 budget request suggests that the Administration’s commitment to the nuclear weapons complex modernization is weak.

## Fallacies of Nuclear Weapons Budgeting

There is substantial lack of clarity when it comes to estimating costs of nuclear weapons modernization. First, a nuclear weapon can be understood as a warhead only, or as a warhead with its delivery vehicle (submarine-launched ballistic missile, intercontinental-range ballistic missile, or bomber). While the NNSA is responsible for developing and maintaining nuclear weapons warheads, the Department of Defense develops and deploys delivery systems and nuclear weapons systems.

Second, bombers and F-15E and F-16 fighters fulfill both conventional and nuclear missions. Needless to say, the majority of the costs associated with these systems are related to conventional missions. Proponents of nuclear disarmament often make an argument that funding for respective follow-on nuclear weapons delivery systems should be attributed solely to nuclear modernization plans. This is inaccurate at best because follow-on systems will focus mainly on conventional missions. The new bomber, for example, is not scheduled to be nuclear-certified until about 15 years into its operational life cycle and the costs of the nuclear variant will be minor

1. News release, “Remarks by President Barack Obama, Hradcany Square, Prague, Czech Republic,” The White House, April 5, 2009, [http://www.whitehouse.gov/the\\_press\\_office/Remarks-By-President-Barack-Obama-In-Prague-As-Delivered](http://www.whitehouse.gov/the_press_office/Remarks-By-President-Barack-Obama-In-Prague-As-Delivered) (accessed November 27, 2012).  
2. U.S. Department of Defense, “Nuclear Posture Review Report,” April 2010, <http://www.defense.gov/npr/docs/2010%20nuclear%20posture%20review%20report.pdf> (accessed November 27, 2012).  
3. New release, “Message from the President on the New START Treaty,” The White House, February 2, 2011, <http://www.whitehouse.gov/the-press-office/2011/02/02/message-president-new-start-treaty-0> (accessed November 27, 2012).

in relation to the overall costs of the bomber.<sup>4</sup> The main mission of the F-35 is clearly a conventional strike and only a relatively small number of Air Force aircraft and no Navy or Marine aircraft will be nuclear-capable.

Third, there is an ongoing argument regarding costs of environmental cleanup and potential resulting health problems following U.S. nuclear weapons testing or storage of radioactive material.

Nuclear weapons modernization is an attractive target for critics of the U.S. nuclear weapons program. This is partly because the Department of Energy budget, of which the National Nuclear Security Administration is a part, is under the jurisdiction of the House and Senate Energy and Water Development Appropriations Subcommittees. This means that activities conducted under the NNSA compete against every local water improvement and dam project for funding. While critics of the nuclear weapons program deem it expensive and useless, neither is correct. Atomic Energy Defense Activities are only a tiny

part of the overall federal budget or even the defense budget.<sup>5</sup> The account has significantly decreased in the past decades, while spending on Social Security, Medicare, and Medicaid, the main driver of the country's fiscal problems, has more than tripled.<sup>6</sup>

For decades, nuclear weapons have safeguarded U.S. and allied security from an outside threat and contributed to assurance of allies who, in return, forgo development of their own indigenous nuclear weapons capabilities. There is no substitute for nuclear deterrence. In the words of General Larry Welch (USAF, ret.), "The nuclear deterrent is the only weapons system I know of that has worked perfectly without fail, exactly as intended, for [its] entire life span. And because [it has] been so successful, then there may be some who have forgotten why we need [it]."<sup>7</sup> The decrease of casualties as a percentage of world population (both civilian and military) since nuclear weapons were invented is equally impressive.<sup>8</sup>

Representative Edward Markey (D-MA) has recently stated that the

United States spends more than \$50 billion a year on the U.S. nuclear arsenal. His estimate has origins in the Ploughshare Fund's working paper stating that the United States will spend over \$700 billion over the next 10 years.<sup>9</sup> James Miller, principal Deputy Undersecretary of Defense, corrected the Ploughshare Fund's estimate to \$214 billion over the next 10 years.<sup>10</sup> Even this estimate is exaggerated because it counts the cost of maintaining and improving bomber conventional capability, the main mission of the bombers. This figure includes about \$88 billion for the Department of Energy responsible for nuclear warhead infrastructure and about \$125 billion for the Department of Defense responsible for sustaining the delivery vehicles and custody of operationally deployed warheads.

This analysis will focus on the Department of Energy FY 2013 congressional budget request for the National Nuclear Security Administration.<sup>11</sup> Of the four sections of this budget request (Office of the Administration, Weapons Activities, Defense Nuclear

4. Baker Spring and Michaela Bendikova, "Nuclear Certification for a New Bomber," Heritage Foundation *WebMemo* No. 3408, November 7, 2011, <http://www.heritage.org/research/reports/2011/11/nuclear-certification-for-a-new-bomber>.
5. The Heritage Foundation, "Mandatory Spending Has Increased Nearly Six Times Faster than Discretionary Spending," *Federal Budget in Pictures*, 2012, <http://www.heritage.org/federalbudget/mandatory-discretionary-spending>.
6. The Heritage Foundation "Medicare and Other Entitlements Are Crowding Out Spending on Defense," *Federal Budget in Pictures*, 2012, <http://www.heritage.org/federalbudget/defense-entitlement-spending>.
7. General Larry Welch, remarks at the AFA, NDIA, and ROA Congressional Breakfast Seminar Series, April 25, 2012, <http://www.afa.org/hbs/transcripts/2012/5-25-2012%20Gen%20Larry%20Welch%20v2.pdf> (accessed November 27, 2012).
8. Keith B. Payne, testimony before the Subcommittee on Energy and Water Development, Appropriations Committee, U.S. Senate, July 25, 2012, [http://www.google.com/url?sa=t&rc=j&q=keith%20payne%20testimony&source=web&cd=4&cad=rja&ved=OCDYQFjAD&url=http%3A%2F%2Fwww.appropriations.senate.gov%2Fht-energy.cfm%3Fmethod%3Dhearings.download%26id%3D2b93130e-74b5-40fc-90bc-e8dd0341f8ca&ei=VuZAUJP3GsX50gGEz4D4Cg&usg=AFQjCNFU-zyt5G0DvqRmlnqm\\_q7fJnkZMA](http://www.google.com/url?sa=t&rc=j&q=keith%20payne%20testimony&source=web&cd=4&cad=rja&ved=OCDYQFjAD&url=http%3A%2F%2Fwww.appropriations.senate.gov%2Fht-energy.cfm%3Fmethod%3Dhearings.download%26id%3D2b93130e-74b5-40fc-90bc-e8dd0341f8ca&ei=VuZAUJP3GsX50gGEz4D4Cg&usg=AFQjCNFU-zyt5G0DvqRmlnqm_q7fJnkZMA) (accessed November 27, 2012).
9. "What We Spend on Nuclear Weapons," Ploughshares Fund *Working Paper*, Ver. 2, September 27, 2011, <http://www.ploughshares.org/sites/default/files/resources/What%20We%20Spend%20on%20Nuclear%20Weapons%20092811.pdf> (accessed November 27, 2012).
10. James N. Miller, statement before the Committee on Armed Services, U.S. House of Representatives, November 2, 2011, [http://armedservices.house.gov/index.cfm/files/serve?File\\_id=faad05df-9016-42c5-86bc-b83144c635c9](http://armedservices.house.gov/index.cfm/files/serve?File_id=faad05df-9016-42c5-86bc-b83144c635c9) (accessed November 27, 2012).
11. Department of Energy, *FY 2013 Congressional Budget Request: National Nuclear Security Administration*, February 2012, <http://nnsa.energy.gov/sites/default/files/nnsa/02-12-inlinefiles/FY%202013%20Congressional%20Budget%20for%20NNSA.pdf> (accessed November 28, 2012).

Nonproliferation, and Naval Reactors<sup>12</sup>), this paper will analyze two: Weapons Activities and Defense Nuclear Nonproliferation. This paper does not seek to provide an exhaustive account of all nuclear-weapons-related spending. The purpose of this analysis is to show that significant resources are being spent on programs not related to nuclear weapons modernization, or on programs that should be a part of the budgets of other governmental agencies, for instance, the State Department in the case of support of various international nonproliferation regimes. A careful analysis of the budget also shows that the United States is obtaining significant science and technology benefits from having a nuclear weapons program and conducting related research.<sup>13</sup> Its critics often dismiss these benefits.

The President's FY 2013 budget makes future Weapons Activities appropriation estimates very difficult to assess, since it does not specify activities in the FY 2014–FY 2017 time frame. According to the President's budget request, "The Administration will develop out-year funding levels based on actual programmatic requirements at a later date." What these programmatic requirements are is not clear. It is also worth mentioning that the

amount allocated to the Weapons Activities Total for FY 2017 is almost \$1 billion less than the amount President Obama committed to in the updated Section 1251 Report to Congress.<sup>14</sup> Between the FY 2013 and FY 2017 planned requests, the Administration underfunds the Weapons Activities appropriation by about \$4 billion compared to the Administration's promise in the updated Section 1251 Report to Congress in October 2010.

### U.S. Nuclear Weapons Infrastructure

U.S. nuclear weapons infrastructure is understood as facilities that support the production, testing, sustaining, and designing of U.S. nuclear weapons. On the production side, these are: Pantex Plant in Amarillo, Texas, where weapons are assembled and disassembled; Kansas City Plant in Kansas City, Missouri, responsible for non-nuclear manufacturing and procurement; Y-12 National Security Complex in Oak Ridge, Tennessee, conducting uranium operations; and the Savannah River Site in Aiken, South Carolina, for tritium operations.

There are three national laboratories responsible for systems engineering, nuclear and non-nuclear component design, neutron generators, and plutonium component

fabrication: Sandia National Laboratories in Sandia, New Mexico; Los Alamos National Laboratory in Los Alamos, New Mexico; and Lawrence Livermore National Laboratory in Livermore, California. Experiments and "subcritical" nuclear materials tests are conducted at the Nevada National Security Site in Nye County.

The President's FY 2013 budget request for the NNSA is \$11.54 billion, a 4.9 percent increase over the FY 2012 enacted level.<sup>15</sup> Of this sum, the Administration requests \$7.58 billion, a 5 percent increase compared to the FY 2012 enacted level, for the Weapons Activities account, and \$2.46 billion for the Defense Nuclear Nonproliferation account, a 7.1 percent increase over the FY 2012 enacted level. In total, the Administration is requesting \$17.74 billion for Atomic Energy Defense Activities. For comparison, President Obama's FY 2013 National Defense budget (050 budget function) is \$647.4 billion in current dollars.<sup>16</sup>

The Atomic Energy Defense Activities account is only about 2.7 percent of the National Defense budget. In contrast, the U.S. government is estimated to spend about \$3.6 trillion in FY 2012, with major drivers of the spending being entitlements (Social Security, Medicare, Medicaid).<sup>17</sup> Investments in the

12. The Naval Reactors program should be a model for the other elements of the NNSA budget. It has delivered on time and driven down costs. Resources are meant to maintain weapons systems (reactors for aircraft carriers and submarines).
13. For example, the Los Alamos Meson Physics Facility, a part of the Los Alamos National Laboratory, is the world's leading provider of radioactive isotopes for medicinal purposes.
14. News release, "Fact Sheet: An Enduring Commitment to the U.S. Nuclear Deterrent," The White House, November 17, 2010, <http://www.whitehouse.gov/the-press-office/2010/11/17/fact-sheet-enduring-commitment-us-nuclear-deterrent> (accessed August 31, 2012), and Department of Energy, *FY 2013 Congressional Budget Request: National Nuclear Security Administration*, p. 5.
15. Department of Energy, *FY 2013 Congressional Budget Request for the National Nuclear Security Administration*, p. 1.
16. Baker Spring, "Obama's Defense Budget Makes Protecting America Its Lowest Priority," Heritage Foundation *Backgrounder* No. 2658, March 1, 2012, <http://www.heritage.org/research/reports/2012/03/obamas-defense-budget-makes-protecting-america-its-lowest-priority>.
17. The Heritage Foundation, "Federal Spending Exceeds Federal Revenue by More than \$1 Trillion," *Federal Budget in Pictures*, 2012, <http://www.heritage.org/federalbudget/growth-federal-spending-revenue>.

nuclear weapons complex are relatively minor, especially considering benefits that the United States and its allies reap from the possession of its vastly qualitatively superior nuclear weapons arsenal. Exacerbating future nuclear modernization problems is the fact that U.S. nuclear infrastructure has been underfunded for decades and uses old facilities, one that dates back to World War II. The United States is the only nuclear weapons state that does not produce new nuclear weapons.

### U.S. Nuclear Warheads

The United States produced its last new nuclear warheads in 1989. Warheads in the current stockpile are based on 1970s technology. The United States has not conducted a yield-producing experiment since 1992, when President George H. W. Bush was forced by Congress to stop U.S. nuclear weapons testing. This decision was meant to be only temporary, but a decision to resume explosive nuclear weapons testing has not been made since.<sup>18</sup> President George H. W. Bush's Administration rejected the notion that the U.S. nuclear deterrent could be maintained without nuclear testing:

Specifically, Section 507 of H.R. 5373, which concerns nuclear testing, is highly objectionable. It may prevent the United States from conducting underground nuclear tests that are necessary

to maintain a safe and reliable nuclear deterrent. This provision unwisely restricts the number and purpose of U.S. nuclear tests and will make future U.S. nuclear testing dependent on actions by another country, rather than on our own national security requirements.<sup>19</sup>

In 2008, Secretary of Defense Robert Gates stated, "To be blunt, there is absolutely no way we can maintain a credible deterrent and reduce the number of weapons in our stockpile without either resorting to testing our stockpile or pursuing a modernization program."<sup>20</sup> The United States has not fully pursued either. The decision not to pursue yield-producing experiments has significantly changed the focus of the National Nuclear Laboratories. While engineers and scientists no longer spend most of their time trying to develop better nuclear weapon designs capable of addressing challenges of the current international environment, like destroying deeply buried targets in North Korea and Iran or figuring out how nuclear weapons can help to mitigate effects of a potential chemical or biological attack, they are focusing on improving or validating nuclear computer code calculations used to assess U.S. weapons. The United States currently retains seven types of nuclear warheads: B61, W76, W78, W80, B83, W87, and W88.

### When Nuclear Weapon Spending Does Not Modernize Nuclear Weapons

The FY 2013 budget request for the Weapons Activities account is \$7.58 billion. Not all the activities funded from this program, however, contribute directly to advancing knowledge about how to create better nuclear weapons capabilities for the United States. This is despite the fact that one of the goals stated in the Program Overview and Benefits is to "support U.S. leadership in science and technology."<sup>21</sup>

It is important to recognize that many activities under the Weapons Activities program contribute to U.S. security but should not take priority over, or divert funding from, addressing broader nuclear weapons modernization problems the United States currently faces. For example, the Directed Stockpile work program's targeted outcomes are: (1) "complete annual assessments of the stockpile to ensure it is safe, secure, and effective" and (2) "complete by 2022 the dismantlement of all weapon systems retired prior to 2009." Dismantlement activities do not contribute to the modernization of the U.S. nuclear weapons program.<sup>22</sup>

In FY 2011, the NNSA completed 120 percent of the scheduled weapon dismantlement goals. In FY 2013, the Administration requests \$51.27 million for the Weapons Dismantlement and Disposition activity. This is a 9.4 percent reduction compared to

18. President Bush's original cessation of nuclear weapons testing was not meant to be permanent.

19. President George H. W. Bush, "Statement on Signing the Energy and Water Development Appropriations Act, 1993," The American Presidency Project, October 2, 1992, <http://www.presidency.ucsb.edu/ws/index.php?pid=21558> (accessed November 28, 2012).

20. Robert Gates, "Nuclear Weapons and Deterrence in the 21st Century," speech at the Carnegie Endowment for International Peace, Washington, DC, October 28, 2008, [http://carnegieendowment.org/files/1028\\_transcrip\\_gates\\_checked.pdf](http://carnegieendowment.org/files/1028_transcrip_gates_checked.pdf) (accessed November 28, 2012).

21. Department of Energy, *FY 2013 Congressional Budget Request: National Nuclear Security Administration*, p. 40.

22. *Ibid.*, p. 43.

the FY 2012 enacted level. Other enabling programs under the NNSA (Stockpile Services Production Support, Readiness in Technical Base and Facilities) saw their respective budgets increased by over 11 percent each. These programs, however, support other NNSA activities, so it is not clear how much the Weapons Dismantlement actually costs.

The Readiness in Technical Base and Facilities Program saw its subprograms and activities changed. The Program Readiness Activity was transferred to the Science, Technology and Engineering Capability Support Subprogram from the Readiness in Technical Base and Facilities Subprogram. The FY 2012 enacted level for the Program Readiness Activity is \$73.62 million but the Science, Technology and Engineering Capability Support subprogram's request is \$166.95 million.<sup>23</sup> Material Recycle and Recovery, Containers, and Storage Activities, totaling \$137.87 million in FY 2012 (enacted), were transferred into the Nuclear Operations Capability Support Subprogram for which the Administration requests \$203.35 million. The Nuclear Operations Capability Support subprogram supports other activities as well. The problem is that such merging makes it difficult to distinguish between

funding for nuclear dismantlement, for example, pursuant to New START, and other legitimate nuclear weapons modernization activities.

A concrete example of the difficulty of distinguishing between funding for nuclear modernization and disarmament is resources spent on the development of a custom tooling device to dismantle the B-83 bomb at the NNSA's Pantex Plant.<sup>24</sup> While the device will contribute to lowering the overall costs of dismantlement, there is very little tangible nuclear weapons modernization value in the device itself. These dismantlement activities are paid for from the Weapons Activities part of the NNSA budget. The B-83 dismantlement at Y-12, another example, required "significant upgrades" to "facilities, equipment, and tooling" and hiring and training of "new dismantlement personnel."<sup>25</sup>

These activities are important but do not contribute to U.S. nuclear weapons modernization. While the NNSA bestows Pollution Prevention awards for environmental stewardship, there is no comparative award for new nuclear weapons designs. Even if weapons will not actually be built, the policy can change and the NNSA must preserve the ability of scientists and engineers to conduct nuclear weapon design work.

## Policy Parameters for Engineering Work Related to Nuclear Weapons

It is clear that the NNSA operates within policy constraints currently articulated in the 2010 Nuclear Posture Review (NPR). This policy can be summarized with three "no's": (1) no new weapons, (2) no new military missions, and (3) no new capabilities.<sup>26</sup> Such policies naturally reward certain areas of research while discouraging others. This is in contrast with the two previous NPRs, which directed retention of the ability to design new nuclear weapons.

Thomas D'Agostino, Under Secretary for Nuclear Security and Administrator for the National Nuclear Security Administration, recently stated, "In my tenure in this job and however long it's going to be out into the future, I'm supremely confident that we do not need to test a warhead."<sup>27</sup> Yet, at the December 2008 Nuclear Deterrence Summit, he stated that "we must heed the technical concerns expressed by our laboratory directors regarding the risks in maintaining the aging Cold War stockpile over the long term without nuclear testing."<sup>28</sup> Even D'Agostino recognizes that the "metallurgical and chemical issues we face with our aging warheads continue to be a technical challenge for our best scientists and risk of

23. The subprogram supports other NNSA activities. Department of Energy, *FY 2013 Congressional Budget Request: National Nuclear Security Administration*, p. 158.

24. "New B83 Tooling Goes Not Only Hoistless, But Cordless," *Pantexan*, Vol. 57, No. 2 (Spring 2011).

25. News Release, "NNSA Announces Completion of First B83 Dismantlement at Y-12," National Nuclear Security Administration, January 20, 2011, <http://nnsa.energy.gov/mediaroom/pressreleases/b83dismantlement12011> (accessed November 28, 2012).

26. U.S. Department of Defense, "Nuclear Posture Review Report."

27. Kate Brannen, "Nuke Expert Pool Shrinking," *Defense News*, April 14, 2012, <http://www.defensenews.com/article/20120414/DEFREG02/304140002/Nuke-Expert-Pool-Shrinking> (accessed November 28, 2012).

28. Thomas D'Agostino, "Charting a Sustainable Course for the National Nuclear Security Enterprise," speech at Nuclear Deterrent Summit, December 5, 2008, <http://www.nnsa.energy.gov/mediaroom/speeches/presented-nuclear-deterrent-summit-%E2%80%9Ccharting-sustainable-course-national-nuclear-> (accessed November 28, 2012).

catastrophic technical failure occurring as our warheads age cannot be ruled out absolutely.”<sup>29</sup>

## Defense Nuclear Nonproliferation: The Price of International Cooperation

The Defense Nuclear Nonproliferation part of the NNSA FY 2013 budget request is \$2.46 billion.<sup>30</sup> With a 7.1 percent increase from the FY 2012 enacted level, the Defense Nuclear Nonproliferation budget category grew more than any other category in the NNSA budget. While Defense Nuclear Nonproliferation is important, these activities do not directly advance the U.S. ability to modernize its strategic or tactical nuclear weapons arsenal and therefore should not be considered a part of the nuclear modernization spending.

While precise numbers are impossible to obtain, it is clear that the budget invests millions of dollars to advance various arms control initiatives, like the Comprehensive Test Ban Treaty (CTBT), which vastly increases the costs and complicates our nuclear weapons modernization efforts. While it is important to advance science to support the U.S. ability to monitor other nations’ nuclear weapons tests and programs, this need should be recognized on

its own merit and not in connection with CTBT, a treaty that the U.S. Senate rejected after a full floor debate in 1999. Activities associated with CTBT international promotion should be funded by the State Department’s budget.

### Questions Surrounding New START’s Implementation Remain.

The NNSA FY 2013 budget proposal does not reveal how much it will cost to implement New START. The bilateral treaty signed with the Russian Federation in April 2010 requires the United States to remove about 150 ICBMs and SLBMs from operational status.<sup>31</sup> Obama Administration officials were silent on the issue of costs related to New START implementation during Senate committee hearings prior to the Senate’s consent to ratification of the treaty. Dismantlement activities do not contribute to advancing new nuclear weapons designs or capabilities. The NNSA will also bear some of the costs associated with verification of the treaty.<sup>32</sup>

The Obama Administration proposes to spend \$40.57 million on Nuclear Verification in FY 2013 alone and over \$180 million between FY 2014 and FY 2017.<sup>33</sup> Yet, it is impossible to determine how much implementation of New START will cost solely by reading the budget request.

This is because a plethora of other activities are funded along with New START’s implementation in the same categories. It is important that Congress distinguish between the two and make sure that these funds are not counted as part of the nuclear modernization program.

**Millions of Dollars for Russia.** The NNSA’s budget request includes millions of dollars for nuclear cooperation with the Russian Federation. The President’s FY 2013 budget request is \$3.79 million for Russian Surplus Fissile Materials Disposition, a 278.8 percent increase over the FY 2012 enacted level.<sup>34</sup> These funds are important. While the NNSA possesses the knowledge and skills necessary for conducting disposition activities, these activities should be funded from the International Affairs account because they are an important element of bilateral relations. Russian-Origin Nuclear Material Removal will cost U.S. taxpayers \$102 million in FY 2013 if the President’s request remains unchanged.<sup>35</sup>

After the Obama Administration signed New START with the Russian Federation, it became clear that most reductions pursuant to the treaty will be on the U.S. side.<sup>36</sup> The treaty is touted as a crown jewel of the Administration’s “reset” policy with

29. Baker Spring, “CTBT: New Study Fails to Resolve Differences over Risks to U.S. Nuclear Arsenal,” Heritage Foundation *Issue Brief* No. 3556, March 31, 2012, <http://www.heritage.org/research/reports/2012/03/ctbt-new-study-fails-to-resolve-differences-over-risks-to-us-nuclear-arsenal?lfa=Protect-America>.

30. Department of Energy, *FY 2013 Congressional Budget Request: National Nuclear Security Administration*, p. 1.

31. “Nuclear Weapons Modernization: White House Lacks Commitment,” Heritage Foundation *Factsheet* No. 76, December 1, 2010, <http://www.heritage.org/Research/Factsheets/2010/12/Nuclear-Weapons-Modernization-White-House-Lacks-Commitment>.

32. These costs are shared by the Department of Defense and the Department of State, albeit disproportionately (the Department of Defense pays more).

33. Department of Energy, *FY 2013 Congressional Budget Request: National Nuclear Security Administration*, p. 396.

34. *Ibid.*, p. 9.

35. In October 2012, the Russian government announced that it will not seek the extension of the Nunn-Lugar cooperation after the program expires in 2013. Baker Spring and Michaela Bendikova, “Russia Draws a Veil over Its Weapons Program,” The Heritage Foundation, The Foundry, October 17, 2012, <http://blog.heritage.org/2012/10/17/russia-draws-a-veil-over-its-weapons-program/>.

36. U.S. Department of State, “New START Treaty Aggregate Numbers of Strategic Offensive Arms,” Fact Sheet, June 1, 2011, <http://www.state.gov/t/avc/rls/164722.htm> (accessed November 28, 2012).

Russia. In reality, “reset” is nothing but a list of concessions.<sup>37</sup> Since New START was signed, Moscow has announced the most extensive nuclear weapons modernization program since the end of the Cold War.<sup>38</sup> Russian Chief of General Staff Nikolai Makarov threatened a pre-emptive strike if the United States proceeds with its Phased Adaptive Approach, a missile defense plan for the protection of U.S. allies and the U.S. homeland in its later stages.<sup>39</sup>

Under such conditions, substantial resources spent on reducing nuclear dangers in Russia should be linked to further advancing U.S. interests in the country. For example, the United States could use its funding and diplomatic tools to insist that the Russian Federation allow the release of unclassified memoranda of understanding pursuant to New START. These exchanges are important sources of insights into Russia’s strategic forces developments.<sup>40</sup>

### What Congress Should Do

It is important that Congress have a clear picture about what activities directly contribute to advancing U.S. nuclear weapons capabilities and what activities advance broader science or are important for dismantling the U.S. stockpile. To that end, Congress should:

- **Instruct the Department of Energy and the Office of**

**Management and Budget to adopt a different accounting system regarding the NNSA budget.** The new system should precisely define nuclear weapons modernization activities; nuclear weapon sustainment activities, including infrastructure; and other lower-priority activities. There should be a specific budget line for activities leading to the development of new nuclear weapons, new missions for new or current nuclear weapons, and new capabilities for them.

- **Include a provision in the defense authorization bill that would require the Department of Defense to provide it with a consolidated list of the expenditures by budget account.<sup>41</sup> This effectively means that the Department of Defense would have to provide Members with a description of all the costs of provisions pertaining to New START implementation.**

This is essential for Congress to assess the implementation costs of New START and assure Russian compliance.

- **Ensure that millions of dollars are not invested into advancing bilateral or multilateral arms control treaties that have not obtained the Senate’s advice and consent.**

- **Hold hearings on whether some activities in the Defense Nuclear Nonproliferation account should be paid for from the International Affairs account,** particularly those related to treaty implementation and bilateral or multilateral international cooperative nuclear threat reductions efforts, while keeping the NNSA funding at current levels.

- **Link funding for nuclear-risk reduction activities in Russia with increased transparency of Russia’s nuclear weapons modernization activities and ballistic missile defense programs.**

- **Recognize the National Nuclear Laboratories’ scientific accomplishments in other than nuclear fields, such as supercomputing or the medical field.**

### Conclusion

For over five decades, men and women in the National Nuclear Laboratories have contributed to tremendous U.S. technological achievements in nuclear and other related fields. All too often, Members of Congress have been tempted to discount these contributions and claim that dismantlement of U.S. nuclear weapons will solve fiscal troubles of the Department of Defense. This is

37. “Reset Regret: Heritage Foundation Recommendations,” Heritage Foundation *WebMemo* No. 3334, August 5, 2011, <http://www.heritage.org/research/reports/2011/08/reset-regret-heritage-foundation-recommendations>.

38. Mark B. Schneider, “After New Start,” National Review Online, July 21, 2011, <http://www.nationalreview.com/articles/272340/after-new-start-mark-b-schneider?page=1> (accessed November 28, 2012).

39. S. Smithson, “Russia Threatens to Strike NATO Missile Defense Sites,” *The Washington Times*, May 3, 2012, <http://www.washingtontimes.com/news/2012/may/3/russia-threatens-strike-nato-missile-defense-sites/> (accessed November 28, 2012).

40. Hans M. Kristensen, “New START Data Exchange: Will It Increase or Decrease International Nuclear Transparency?” FAS Strategic Security Blog, March 22, 2011, <http://www.fas.org/blog/ssp/2011/03/startexchange.php> (accessed November 4, 2012).

41. Baker Spring and Michaela Bendikova, “Congress Must Demand Details of New START Implementation,” Heritage Foundation *WebMemo* No. 3230, April 18, 2011, <http://www.heritage.org/research/reports/2011/04/congress-must-demand-details-of-new-start-implementation>.



just not so. It is time to lay foundations of a transparent discussion of how much U.S. nuclear weapons modernization costs and why the country needs it. The first step is to distinguish between nuclear weapons modernization spending and arms control implementation and other international nonproliferation measures.

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