

HOWARD P. "BUCK" McKEON, CALIFORNIA, CHAIRMAN
ROSCOE G. BARTLETT, MARYLAND
MAC THORNBERRY, TEXAS
WALTER B. JONES, NORTH CAROLINA
W. TODD AKIN, MISSOURI
J. RANDY FORBES, VIRGINIA
JEFF MILLER, FLORIDA
JOE WILSON, SOUTH CAROLINA
FRANK A. LOBIONDO, NEW JERSEY
MICHAEL TURNER, OHIO
JOHN KLINE, MINNESOTA
MIKE ROGERS, ALABAMA
TRENT FRANKS, ARIZONA
BILL SHUSTER, PENNSYLVANIA
K. MICHAEL CONAWAY, TEXAS
DOUG LAMBORN, COLORADO
ROB WITTMAN, VIRGINIA
DUNCAN HUNTER, CALIFORNIA
JOHN C. FLEMING, M.D., LOUISIANA
MIKE COFFMAN, COLORADO
TOM ROONEY, FLORIDA
TODD RUSSELL PLATTS, PENNSYLVANIA
SCOTT RIGELL, VIRGINIA
CHRIS GIBSON, NEW YORK
VICKY HARTZLER, MISSOURI
JOE HECK, NEVADA
BOBBY SCHILLING, ILLINOIS
JON RUNYAN, NEW JERSEY
AUSTIN SCOTT, GEORGIA
TIM GRIFFIN, ARKANSAS
STEVEN PALAZZO, MISSISSIPPI
ALLEN B. WEST, FLORIDA
MARTHA ROBY, ALABAMA
MO BROOKS, ALABAMA
TODD YOUNG, INDIANA

COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515-6035

ONE HUNDRED TWELFTH CONGRESS

ADAM SMITH, WASHINGTON
SILVESTRE REYES, TEXAS
LORETTA SANCHEZ, CALIFORNIA
MIKE McINTYRE, NORTH CAROLINA
ROBERT A. BRADY, PENNSYLVANIA
ROBERT ANDREWS, NEW JERSEY
SUSAN A. DAVIS, CALIFORNIA
JAMES R. LANGEVIN, RHODE ISLAND
RICK LARSEN, WASHINGTON
JIM COOPER, TENNESSEE
MADELEINE Z. BORDALLO, GUAM
JOE COURTNEY, CONNECTICUT
DAVE LOESACK, IOWA
GABRIELLE GIFFORDS, ARIZONA
NIKI TSONGAS, MASSACHUSETTS
CHELLIE PINGREE, MAINE
LARRY KISSELL, NORTH CAROLINA
MARTIN HEINRICH, NEW MEXICO
BILL OWENS, NEW YORK
JOHN R. GARAMENDI, CALIFORNIA
MARK S. CRITZ, PENNSYLVANIA
TIM RYAN, OHIO
C.A. DUTCH RUPPERSBERGER, MARYLAND
HANK JOHNSON, GEORGIA
KATHY CASTOR, FLORIDA
BETTY SUTTON, OHIO
COLLEEN HANABUSA, HAWAII

ROBERT L. SIMMONS, II, STAFF DIRECTOR

November 4, 2011

The Honorable Daniel Inouye, Chairman
The Honorable Thad Cochran, Ranking Member
The Honorable Dianne Feinstein, Chairman, Subcommittee on Energy and Water Development
The Honorable Lamar Alexander, Ranking Member, Subcommittee on Energy and Water Development

U.S. Senate Committee on Appropriations
Room S-128, The Capitol
Washington, DC 20510

The Honorable Hal Rogers, Chairman
The Honorable Bill Young, Chairman, Subcommittee on Defense
The Honorable Rodney Frelinghuysen, Chairman, Subcommittee on Energy and Water Development
The Honorable Jerry Lewis, Member

U.S. House Committee on Appropriations
Room H-307, The Capitol
Washington, DC 20515

Dear Chairman Inouye, Senator Cochran, Chairman Feinstein, and Senator Alexander, and Chairman Rogers, Chairman Young, Chairman Frelinghuysen, and Representative Lewis:

As you continue your work to reconcile Fiscal Year 2012 appropriations bills, I want to make you aware of a recent hearing I conducted as Chairman of the House Armed Services Subcommittee on Strategic Forces. On Wednesday of this week (November 2), the Strategic Forces Subcommittee held a hearing on U.S. nuclear policy and posture. The witness panel consisted of the key military and administration officials responsible for our nuclear deterrent.

During the hearing, the witnesses discussed, in depth, the cuts to the nuclear modernization efforts of the National Nuclear Security Administration (NNSA) proposed by the House and Senate FY12 Energy and Water appropriations bills. Our witnesses were deeply concerned about these cuts, and reinforced the administration's position that full funding for NNSA's defense activities is critical, even with the tremendous fiscal pressures facing the nation.

During the hearing, Dr. Jim Miller, Principal Deputy Under Secretary of Defense for Policy, said the following:

- “A critical issue that we face is ensuring funding for the nuclear enterprise. When he took office, President Obama made reversing the declining budgets for the nuclear complex a top priority... Cuts to NNSA funding in the House and Senate appropriations bills are a big concern. The president has asked for the resources that we need even in a tough fiscal environment. Now we need Congress’ help. We look forward to working with this committee and other members to that end.”
- “As you look at the level of reductions that have been proposed by both the House and the Senate appropriations, some essential activities will not be undertaken. If you look within those reductions, at the specifics, we have particular concerns in the Department of Defense on reductions in funding for the B61 life extension program. That’s a critical weapon system for both our bombers and for our dual-capable aircraft, and reductions also in the W78 life extension program, where there are cascading effects: if one program is delayed, the next one is delayed... But one of those effects is that, at the end of the day, the United States gets less product for more cost—because these changes in programs are going to drive up costs overall.”

General C. Robert Kehler, Commander of U.S. Strategic Command, said:

- “The [2010] Nuclear Posture Review (NPR) validated the continuing need for the triad, and the 1251 Report outlined the necessary sustainment and modernization plans, including requirements and timelines. These plans are essential to maintaining long term confidence in our nuclear deterrent capabilities. Unfortunately, the nuclear enterprise simultaneously faces significant recapitalization challenges and extraordinary fiscal pressures. But in my view as the combatant commander responsible for the nuclear deterrent force for our nation’s security, we must invest in these forces and the highly specialized enterprise that supports them.”
- “Mr. Chairman, I would just add if we’re referring specifically to the markups dealing with the Department of Energy and NNSA part of the budget, then I would just add I am very concerned about the impact on life extension programs... We’ve got some near-term issues that will impact us in terms of life extension programs for aging weapons.”

Mr. Thomas D’Agostino, Administrator of NNSA and Under Secretary of Energy for Nuclear Security, said:

- “President Obama’s commitment to reverse the decline in investment that took place before he entered office is essential for accomplishing our nuclear security work. This commitment was reflected in the president’s 2012 budget request for the NNSA—in fact it was also reflected in his 2011 budget request—and this request reflects an integrated 10-year plan and identifies the funding necessary to ensure the safety, security, and effectiveness of our nuclear stockpile, modernize the infrastructure we need to execute our mission and revitalize the science, technology and engineering base that supports the full range of our nuclear security activities. Investment in these capabilities over the next decade is essential—and I cannot over emphasize this point—it will require sustained, multi-year support from future administrations and Congress.”
- “The stability we have gained from the Nuclear Posture Review and New START Treaty has allowed us to plan and use our resources much more effectively... I’d like to express my

concern, however that this sense of stability could be eroded given the uncertainties stemming from the reductions Congress is contemplating in the FY12 budget process. These uncertainties directly impact our workforce, our ability to efficiently plan and execute our programs, and ultimately the ability to be successful.”

- “It is critical to accept the linkage between modernizing our current stockpile in order to achieve the policy objective of decreasing the number of weapons we have in our stockpile while still ensuring that the deterrent is safe, secure, and effective.” [emphasis added]

Remarking on the proposed cuts to funding for construction of the Chemistry and Metallurgy Research Replacement facility in New Mexico, Administrator D’Agostino said:

- “As you know, the United States will continue to have nuclear weapons for the foreseeable future and many of our projects are vital to national security. The longer these projects are delayed, the more expensive they become. Projects like the Uranium Processing Facility (UPF) and the Chemistry and Metallurgy Research Replacement (CMRR) facility will allow us to replace aging Cold War infrastructure.”
- “It would be difficult to actually run—in fact, I would say close to impossible to run—a large construction project efficiently if every year we will anticipate having huge [differences] between the House and Senate [appropriations] and the administration requests, whether it’s President Obama’s budget request or whatever happens out in the future. It’s just a horribly inefficient way to deliver a construction project. And nobody, frankly, I would say, in their right mind would run a program this way.”

Articulating what programs in particular he is concerned about, Administrator D’Agostino said:

- “We have very real needs with respect to the B61 warhead. We’re looking at it from a strategy standpoint, on it being able to address the nation’s needs out in the future. We don’t want to necessarily disarm by, you know, just attrition, because we can’t agree.”
- “It’s important also to say that reductions in what we call the campaigns, the science campaign, the computing work -- these types of reductions themselves -- in one area it was cut by \$140 million, in another area it’s only cut by \$60 million. But this is work that directly supports enabling technologies. This is the work to make sure these technologies are the ones that allow us to certify the stockpile on an annual basis without underground testing. Reductions in these areas will have a direct impact on the president today in the ability to certify the stockpile without underground testing. We cannot overemphasize that particular point.” [emphasis added]

In a separate hearing on November 2, General Norman Schwartz, Chief of Staff of the Air Force, responded to a question asking about Air Force nuclear forces by saying:

“With respect to the nuclear area, I would make a personal appeal, and that is that this committee needs to influence the thinking of another jurisdiction, in Energy and Water, with respect to in particular the renovation of the B61 weapon. The reality is that that weapon is the item that is paired with our bombers, and it needs to be updated—the lifecycle improvement effort—and that needs committee support and likewise from Energy and Water since it is NNSA that will perform that function.” [emphasis added]

In addition, as I relayed in my October 14 letter to you, Secretary of Defense Panetta has also expressed his concern over the cuts to NNSA’s nuclear modernization programs. On October 13, when

Senators Inouye, Cochran, Feinstein, and Alexander, and Representatives Rogers, Young, Frelinghuysen, and Lewis

November 4, 2011

Page 4

asked about the cuts made in the Energy and Water appropriations bills, Secretary Panetta responded with what I think you will agree is a strong and unambiguous statement of support for full NNSA funding:

“Well, as a former [House] member, I know in those committees, they’re going to reach for whatever they can in order to try to see if they can fund those water projects...I understand that process. But I think it’s tremendously shortsighted if they reduce the funds that are absolutely essential for modernization...If we aren’t staying ahead of it, we jeopardize the security of this country. So, for that reason, I certainly would oppose any reductions with regards to the funding for [modernization].”

As you know, Secretary of Defense Gates transferred \$8.3 billion in top-line budgetary authority from the Department of Defense (DOD) to NNSA, over a five year period, to help pay for nuclear weapons modernization efforts. The enclosed memorandum of agreement between DOD and the Department of Energy (enclosure 1), marked “For Official Use Only,” is the agreement to transfer \$5.7 billion in budget authority and describes in detail the NNSA programs DOD expected its funds to support. The associated enclosure (enclosure 2) describes a subsequent, separate transfer of \$2.6 billion. When I asked Dr. Miller about this transfer, and the apparent allocation of some of these funds in the appropriations process for non-defense purposes such as water projects, he said:

“Mr. Chairman, let me say on the record that DOD transferred those funds with the expectation and understanding that the resources would go to [nuclear] weapons related activities.”

Finally, it is imperative that we in Congress remember the direct linkage between funding and executing the Section 1251 modernization plan and implementing the reductions called for under the New START Treaty. Under condition 9 of the Senate’s Resolution of Ratification for the New START Treaty, if funding is not provided to carry out the modernization plan, the President must submit a report to Congress considering the question of whether it is in the national security interest of the United States to remain a party to the treaty. Discussing this matter, Dr. Miller made clear in his testimony that,

“the difference [from the budget request] we’re looking at now in both the House and the Senate appropriations bills, I think, would trigger that, and we would have to examine that question.”

In view of the testimony provided to the Strategic Forces Subcommittee on Wednesday, it is clear that failure to fund the modernization effort could call into question the New START Treaty itself. This is of course something the Congress must consider in the appropriations and authorization bills this year—and each and every year the treaty is in force.

While I understand the fiscal difficulties facing the nation, and your responsibility to make tough decisions with limited resources, I hope you will consider the views of these senior national security officials, and restore full FY12 funding for nuclear modernization programs within NNSA.

I thank you for your commitment to the national security of the United States.

Senators Inouye, Cochran, Feinstein, and Alexander, and Representatives Rogers, Young, Frelinghuysen,
and Lewis

November 4, 2011

Page 5

Sincerely,



MICHAEL R. TURNER
Chairman, Subcommittee on Strategic Forces
House Armed Services Committee

cc: President Barack Obama, The White House
The Honorable Jacob Lew, Director, Office of Management and Budget
The Honorable James Miller, Principal Deputy Under Secretary of Defense for Policy
The Honorable Thomas P. D'Agostino, Administrator, National Nuclear Security Administration
The Honorable Ellen Tauscher, Under Secretary of State for Arms Control and Int'l Security
General C. Robert Kehler, Commander, U.S. Strategic Command
The Honorable Jeb Hensarling
The Honorable Patty Murray
The Honorable Max Baucus
The Honorable Xavier Becerra
The Honorable Dave Camp
The Honorable Jim Clyburn
The Honorable John Kerry
The Honorable Jon Kyl
The Honorable Rob Portman
The Honorable Pat Toomey
The Honorable Fred Upton
The Honorable Chris Van Hollen