

**CARNEGIE
INTERNATIONAL
NON-PROLIFERATION CONFERENCE**

**RONALD REAGAN BUILDING
AND INTERNATIONAL TRADE CENTER
WASHINGTON, D.C.**

NOVEMBER 8, 2005

**9:00 – 10:30 AM
“CONGRESS AND NUCLEAR WEAPONS”**

**CHAIR:
AMY WOOLF,
CONGRESSIONAL RESEARCH SERVICE**

**PANELISTS:
STEPHEN SCHWARTZ,
EDITOR AND CO-AUTHOR OF “ATOMIC AUDIT”
CONGRESSWOMAN ELLEN TAUSCHER (D-CA)**

*Transcript by:
Federal News Service
Washington, D.C.*

AMY WOOLF: Good morning. I'm Amy Woolf. I'm your chair this morning. I want to welcome you to the conference. Our meeting this morning is on congressional oversight. I'm sure most of you, or all of you, if you attend – (audio break, technical difficulties) – arms control issues have heard some version of the statement I am about to read to you.

This comes from General Cartwright – (off mike) – and it was in testimony earlier this year. He said, “Finally, as an element of our role as steward of the nation’s strategic nuclear capabilities, we need you” – he was speaking to Congress – “to consider a new national dialogue on nuclear policy. This nation is ready for a genuine policy debate on the role of nuclear weapons within the context of the current global environment and the potential offered by the new triad concept.”

He spoke to Congress. He asked Congress to hold a new debate on nuclear policy. There are many, many people out there in the arms control community asking for the same type of dialogue. But Congress does not participate in broad conversations like that for many reasons of structure and process.

And what we are going to do this morning is have Representative Tauscher speak to us about congressional oversight, what they do – (audio break, technical difficulty). Representative Tauscher is the only member of Congress to represent two nuclear laboratories: Lawrence Livermore and Sandia National Laboratories. She is a member of the House Armed Services Committee – which she has to return at 10:00 this morning so our time is somewhat limited – and has taken an active role in foreign policy and national security policy issues. She is well known both inside and outside of Congress as an expert on nuclear weapons and non-proliferation issues. I am very proud to introduce her and I am very proud that we have her to speak to us this morning.

REP. ELLEN TAUSCHER (D-CA): Thank you, Amy. Is this on? Do I have to do something magical to it? It's on?

Thanks, Amy very much. I want to thank my good friend, Joe Cirincione, and the Carnegie folks. I am happy to be on this panel with Stephen. I am sorry Chris Shays couldn't be here. I do have to leave. We have a 10:00 panel that we have, that I'm co-chairing, believe it or not, as a Democrat. The ranking member Ike Skelton, and the chairman of the full committee, Duncan Hunter, in September created a very unusual panel, series of panels for us.

As many of you know, the quadrennial defense review will be due in February of '06. Normally it is delivered to us with all of its conclusions and it is a very much budget-driven document and we very little – very few times get to look at it in a sense of having the context of which it was written.

For lots of reasons, the chairman of the full committee and the ranking member decided to create a Congressional Defense Review. And for the first time I think in

modern history, there are no chairs and ranking members. There are actually two chairs. And I chaired with my colleague from Ohio, Mike Turner, the Threat Panel, and we took about five weeks of intensive debate and went through the entire walk-around-the-world including nine hours at the CIA. And we then came to our conclusions on what we perceive the threat to the United States to be. Obviously it is very multidimensional and very sophisticated. And then we developed a series of gap panels, of which I am now chairing the nuclear threats panel, and that is why I have to leave to be there at 10:00 this morning.

What I really want to talk about briefly is what I think we all understand is a disconnect between Congress' role in the nuclear debate, our absence from the nuclear debate and what we can do to fix it. When I came to Congress in 1996 representing California's 10th congressional district – don't worry, you don't have to know where it is – we have 53 congressional districts. Probably only my 14-year-old daughter can name all 53 of them. But we have obviously a very big state and we have a lot of issues. And we are very honored to have both Lawrence Livermore National Laboratory and Sandia, California in my district and Livermore, California.

I had been an investment banker for 14 years and had done a lot of work in high-tech and – including some energy issues. So I had a kind of passing glance at what exactly was going on. But while I was running for – in the primary in 1996, in March of 1996, I went to Livermore and spent the entire day there, and spent part of the day at Sandia. What I got to know was that my district is extraordinary because we do have 10,000 people that work at those labs and they are the jewel in the crown, and that not only does tremendous science come out of those labs, but we have obviously the best, safest, most reliable military and national security deterrents in the world that came out of those labs and obviously the labs in New Mexico.

Where does Congress fit in in the debate that we know has drastically changed since September 11th, the paradigm of asymmetrical threats? Where is deterrence and where is our stockpile? How do we keep the kind of science coming out of the labs? How do we make sure we are leading edge? What do we do about our treaties? What do we do about the Non-Proliferation Treaty? What do we do about being congruent with what many people perceive to be very different threats for the 21st century?

And the answer is we need to be involved, we need to be well-versed, we need to have people that are deeply involved in these issues, and right now we don't have a structure to accomplish that. Back in 1998, as a sophomore, I was the ranking member on the panel called the NNSA panel. We created – Mac Thornberry and I worked with others to create the National Nuclear Security Administration because we believe that the Department of Energy had a lot of work to do. This is the department that regulates refrigerator coolant and has the nuclear weapons.

And if your mind is that big, then maybe you should go to work there. But the truth of the matter is over successive administrations, secretaries of energy had come from the oil business and the oil patch. And I think the first time their heart started to

beat very quickly was when they found out they also had the nuclear weapons. And that area had become a coecilian (?) bureaucracy and did not serve the president, the Congress, or the American people well because it did not have as its primary focus the ability to translate to Congress and to the American people policies that were going to make sure that we had the finest science, and the best weapons, and the best non-proliferation strategy in the world.

We revolutionized the whole concept by creating this compromised semi-autonomous agency called the NNSA. We helped pick John Gordon and we are very happy to have Ambassador Linton Brooks there now.

About two years later, we had a change in leadership in the House Armed Service Committee, and the panel disappeared. We also had changes in the number of subcommittees we had and all of a sudden the strategic panel became the panel that had some of the nuclear weapons complex responsibilities. But by in large the responsibilities for all of the authorizations for the DOE programs came to the full committee.

So when you spread something that is so specific and so high-tech and so intricate over 63 people, what do you think happens? It gets spread that thick. And because we didn't have other than the strategic subcommittee, which has lots of responsibilities, not only the DOE stuff, we didn't really have a series of experts. And that is the real failure of Congress. The failure of Congress is to not take folks that are interested in the conventional kind of ways. We have lots of people that populate committees because they have real district interest in those things.

If I was going to go to Congress and do what I like after having a seat on the New York Stock Exchange and being an investment banker for 14 years, I probably – if I did what I wanted to do – would have gone onto either financial services or banking or something like that. But I didn't go to Congress to satisfy my interests. Just look at the bags under my eyes. I went to Congress to work for the 657,000 people in the 10th congressional district, and that is why I launched myself like Velcro girl onto the Armed Services Committee because that is where key interests for them are and that is why I am also on the transportation committee. If you ever tried to drive around the East Bay, you would know why, too.

So we have got to leverage the folks that are on the committee and in the Congress and deal with their interests. We have lots of people, for example, that are on the Armed Services Committee that had big bases. Not everybody on the Armed Services Committee is on there to protect a base or to protect a lab, but you have to take for honest reasons that people are interested on those committees and that you have to then leverage really smart people that are going to work hard and get them to do the really tough things.

That is why the opportunity for this panel that we are working on right now is very important. But it is also important that Congress reinstitutionalize, especially in this

case, the NNSA panel. These are very, very interesting issues. I do take credit for – not single-handedly, but working in a bipartisan way both with the House and the Senate in defeating the RNEP, Robust Nuclear Earth Penetrator. Only in this administration do you have to call a nuclear earth penetrator robust. Because we didn't get it right the first time.

We found out last night through my good friend Dave Hobson, who is a Republican from Ohio, that he has successfully kept everything out of the Energy and Water Subcommittee, and we think that the administration is saying uncle now, so no more RNEP debate.

But we spent three years in a very contentious debate, and that is one of the reasons why all of the issues that normally were in the Strategic Subcommittee went to the full committee in the Armed Services Committee because they became about ideology, not about science and not about good common sense and good discussion and good debate that we could have about what is important for the American people.

The administration wanted an RNEP and for a lot of my colleagues on the Republican side that is all they needed to hear. And when the scientific community came forward and said hold it, hold it, hold it; you don't necessarily want to be doing this for lots of reasons – and when many of us tried to encourage a debate about precision-guided advanced weaponry – conventional weapons that are much more sophisticated, much more precision-guided, much more tactically efficient for the kind of holding of these deeply buried targets at risk that we need to do, we were thwarted.

We were rebuffed in 2001, 2002, 2003, 2004. I know; I carried the amendment every time. But every time, I kept getting more and more Republicans voting with me. Even in the floor debate against the RNEP, we were actually aided by many, many good Republicans that knew that we had not done enough to make this decision and that we had not had the right kind of debate.

But because many of us have immersed ourselves in this issue to the best we can, we become the surrogates and we become kind of the canary in the coalmine for these votes. We need more people in Congress that are going to take the time to be part of these issues. But like everybody, we need a return on our investment, and that is why the connection between what your district is and does, what the American people care about, what the scientific community cares about, and what we do is just like anybody else.

We are going to spend our time and energy working for the people that we work for, and that return, hopefully, if you do a good job, is to be reelected. It is also to gain a reputation for having some serious cogent thoughts about these things, for being a serious principled person who actually will take the time to learn and understand. But members of Congress will not take the time to do that if the return isn't obvious to them.

And that is why it is very incumbent upon the scientific community and people very interested in these issues to make it clear to members of Congress, whether it's their

member of Congress or others, that they really believe that this is something that Congress has got to pay attention to. It is not just about the ballot box, although it has to be respected, but it is about making sure that we have people that really understand, take the time, will travel, will really get immersed in these issues – not in an ideological sense; someone that will actually stand back and say no to things.

I mean, I have, for example. RNEP probably would have been developed at Livermore and certainly would have been worked on by Sandia. Some people could argue that it is in the contra interest of my district for me to not support the RNEP. But I know that there are many other things that can be done at Livermore and Sandia that are much better investment for the American people, much better investment for the time of our great scientists than to run contra to what I think is the most important thing for our country, which is to speak honestly and seriously about proliferation and non-proliferation issues, and what our arsenal looks like, and what our intentions are.

We have to have a deterrent that people actually believe is credible. And if the scientific community, which it is, is so mixed and so opposed to an RNEP, even if we went and spent \$100 million on it just in the study phase, no one would believe we were going to use it. That is why it is more important for us to have these precision-guided advanced conventional weapons that we know we would use – we have used them before, people know we would use them, they have much less fallout both politically and physically, and they are much more lethal, believe it or not, because we would actually use them.

So my take on this is that we need demand from people that we actually do a few things. First and foremost is that we get back to the business of having an institutionalized committed group of people that will work on these issues. So that means the Armed Services Committee has to either re-institute the NNSA panel or have as part of the strategic subcommittee, a dedicated group of people, very much like we do for intelligence – a dedicated group of people that will really dig down and understand these issues, will travel, and will do all of the things that are necessary to be not only current but congruent with the issue so that you can influence that. So you can start to talk to your own Congress people and to your own members of the Senate and say we need this.

The other thing is for the scientific community to never misunderstand how important they are and how important their influence is, even to people that don't like science. You have got to get out there and continue to push for these issues. My friend Joe Cirincione back there – you couldn't have a better advocate. But it takes all of your voices to be amplified to make sure people understand that you need to be represented by people that are going to not have an ideological bend, that are going to spend the time to understand, and are going to use you as their think tank, either because you're in their district or because you are a friend.

And those are the two things I think that we need to do very, very quickly to get back to a place where Congress can then engage in what I believe is absolutely a

necessary debate, not only on nuclear weapons and non-proliferation strategy, but on nuclear power. Thank you, Amy.

MS. WOOLF: Thank you. I would like to open the floor to questions now so that we have time to speak with Representative Tauscher before she leaves. Line up before the microphone and offer your name. And, please, since time is tight, be pointed in your questions. Thank you.

Q: Wayne Jaquith – in terms of this upcoming defense review, isn't the greatest threat that the world faces the tens of thousands of nuclear weapons that are still in existence, and what can be done to accelerate their dismantlement?

REP. TAUSCHER: Well, Wayne, it's obvious that the most successful non-proliferation program we have had is our cooperative threat reduction programs. My concern with them is that they are now run both between State and Defense, and I think you need to have one master to do a job well. So pick one. I would pick State. And I think that we have to have more money. Right now I think we are looking at 2012, 2013 total takedown timeframe. Let's decide to do it next year.

And it's all about money; it's about resources and money. And I would immediately increase the budget to whatever credible people told me they would need to get it done immediately, and then I would move on to tactical weapons. We have tactical weapons rolling all over the Soviet Union – same kind of situation. Let's get the money and let's go do it.

Q: (Off mike.)

REP. TAUSCHER: Well, I think the Moscow Treaty is a farce. I think until you decide that you're not going to put these weapons on blocks in a garage, but you're going to destroy them, then it's just what it is; it's just a convenient little way – it's an accounting trick – here they are, here they are not. Well, they are not unless they are really not. And until we decide to take them and take them down and take them down for good and dismantle them, then it's Enron accounting as far as I'm concerned. Could I be any more blunt? (Scattered laughter.)

Q: Yes, I'm Jonathan Medalia with Congressional Research Service. Now that the RNEP is done for, it seems like the next big thing in nuclear weapons will be the Reliable Replacement Warhead, RRW. In the FY '06 House Armed Services Committee Report, there were the additional views of the Democrats. I assume that you were one of them.

REP. TAUSCHER: Yes.

Q: And they said that they were willing to explore but not embrace the RRW program at that time. That was several months ago.

REP. TAUSCHER: Right.

Q: I'm wondering if your views have evolved since then and if you can give me your sense of what should be done on RRW.

REP. TAUSCHER: Thank you, Jonathan, and thank you for the great work that CRS does.

Q: Thank you.

REP. TAUSCHER: My thoughts have evolved to the extent that I am more convinced than ever that part of RRW has to be the ratification of the CTBT. Unless the goal of RRW is to get ourselves to a place where we can ratify the CTBT, I don't know what the point is. I do believe that we need significant reform and refurbishment of the complex. And if RRW is part of that – and I think it needs to be, the concept of RRW needs to be – then I'm willing to look at that. But, by the way, RRW is brought to you by the same people that brought me the RNEP, so at my age, I tend to be a little slow to embrace when I didn't like the last time I got in the clutch. So that is where we are.

Q: Thank you.

MS. WOOLF: While we are on the subject of the RRW, Stephen.

STEPHEN SCHWARTZ: Sure. I will just take advantage of the opportunity since I'm up here. I guess the first question or the first part of the question is why is there such a disconnect in Congress between the – in your opinion, between the how and the when of nuclear policy as opposed to the why. In other words, we have debates about the RNEP, we have debates about the RRW, such as they are. These were mostly inside the Energy and Water Development Subcommittee and maybe within Armed Services, but there is really no larger discussion anywhere that I can find of the strategy of how these weapons would be used or why they are even necessary and what the context is, which I find particularly troubling, and I was wondering if you could address that?

REP. TAUSCHER: Well, I think it's just a complete breakdown along the political lines when you have one party that controls all forms of government – all branches of government, and you have specifically in the House people wearing that color shirt, and if their guy shows up in that color shirt and says we are going to go this way, for the last five years of the Bush administration only until very, very, very recently when lots of trouble and lots of questions that members have to answer back at home have started to reverberate do you get people saying, well, what do you mean by that?

And we have had intelligence failures, for example – very painful intelligence failures but very little action on trying to understand what exactly has happened. The only real body of evidence about them have been in the 9/11 Report. We have had very little congressional debate about it and you can see in the Senate that Harry Reid had to pitch a fit the other day and do – was it rule 21 or some new thing that they found in

some dusty book - just to get people to focus on the fact that there is a part of a report that was due a year ago that is very fundamental to our understanding about the intelligence failures in Iraq.

Now, it would be one thing if you didn't have to worry about any other problems like that again and you kind of said intellectually I might want to go through that academic exercise, but believe me, we are day to day dealing with the same kinds of issues. And now we have the Iran issue – looks vaguely familiar – and, you know, who has got what and who has got this.

And when you hear the pundits on television saying things like, well, everybody believed that Saddam Hussein had bio and chemical weapons. And some people even said – and they dig out quotes from people. Yeah, everybody might have gotten it wrong, but not everybody attacked them – a big difference. So I think that the RRW debate specifically has been one that has been very politicized and most people don't really understand what it means.

There are those of us that have called for a long time for a reinvestment and a reform of the complex. If that is what they are talking about, if that is what RRW is about; I am happy to have that conversation. If RRW is really another sneaky little attempt to get a way to build smaller tactical weapons, then I am not interested in having that debate for much longer than hearing what they have to say and saying no.

Q: Yes, good morning.

REP. TAUSCHER: Good morning.

Q: My name is Jorge Hersch (sp). I am a physicist from the University of California. First I would like to say –

REP. TAUSCHER: Go!

Q: – that I really appreciate your work on the –

REP. TAUSCHER: Thank you.

Q: – Robust Earth Penetrators; that was really great. Let me – I just want to say a couple of things. Let me just read the first sentence of this letter sent by 10 senators to the president in 2003. “We are writing to you to convey our great concern about recent public revelations that suggest that your administration considers nuclear weapons as a mere extension of the continuum of conventional weapons open to the United States, that your administration may use nuclear weapons in the looming military conflict against Iraq.”

Two years later, we have a document, the Doctrine for Joint Nuclear Operations that came out in the Washington Post –

REP. TAUSCHER: The draft?

Q: – that basically says that after this letter and after two years, the administration is ready to – according to this, to use nuclear weapons against adversaries intending to use WMDs for rapid and favorable war termination on U.S. terms to ensure success of U.S. and multinational operations – all kinds of reasons. So we physicists are very concerned about this. I wanted to tell you we have started a petition, which has been signed by a thousand – over a thousand physicists, including eight Noble Prizes, and more than 30 National Academy members, where we strongly object to these policies and we call for a national debate and we call for members of Congress to please make this issue a central part of the discussion and bring it open to public debate.

REP. TAUSCHER: I agree with you. Thank you for your work and thank you for getting all of those signatories. I have made my views very clear. I thought that the Nuclear Posture Review from a few years ago was a very controversial, provocative document. I thought it went way beyond where anybody really believed we should be, in the absence of any debate. It made conclusions and postulated positions of this administration that had been absent in any debate at all.

And secondly, I think that we have a lot of issues about not only the intel piece of this but we have looked at how we go about creating the debate. And frankly it apparently – in Congress right now, if you can find a phone booth, which you can't find, that is where you would have the debate.

We have more congruence on this issue than we have actually people stepping forward to stand for the administration's position. We have got a great bipartisan effort on this, whether it is Senator Lugar and Senator Feinstein on the Senate side – on our side we have got Dave Hobson, who is a Republican, who has worked very intimately with us to stop stuff on Energy and Water, and many others – Chris Shays – many others have worked with us. So I think that there are more people that are with us, but unfortunately the administration position is really what stands, and that is what we have to change.

Q: Right. Facing the situation, for example, with Iran – we do not want the administration to go forward with this policy – (off mike).

REP. TAUSCHER: Right. Well, I wish we could tell you what our policy about Iran is. I don't know what it is. I can tell you that we have three good interlocutors in the European three, but if you think about each of them, they are all very busy right now doing something, and have internal problems of their own. And we should be able to stand up and say what our policy is. And I would like to know where the secretary of State is on this.

MS. WOOLF: We will take the two questions in line and then we will allow Representative Tauscher to go back to the Hill.

REP. TAUSCHER: Thank you very much. Thank you.

Q: Hi, Ellen.

REP. TAUSCHER: Hi.

Q: I am Anna Smith. I'm a senior at Eckerd College –

REP. TAUSCHER: Good for you.

Q: – in St. Petersburg, Florida. Thanks. It's great to be here. I am – this is regarding pushing members of Congress to consider these kinds of issues on nuclear non-proliferation. I write letters about three or four times a week to various people regarding a lot of different issues, environmental and human rights, but this is of growing importance to me, non-proliferation is. And I'm wondering the most effective way of creating dialogue between myself or the students and members of Congress. I feel that whatever I am doing is – perhaps it's not effective enough and if we are discussing pushing for conversation it has not been satisfying.

REP. TAUSCHER: Yeah, I once again think that this, like a lot of issues, is about the return on investment for members. And what we have to do is make sure that you know who those of us are that spend a lot of time on this issue. Actually, what we really want to do is let you know who our staff is – Simon Limage is here – my staff. He is just awesome – so that you can deal with folks that are going to actually have a file about this and that are actually – have votes on this and take leadership positions on this, so that you can be part of their army that we can gin up.

The idea that you're going to go to a member that isn't on the committee or doesn't have any specific – even a letter that they write back to somebody when they write them about non-proliferation is really not a good use of your time. And I want to harness your energy. It seems to me like you're somebody we should have in the front of our line.

So I hope that you will write to me. I hope we can stay in touch. I will let you know who the other members are, and then what we have to do is make this a center of gravity and where people say, hey, you know, I really think that there is a return on this. Lots of my constituents are talking about this. I need to have more of a position on this. I need to have a smart staffer like Simon Limage – anybody here, don't touch him; he's mine – (laughter) – but I need to have my own Simon so that I can actually maybe do what I have to do – my coterie of interests for my constituents, but I think this is very important, and I want to have someone that is going to be able to advise me on this.

We have what we call go-to boys and girls in the Congress – go-to girl. We want to create a broader band of that, so if you help us, we will help you. Thank you. Thanks, Anna.

Q: Good morning, ma'am. My name is Dave Jonas. I'm with NNSA. And I appreciated your comments about why NNSA was created, the need for it. But I wonder if you might comment on your views about how NNSA is doing currently and perhaps what you see as the future of NNSA.

REP. TAUSCHER: Well, my disappointment is that too much was done as we were creating the NNSA to keep the NNSA hooked into DOE, including the compromises we had to make with Secretary Richardson, who I think is a very good man and a good friend, but, by the way, at the time he was trying to not have one job move away from DOE and go someplace else. So intel, for example, is still hooked in through the secretary's office. I wanted a much more autonomous agency than a semi-autonomous agency. It was a compromise.

But I wanted NNSA as a semi-autonomous agency to grow to be an autonomous agency and to have much more of a pillar of its own in non-proliferation. I don't see how you are hooked into that either. I mean, cooperative threat reduction – a lot of your programs that you used to have, PPI, other kinds of programs are gone, or funding is low. And I think the funding for NNSA generally has been on flat line, and it's about the money. It is clearly about the money, and it's about making sure that we have the kind of scientific talent that we're meant to have.

Just as a little commercial, let me just say that I believe that the University of California should keep the weapons labs contracts. I don't want to corporatize the labs. I believe that the reason that we have been able to brain drain the world and successfully take every smart person that is interested in these things and put them in those labs is because it has an academic derivative to it and because it has not been corporatized.

And I was deeply disappointed when Secretary Abraham decided to put these contracts out. I am all for competition, but I'm for competition that gets us the outcomes that the American people need: the best science and the best national security. And it's not clear to me that we can do that by corporatizing the labs.

But I think the NNSA got off to a great start. I think the people there are great Americans and absolute stalwarts in national security and science; I just don't think that they have had great direction out of the secretariat in DOE and I also don't think they have had consistent funding and growing funding, especially for a lot of these programs that are going to take down weapons faster, secure material, and do the kind of innovative advances in MPC&A that I think are drastically needed around the world. So thanks for your hard work there.

MS. WOOLF: Do we have time to conclude with one quick question?

REP. TAUSCHER: Sure.

MR. SCHWARTZ: I just wanted to ask you – I totally agree with your suggestion, recommendation that we reestablish this panel. I would even argue for making it a subcommittee.

REP. TAUSCHER: When the Democrats take over.

MR. SCHWARTZ: Well, I remember very well the panel that Mr. Spratt had three years before your time, and it worked very well I thought in raising these issues in a consistent way. Right now it is very difficult to see in the budget who is doing what where, what things are costing.

Would you – do you think it would be helpful to Congress for you, for your colleagues, to have a consolidated nuclear weapons budget that DOD and DOE would introduce jointly every year so that you could understand what it is going on and follow it year to year to year? And would you be interested in – I'm not a lobbyist so I can't promote this, but would you be interested in working on something like that?

REP. TAUSCHER: Yes, you are reading my mind and it is actually something we are looking at. Accountability and transparency in the budgeting process cuts both ways. And in our case, there are too many different buckets to put the money, and too many different agencies that are in charge. And I would have a lead agency, I would have it be the NNSA, and I would have basically a combined budget where you had the CTR programs, both in DOD and State, and many of the other programs that you see across DOE consolidated at least in the budgetary context.

Once we did that, then I think we can look at the kind of management reform that we would need to kind of get everybody in the same kind of – at least in the same lane where you can see each other and have the right kind of conversation. I think that is a great idea. We have kind of batted it around – we are looking at a number of different reforms in the Armed Services Committee, including moving forward on another round of Goldwater-Nichols.

And we have kind of tucked this underneath it because it's the same kind of mindset where you are looking to change the paradigm of how you manage and change the paradigm of how you deal with management information systems, including budgetary issues. So this is why you are so good at this thing and this is why I am leaving you in charge – (laughter) – because I have to go.

MS. WOOLF: Please join me in thanking Representative Tauscher for her time.

REP. TAUSCHER: Thank you, Amy. Thank you.

(Applause.)

MR. SCHWARTZ: I wanted to give you a copy of my book.

REP. TAUSCHER: Thank you.

MR. SCHWARTZ: You'll find some good ideas in there.

MS. WOOLF: We are not done. I would like to introduce Stephen Schwartz who is the author of the "Atomic Audit," and has been in the past editor of Bulletin of the Atomic Scientists. He remains involved writing and speaking on nuclear weapons issues, and we are going to now take a broader perspective look at how Congress has addressed nuclear weapons issues, and then in the absence of any members of Congress we're going to try to fix it for the future – just between us. Please.

MR. SCHWARTZ: Well, thank you. And while we are powering up PowerPoint here, I would just make one small correction to the introduction. I was actually the executive director of the Bulletin. The editor is a different job and – actually we need a password now? But, yeah, as Amy mentioned – and actually I was the editor and co-author of "Atomic Audit." I had a very talented team of people. I think there is a couple of them in the room actually. But it did look at a number of these issues.

So as Amy said, I do want to take a somewhat broader and historical look at where we have been with this issue because what we are dealing with today is very much a product of what happened in the past.

The basic point I guess I would leave you with – and it's fairly obvious to those of you that work on Capitol Hill – is that on the issue of nuclear weapons, Congress has historically shown very little interest except where budgets or constituent needs are concerned, and that is unfortunate considering among other things that nuclear weapons and weapons-related programs have consumed some \$7.5 trillion in inflation-adjusted 2005 dollars, making them the third most expensive government program after all other national defense and Social Security. And just to put that in context, historically that is about 29 percent of all military spending and 11 percent of all government spending.

Congressional oversight of nuclear weapons is a story of extremes, long periods of inattention punctuated by short periods of concern and action. Typically Congress only takes action following a crisis, a scandal – real or perceived – or intense media or public attention. And unfortunately, one of the things that Congress at least historically in the early days has tended to do is focus – as I said earlier to Congresswoman Tauscher – not so much on the why but on the wherefore.

For example, there was a lot of emphasis on how much we should build but very little interest in why. And so the emphasis seemed to be we needed to maintain pace or stay ahead of the Soviet Union and so more was better, axiomatically, there was never really any discussion of why that was necessarily true.

Oversight, such as it is, has been limited primarily to the what and the how, but not the why, as I said previously. We looked at how many warheads, how many delivery systems we should build but we never really look at the strategies envisioning the use of

these weapons for deterrence or war fighting. And what oversight there is, it's typically just for the current fiscal year and maybe for the following year, but it rarely goes much beyond that.

And as I said earlier, the issue of short periods of attention followed by long periods of inattention – just to give you some flavor of that, in 1949, this sort of process began when the Joint Committee on Atomic Energy conducted an exhaustive series of hearings on alleged mismanagement at the nuclear weapons production complex.

Then there was another burst of attention after the first Soviet atomic tests, some more after the start of the Korean War, which of course coincided with the beginning of the H-Bomb program, after the revelation the bomber gap in 1955 and the missile gap in 1957. And then there were probably some others in between but then more recently with the collapse of the nuclear weapons complex at the Department of Energy in the late-1980s and early-1990s.

I said earlier we don't really focus on the why. It might surprise you, or maybe it wouldn't, to learn that the last House hearings on nuclear strategy were about a decade ago, and the last Senate hearing was before the Foreign Relations Committee in 1980 concerning a directive that President Carter signed on fighting a protracted nuclear war.

In 1984, Senator Nunn, a member of the Armed Services Committee since 1972 told the reporter, quote, "The budget cycle drives the Congress and the Congress drives the executive branch to such an extent that we don't have time to think about strategy. We never had a strategy hearing since I have been in the Senate." And that was pretty much true by the time he left as well. Four years later Congressman Spratt echoed this view saying in truth most of our time is spent on the annual budget process and we have little time left for oversight.

This inattention and lack of focus have led to critical disconnect between what Congress thought it was achieving with nuclear policy and what was actually happening. And I will just give you what I consider to be a particularly cogent example.

In the early 1950s, as the nuclear weapons program was really getting underway in a big way, there was a lot of congressional support for a large increase in the number of nuclear weapons, and this was predicated on the notion that because a given quantity of nuclear explosives would kill or destroy more people or more things than a given quantity of conventional explosives, or the same quantity, rather, that you would achieve more destruction that way; you would get a bigger bang for the buck, which would enable the United States to deter the Soviet Union and, if necessary, to defeat it, and necessarily defeat it without going bankrupt because we couldn't mash them man for man and tank for tank.

This would be accomplished by thoroughly nuclearizing the armed forces, replacing conventional weapons with atomic armaments wherever possible. And if you go back and look at some of the rhetoric from Senator McMahon and other people, it's

really – it's kind of fantastical now to see it. But we're talking about, like atomic landmines and backpacks and artillery people and so forth. Now, quite apart from the question of whether it made military sense to replace conventional weapons with nuclear ones, which is how the New Look achieved its theoretical cost reductions, no one in Congress examined whether this made any fiscal sense, but the military was paying attention.

And during war games, in two-sided war games during the winter of 1952-53, Lieutenant General James Gavin, who was the commander of the Seventh Army Corps, observed, quote, "More rather than less manpower would be required to fight a nuclear war successfully." And these findings were confirmed in subsequent war games in 1955 and 1958. In 1953, General Matthew Ridgeway, the supreme ally commander in Europe, insisted that new tactical nuclear weapons would not only demand more manpower but would actually increase the cost of defense to the taxpayer.

Twenty years later, his successor, General Andrew Goodpaster, told a congressional subcommittee that, quote, "The more bank-for-buck type of analysis is open to serious question." Yet, even with this fundamental premise undermined repeatedly, Congress never went back to evaluate or reevaluate the basis for its initial decision, a decision which set in motion events that played a major role in creating a 32,000 nuclear warhead arsenal by the mid-1960s.

So how is oversight conducted? Well, for many, many years – over 30 years in fact, it was conducted almost exclusively by the Joint Committee on Atomic Energy, which one historical study called probably the most powerful congressional committee in the history of the nation. The joint committee was the only committee created by an act of Congress or act of legislation rather, in this case the Atomic Energy Act of 1946. It had full jurisdiction over all matters pertaining to atomic energy, and in 1954 it gained the additional power to authorize spending for the Atomic Energy Commission.

The joint committee had 18 members, nine each from the House and Senate and was exempt from the membership limitations which apply to every other committee. So, for example, members could and did serve on this committee and on budget and on armed services, on appropriations, which not only of course increased their power but increased the power of the joint committee as well. And as a joint committee, its influence was unprecedented both within Congress and vis-à-vis the executive branch, in part because the executive couldn't play off the House against the Senate or vice versa.

From 1947 through 1953, the joint committee retained near total control of all information pertaining to atomic energy and nuclear weapons, communicating little of substance to the rest of Congress. Until 1951, even its own members were unaware of the total size of the nuclear stockpile because they refused AEC briefings on the subject.

From 1947 to '51, 75 percent of its hearings were held in executive session, and until 1954, when nuclear power for civilian purpose began to be – came onto the scene and they needed to become more open, as did the AEC, it only issued a few reports to

Congress. And really during this period, during this very critical period, the early years of the beginning of the nuclear weapons program, just 18 members oversaw the AEC's multibillion-dollar weapons program.

The joint committee exerted considerable influence on the budget process. And the way they did that is particularly interesting. Under the Atomic Energy Act, the AEC and then later the DOD in 1954, were required to keep the joint committee fully and currently informed with respect to all of its activities – all of their activities, providing the committee with the unique capacity for legislative surveillance. This arrangement allowed the joint committee access to even pre-decisional documents – we have heard a lot about that in the administration these days – allowing it to not only respond to but also to shape administration policy with regard to nuclear energy.

Wielding such powers, the committee operated largely as, and came to be expected to be treated as, a co-equal with the AEC. And in fact, in 1952, joint committee member, then-Representative Henry Jackson from Washington even boasted that with regard to, quote, “two vital policy matters,” which for security reasons he couldn't reveal but were almost certainly the H-bomb decision and the decision to very rapidly ramp up production of plutonium and highly enriched uranium in the early 1950s, that the drive and urging from the committee “played so powerful a role” – this is him talking, “that in a very real sense it can be said that the committee made the decision with the advice and consent of the executive branch.”

The joint committee also wielded considerable influence on the budget process. Not content to be the mere recipient of information, members and staff routinely questioned the AEC officials to illicit information about funding requests that had been submitted to the president only to be reduced or eliminated by the Bureau of the Budget before submission to Congress. And then using its wide ranging authority under the law, it then obtained the program details from the AEC and often added the funds back into the AEC budget for those programs that it deemed necessary.

And in time the joint committee began questioning the role of the Bureau of the Budget accusing it of unqualified meddling in scientific and technical matters. And even though such actions raised rather profound questions about the separation of powers, both the Truman and the Eisenhower administrations were largely indifferent, thus ceding significant power to the joint committee. And not surprisingly, given the power of the committee, the staff became extremely important.

Many of you probably know either just by knowing it or having read Priscilla McMillan's new book, “The Ruin of J. Robert Oppenheimer,” that the former JCAE chair, William L. Borden, played an instrumental role in the accusations against J. Robert Oppenheimer that he was a communist spy back in 1953. I won't go into all of the details. But the important thing is the fact that he held that position created – caused his concerns, his accusations, to be treated very, very seriously by the Atomic Energy Commission, notwithstanding the fact that this was all orchestrated by the chair of the AEC to drive Oppenheimer really out the nuclear weapons business.

Probably most of you are not aware – another example, that another long-time executive director of the committee, James Ramey was forced – not forced, but the committee forced the Kennedy administration to appoint him to the Atomic Energy Commission by refusing to consider anybody else. And then when of course he was nominated his former employers confirmed him and he became commissioner for about 11 years.

And a somewhat more humorous example, in a way to honor their retiring chairman, Chet Holifield, in 1974, the staff of the committee unilaterally renamed Oak Ridge the Holifield National Laboratory much to the chagrin of Tennessee congressional representatives and local business leaders. And Congress reversed the decision a year later.

The joint committee's influence on the growth of the nuclear weapons complex and the nuclear arsenal really cannot be underestimated. And, again, this historical study that called it the most powerful committee in the history of the nation also said that if in 1946, Congress invested responsibility for the program under existing congressional committees, then, quote, “almost certainly the national investment in atomic energy would have been substantially less and the present level of technology considerably lower.”

Congress disbanded the joint committee in 1977 partly as a post-Watergate overhaul of congressional structure, but largely because members of Congress had grown really frustrated with the committee's stranglehold on information regarding atomic energy both for civilian purposes as well as for the military. They parceled out its responsibilities to the armed services committees in the House and Senate and to the Energy and Water Development Appropriations Subcommittees. And today there is more than 30 committees and subcommittees that have some jurisdiction over some aspect of the nuclear weapons program, which gets to some of the issues we were talking about earlier.

There have been a few recent significant congressional actions on nuclear weapons, and these are just a few of them in chronological order: the collapse of the weapons production complex in the late-'80s, early-'90s, and concomitant with that, an investigation into and greater support for environmental remediation efforts, which have basically been ignored by both the DOE and its predecessor, the AEC, and Congress for decades – which was an other story entirely – the debate and enactment of a nine-month nuclear testing moratorium in 1992, which I remember quite well when I was on the Hill lobbying, and more recently the termination of funding for the Robust Nuclear Earth Penetrator last year and then again this year.

But what is interesting is that in 60 years, Congress has terminated just one nuclear weapons program supported by the executive branch, and that is the Safeguard anti-ballistic missile system in 1975. And the RNEP, if it is truly dead and doesn't reemerge renamed at some point in the future, would be the second such program.

Why is congressional oversight lacking, for lack of a better word? Well, these are just some of the reasons that I think that is the case. I won't go into all of them because we have touched on some of them earlier, but I will just mention a few.

There is little career incentive for members of Congress to get involved in any sustained way. You don't really get any brownie points unless you maybe have a lab in your district or another facility for doing anything on this. There is some lack of basic knowledge about key programs and facilities, which people could certainly remedy, but there is an institutional inability to get some of that information.

As Congresswoman Tauscher said, the organizational structure of Congress divides responsibilities among many different committees and subcommittees, so no one is looking at the entire program, and many people will say, well, that is somebody – that is some other committee's responsibility. In fact, related to that, Chet Holifield, who, as I said, was the long-time chair and member of the joint committee, in 1973, in a rare moment of candor during a hearing said that a lot of the issues that he had looked at, that had come before his committee over the years on nuclear weapons never made sense to me – he said. "I did not feel it was my responsibility to sit in judgment on them. Maybe I am wrong; maybe we're all wrong. The members of the joint committee have never tried becoming war strategists or war planners; we more or less considered that was the job of the Armed Services Committee if they wanted to go into that part. Our function has really been to develop in our laboratories weapons asked for by the military and directed by the president."

There are other issues here. There are exceptionally few members who are considered experts and leaders. There were a number of people certainly in the 1980s and 1990s. Most of them either were not reelected or have chosen to retire. And so there is very few people for the congresswoman, for example, to look to, to say, okay, this is a person that I'm going to follow; this is a person that I am going to learn from. There is insufficient time to address the issues in depth – many competing demands on members' time, as we have a perfect example here today.

And there are also sometimes insufficient staff resources, or sometimes even a lack of staff concern. I found it telling in the late-'80s that one of the reasons that the armed services committee in the House didn't take more attention – pay more attention to these issues is that they had one staff member dealing with the Department of Energy's weapon complex, and that person did not feel that these issues really merited any – warranted any concern, even though the Department of Energy itself was raising a lot of red flags about them.

And the members obviously being busy with many, many other things, looking to their staff member; the staff member saying there is really nothing to this or it's all being ginned up by this group or that group trying to create some political hay, they just ended up ignoring the issue entirely, unfortunately. There is no precedent for sustained

involvement unlike, let's say, a number of other issues that we could probably name. The issues are sometimes perceived to be too complex.

And related, but not a major issue, is that since the demise of the OTA in 1995, there has been a sharp decrease in the availability of unbiased technical expertise. You can certainly go to the National Academy of Sciences. CRS can fill some of that role, but OTA fulfilled a pretty unique role and it's gone now. So that particular voice is missing.

I am wrapping up. Here are some possible remedies. I am sorry for the formatting here. We have to convert this from my Macintosh and it doesn't look exactly like I wanted it to. This is what I would recommend. Some of this is in "Atomic Audit"; some of it was just sparked by coming to this panel.

I would certainly recommend that there be – create a new House and Senate subcommittees on the Appropriations and Armed Services Committees with specific and discrete responsibilities for all nuclear weapons programs within the DOE and DOD, not just as the congresswoman said the cooperative threat reduction program and what NNSA is doing, but let's look at all of the delivery system programs that the Department of Defense runs – Trident, Minuteman, everything relating to the deployment systems command and control, burying all of that under one particular committee so that people can see this and understand what it is in toto and not have to rely on picking and choosing from a number of different committees and subcommittees.

Again, requiring the DOD and DOE to submit a consolidated nuclear weapons budget – consider possibly on a trial basis – and this has come up before – a multi-year appropriations process for every other – you're really delving into the in-depth strategy questions as opposed to the year-to-year grind of budget oversight.

Establishing a nuclear weapons caucus for members to share information and concerns. When I was – one of the times when I was a lobbyist on Capitol Hill, I represented a coalition of organizations that were clustered around Department of Energy nuclear weapons facilities, the Alliance for Nuclear Accountability. They all realized in the 1980s that they had a set of common concerns, I would be very surprised if the members representing those facilities don't have similar concerns. A way to meet informally or formally would be a good way to share those and get things moving.

And then lastly, re-establish the OTA and/or beef up the CRS to fulfill some of its former responsibilities. That is pretty much all I have to say. Obviously there is a lot of other stuff we could go into.

But I would just close by saying that I think now is a particularly important time to be dealing with those issues as far as Congress is concerned. There is a lot on the plate with regard not just to the RRW but with other things regarding the nuclear weapons program that are just sort of sliding under the radar right now. And I worry that if we don't start paying attention to it, we're going to wake up one day and find that we have a whole new weapons complex and a new set of nuclear weapons without any real

discussion happening in Congress and how we got there and what they are for. Thank you.

(Applause.)

MS. WOOLF: We are going to take questions for the rest of our time. But I would like to offer a few comments since we have time and no more members of Congress – I am the closest thing – are here to point out what the environment is on Capitol Hill when we are talking about nuclear weapons issues as a basis for the likelihood of ever being able to gain congressional interest and oversight.

If we were to hold a seminar on Capitol Hill on U.S. nuclear weapons programs, we wouldn't get as many people in the room as we have in the room right here. And right here we have the few people at the Carnegie conference who are interested in U.S. nuclear weapons – or maybe half of that group and the other half being in the utility panel. The world looks a lot like it does here. Everybody does proliferation or non-proliferation or threats or bad guys – very few people on Capitol Hill pay any attention to U.S. nuclear weapons programs.

Now, you might ask, why is that? These are our weapons, we spend a lot of money, they are very important. I would like to give you a little bit of historical, generational reason for why congressional interest and therefore staff interest is so low, and I would like to use 1991 as a good date.

Two things happened in 1991: the Soviet Union disappeared and the first Gulf War occurred. That is the dividing line between the Cold War and the new world. Most members of Congress were not in Congress before 1991; they have been elected since then. Most members of Congress barely remember the Cold War if they were even out of high school during the Cold War. To most members of Congress, U.S. national security, threats to U.S. national security, revolve other weapons of mass destruction, other nations, and these days terrorists.

Nuclear weapons issues just are not relevant to the world in which they live, to their constituents, to their interests, their view of U.S. national security threats. This is not a criticism; this is just a reality. As Stephen mentioned, most of the senior thought-provoking members who would actually think about nuclear weapons issues during the Cold War have retired. A few have been defeated – most have retired.

The continuity in thought is not there, and the interest in the constituents is not there. Unless you have labs or other facilities in your district, there is no benefit to members of Congress to become expert in a subject that has no role to play in their day-to-day job of protecting U.S. national security, which is terrorism, WMD, rogue nations.

So if you are going to try and come up with a solution to lack of oversight on U.S. nuclear weapons programs, you have to make sure you understand that this could be a problem without a solution because to most members of Congress it is not a problem.

With that, I would like to open the floor to questions and we will try and solve this problem. And again, take your turn at the microphone, let us know who you are, and please be concise.

MR. SCHWARTZ: And maybe if somebody wants to announce they are actually running for Congress to solve this problem.

MS. WOOLF: That would be nice.

(END -- ONE HOUR)