

Congress of the United States

Washington, DC 20510

June 12, 2020

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

We are writing to express our concern and opposition to any effort by the Administration to resume explosive nuclear weapons testing at the Nevada National Security Site – the only facility in the nation equipped to accommodate underground nuclear testing.

Recent reports have indicated that the Administration has discussed as recently as May 15, 2020, resuming explosive nuclear weapons testing. Between 1945 and 1992, the United States conducted 1,054 nuclear weapons tests above- and underground for a variety of purposes, including to confirm the design characteristics, weapons effects, and reliability of our nuclear stockpile. The Nevada Test Site, now known as the Nevada National Security Site (NNSS), was ground zero for the majority of these tests, with 100 atmospheric and 828 underground tests being conducted at the site. NNSS was also the location of the nation’s last explosive nuclear test, which occurred on September 23, 1992. Later that same year, Congress passed and President George H.W. Bush signed legislation mandating a moratorium on explosive testing – ending decades of nuclear explosions in our state.

Each of the more than 900 tests made a lasting mark on Nevada, as well as surrounding states. The fallout from the 100 atmospheric tests in Nevada spread to communities near and far, sickening site workers, servicemembers, and innocent bystanders. To date, more than 28,000 downwinder claims have been filed as a result of atmospheric testing,¹ and more than 20,000 occupational illness claims have been filed under the Energy Employees Occupational Illness Compensation Program by former Nevada Test Site employees and contractors.² The underground testing, while arguably less egregious, made its own impact on the state. According to the Final Site-Wide Environmental Impact Statement for NNSS, issued in February 2013, the “[c]reation of subsidence craters, disruption of underground geologic media, and release of radioactivity into the environment (particularly the groundwater) are the most significant and enduring impacts on the physical environment resulting from underground nuclear testing.”³ Each and every test has contributed to the test site in Nevada being added to the nation’s list of perpetual long-term stewardship priorities.⁴

¹ <https://www.justice.gov/civil/awards-date-06022020>

² https://www.dol.gov/owcp/energy/regs/compliance/statistics/WebPages/NVDA_TEST_SITE.htm

³ https://www.nnss.gov/docs/doc_environmental/Volume%202_Appendices.pdf

⁴ <https://www.osti.gov/servlets/purl/1173353>

Since the last explosive nuclear test 28 years ago, the National Nuclear Security Administration (NNSA) has worked diligently with the support of Congress to develop a science-based program to ensure the mission critical readiness and reliability of the nation's nuclear stockpile.⁵ Beginning with the establishment of the Stockpile Stewardship Program in 1993, Congress tasked the Department of Energy (DOE) and later NNSA with ensuring "that the nuclear weapons stockpile is safe, secure, and reliable without the use of underground nuclear weapons testing."⁶ Acknowledging the importance of this work, Congress has appropriated more than \$43.5 billion for weapon activities since Fiscal Year (FY) 2017 alone.⁷

Just last year, senior officials in the Administration touted the accomplishments of NNSA and the National Laboratories in maintaining the U.S. nuclear stockpile through non-explosive testing. In the FY 2020 Stockpile Stewardship and Management Plan, then-Energy Secretary Rick Perry wrote, "For the 23rd consecutive year, the science-based Stockpile Stewardship Program has allowed DOE and DoD to certify the safety, security, and effectiveness of the U.S. nuclear weapons stockpile to the President without the use of nuclear explosive testing. This impressive scientific achievement is enabled by DOE/NNSA's most valuable resource, its workforce."⁸

NNSS continues to play a critical role in the NNSA's Stockpile Stewardship Program, and we support the critical work performed by the many dedicated and skilled workers at the site. The subcritical and physics experiments conducted at NNSS, combined with advances in nuclear modeling, reduce the need for explosive testing while ensuring the safety and effectiveness of the U.S. nuclear stockpile. Every year, the Directors of the Los Alamos, Sandia, and Lawrence Livermore National Laboratories, along with the Secretaries of Defense and Energy, are required to affirm the safety, reliability, performance, and military effectiveness of the nuclear weapons stockpile. They have done so every year since this certification became a requirement. It is widely understood that our nuclear labs now have greater insights on how nuclear weapons work than during the period of testing actual nuclear devices.⁹

With no stated justification to resume testing, we unequivocally oppose any Administration's efforts to resume explosive nuclear testing in Nevada. Not only would such an action compromise the health and safety of Nevadans, degrade vital water resources, and harm the surrounding environment, but it would also undermine future stockpile stewardship efforts, undercut our nuclear nonproliferation goals, and further weaken strategic partnerships with our global allies.

We, as Nevada's federal elected officials, request that you respond to the following questions by July 3, 2020.

⁵ <https://www.crs.gov/Reports/R44442?source=search&guid=92d9447a1d3042a39cb1864612da7783&index=12>

⁶ <https://www.congress.gov/bill/111th-congress/house-bill/2647?q=%7B%22search%22%3A%5B%22cite%3APL111-84%22%5D%7D&s=1&r=1>

⁷ <https://www.crs.gov/Reports/R44442?source=search&guid=92d9447a1d3042a39cb1864612da7783&index=12>

⁸ https://www.energy.gov/sites/prod/files/2019/08/f65/FY2020__SSMP.pdf

⁹ <https://www.energy.gov/articles/opening-remarks-nnsa-stockpile-stewardship-program-20th-anniversary-event-delivered>

1. Does the Administration plan to resume explosive nuclear testing? If yes, are any preparations underway to resume this testing?
2. If nuclear explosive testing were to resume, would the testing be conducted at the NNSS facility? If not at NNSS, where would the tests be conducted?
3. Can you confirm that no atmospheric or underground nuclear explosive testing would be conducted in Nevada or elsewhere in the United States?
4. According to the 2018 Nuclear Posture Review, “The United States will not resume nuclear explosive testing unless necessary to ensure the safety and effectiveness of the U.S. nuclear arsenal, and calls on all states possessing nuclear weapons to declare or maintain a moratorium on nuclear testing.” What has changed since then to compel this Administration to consider resuming explosive nuclear weapons testing?
5. Press reports indicate that some in the Administration believe that a U.S. explosive nuclear test might provide Russia and China with the incentive to pursue arms control negotiations. Why would these nations agree to limit their nuclear capabilities when faced with a program that could expand and strengthen the U.S. nuclear arsenal? Could this motivate them, instead, to conduct explosive tests of their own nuclear weapons?
6. Do you believe that a U.S. nuclear test, conducted in contravention of long-standing international norms against nuclear testing, might provide other nations – such as India, Pakistan, and North Korea – with an incentive to resume their nuclear testing programs?
7. Congress has invested billions in NNSA weapons activities to ensure the safety, security, and reliability of the nation’s nuclear stockpile without the need for explosive testing. The annual Stockpile Stewardship Management Plan has also attested to the reliability of the non-explosive testing capabilities adopted by the U.S. Would resuming explosive testing divert resources away from the NNSA’s and National Laboratories’ science-based program, which has effectively ensured the reliability and readiness of the nation’s nuclear stockpile for decades?
8. What are the costs associated with resuming explosive testing, and what funding would the Administration rely on to support explosive testing? What additional funding would be needed for NNSS?
9. What health and environmental impacts are associated with exposure from explosive testing?
10. What is DOE’s strategy for ensuring compliance with the National Environmental Policy Act (NEPA) for any federal actions related to nuclear testing at NNSS? What federal actions related to nuclear explosive testing are contemplated that would require additional NEPA documentation? Does DOE conclude that its existing documentation through the Programmatic Environmental Impact Statement for Stockpile Stewardship and Management sufficiently addresses the site-specific and complex-wide programmatic

bounding analysis needed for the entire nuclear device/testing supply chain at the NNSS and related facilities (e.g., Los Alamos National Laboratory, Lawrence Livermore National Laboratory, and Kansas City National Security Campus)?

It is our responsibility to ensure the safety, health, and interests of Nevadans are protected, and we will not condone this or any Administration resuming explosive nuclear testing and putting Nevadans at risk. Thank you for your time and responding to our questions in a timely manner.

Sincerely,



Catherine Cortez Masto
United States Senator



Jacky Rosen
United States Senator



Dina Titus
Member of Congress



Steven Horsford
Member of Congress



Susie Lee
Member of Congress

CC: The Honorable Mark Esper
Secretary, U.S. Department of Defense

The Honorable Dan Brouillette
Secretary, U.S. Department of Energy

The Honorable Lisa Gordon-Hagerty
Administrator, National Nuclear Security Administration