Congress of the United States
Washington, DC 20515

May 9, 2005

Honorable David Hobson, Chairman
House Appropriations Committee
Energy and Water Development
2362 Rayburn HOB
Washington, DC 20515

Honorable Peter Visclosky, Ranking Member
House Appropriations Committee
Energy and Water Development
1016 Longworth HOB
Washington, DC 20515

Dear Mr. Chairman and Ranking Member:

We are writing to urge you to eliminate funding for the Robust Nuclear Earth Penetrator (RNEP), the so-called bunker buster, and other new nuclear weapons. Last year the Appropriations Subcommittee on Energy and Water zeroed funding for the Department of Energy's nuclear "bunker buster," and all other additional funding for new nuclear weapons under Advanced Concepts, which is now under the Department's new program Reliable Replacement Warhead.

As you know, the Administration's FY2006 budget request includes $4 million to revive funding for the RNEP, a nuclear weapon intended to destroy deeply buried and hardened targets such as leadership bunkers or chemical and biological weapons caches, and an additional $4.5 million for RNEP testing under the Air Force Budget. Another $14 million would be requested by DOE in FY2007. According to the DOE Budget request:

> *Activities include participating in integrated NNSA-DoD integrated product teams for development of RNEP requirements and programmatic documents; system design and integration; planning, cost and risks analyses, and phenomenology studies.*

In addition to the Bunker Buster, the Reliable Replacement Warhead program in the President's budget raises a number of concerns. This program was added in the Omnibus Conference last year to replace Advanced Concepts. The scope and direction of this program must be clearly defined so that this program does not simply replace the one Congress canceled last year. The Reliable Replacement Warhead program requests a whopping $97 million in funding over the next five years. According to the DOE Budget Request:

> *Advanced Concepts Initiative...has been replaced by Stockpile Services Reliable Replacement Warhead...to demonstrate the feasibility of developing reliable replacement components that are producible and certifiable for the existing stockpile. The initial focus will be to provide cost and schedule efficient replacement pits that can be certified without Underground Tests*

The United States faces a serious national security threat from the proliferation of nuclear weapons materials and technologies, most notably in North Korea, Pakistan and Iran. We believe that the pursuit of new nuclear weapons such as RNEP sends a dangerously mixed signal to the rest of the world and erodes our nonproliferation credibility. Nations that see the U.S. expanding

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and diversifying our nuclear arsenal are encouraged to seek or maintain nuclear deterrents of their own and ignore nonproliferation obligations. Additionally, a U.S. move toward expanding and diversifying our nuclear stockpile is contrary to our legal obligations under Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which clearly requires the United States to work toward reducing our nuclear arsenal.

In light of the adverse impact of the pursuit of RNEP and any other new nuclear weapon on international nonproliferation efforts, the fact that RNEP would inevitably spread high levels of radiation above ground, and existing U.S. earth-penetrating and other conventional weapons capabilities, we believe that the RNEP study and the development of any new nuclear weapons are a dangerous and wasteful use of taxpayer money. We are also concerned that shifting funding from the cancelled Advanced Concepts program into the Reliable Replacement Warhead program may result in new nuclear warheads moving forward without any established need or compelling justification. We therefore ask that you eliminate funds for the RNEP program and for any program to study or develop new types of nuclear weapons.

Sincerely,

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Barney Frank

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