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Rep. Tauscher Cautions Against Aggressive Nuclear Policy

16 Democrats Voice Concern about Draft Nuclear Document

Today, seven Senators and nine Representatives authored a joint letter to President Bush, expressing their deep concern about a draft nuclear weapons doctrine currently under consideration by the Department of Defense. The draft document advocates what many believe to be a risky nuclear posture, which would keep nuclear weapons on high alert and could authorize pre-emptive nuclear strikes.

Rep. Tauscher was joined by co-signers Sens. Dianne Feinstein (CA), Daniel Akaka (HI), Edward Kennedy (MA), Jack Reed (RI), Byron Dorgan (ND), John Kerry (MA), Frank Lautenberg (NJ) and Reps. Neil Abercrombie (HI), Rob Andrews (NJ), Marty Meehan (MA), Ed Markey (MA), Susan Davis (CA), Loretta Sanchez (CA), Adam Smith (WA), Mark Udall (CO).

The letter can be seen below:

December 5, 2005

The Honorable George W. Bush
President of the United States

Dear Mr. President:

We are writing you to express our strong concern about the draft U.S. nuclear weapons doctrine being prepared by the Pentagon. This draft calls for maintaining an aggressive nuclear posture with weapons on high alert to make pre-emptive strikes, if necessary on adversaries armed with weapons of mass destruction.

We recognize that in large part the draft "Doctrine for Joint Nuclear Operations" is based on principles contained in the 1995 Nuclear Posture Review, the 2001 Nuclear Posture Review (NPR) and other directives published by the Bush administration since 2001. For instance, your 2002 National Security Presidential Directive 17 reportedly states, "The

United States will continue to make clear that it reserves the right to respond with overwhelming force - including potentially nuclear weapons to the use of [weapons of mass destruction] against the United States, our forces abroad, and friends and allies.”

On the other hand, the language in the draft doctrine removes the ambiguity of the previous doctrine, and now suggests that your administration will use nuclear weapons to respond to non-nuclear WMD threats and suggests that this use could include pre-emptive nuclear strikes thereby increasing reliance on nuclear weapons.

On page III-2 of the March 15, 2005 draft, it states that combatant commanders may request Presidential approval for pre-emptive use of nuclear weapons under such conditions as:

- To counter an adversary intending to use weapons of mass destruction against U.S., multinational, or allies forces or civilian populations;
- To counter an imminent attack from an adversary’s biological weapons that only effects from nuclear weapons can safely destroy;
- To attack on adversary installations including weapons of mass destruction, deep, hardened bunkers containing chemical or biological weapons, or the command and control infrastructure required for the adversary to execute a WMD attack against the United States or its friends and allies;
- To counter potentially overwhelming adversary conventional forces;
- To demonstrate U.S. intent and capability to use nuclear weapons to deter adversary WMD use.

We believe this effort to broaden the range of scenarios in which nuclear weapons might be contemplated is unwise and provocative.

The costs of using a nuclear weapon in the cases contemplated would almost always outweigh the benefits. Many potential targets are near major population centers. Striking a nuclear, chemical, or biological weapons cache would require perfect intelligence and is impossible to do without significant collateral damage.

The draft doctrine says that the belligerent that initiates nuclear warfare may find itself the target of world condemnation but notes that no customary or conventional international law prohibits nations from using nuclear weapons in armed conflict. In other words, the draft Pentagon doctrine seems to conclude the United States is legally free to use nuclear weapons pre-emptively if it chooses, even against non-nuclear weapon states.

This drastic shift in U.S. nuclear policy threatens the very foundation of nuclear arms control as shaped by the 1970 nuclear Nonproliferation Treaty (NPT), which has helped prevent nuclear proliferation for over 35 years. In the context of efforts to strengthen and extend the treaty, the United States issued a negative nuclear security assurance in 1978, reiterated in 1995, that the United States would not use nuclear force against NPT member countries without nuclear weapons unless attacked by a non nuclear-weapon state that is allied with a nuclear-weapon state.

The draft doctrine contradicts clear statements and assurances of your administration. On February 22, 2002 State Department spokesman Richard Boucher stated a similar version of the negative nuclear security pledge: “The United States reaffirms that it will not use

nuclear weapons against non-nuclear- weapon state-parties to the Treaty on the Nonproliferation of Nuclear Weapons, except in the case of an invasion or any other attack on the United States, its territories, its armed forces or other troops, its allies, or on a state toward which it has a security commitment carried out, or sustained by such a non-nuclear-weapon state in association with a nuclear weapon state.”

Abandoning this clear negative security assurance under the NPT would further undermine the treaty and our many other efforts to prevent others developing or using nuclear weapons. Partly as a result of U.S. inflexibility on key disarmament issues, your administration has already squandered opportunities to build greater global support for measures to update and strengthen the nonproliferation system.

In addition, this new doctrine, if approved, could exacerbate the danger of nuclear proliferation by giving states of concern, such as North Korea and Iran, an excuse to maintain their nuclear weapons options and would send a green light to the world’s nuclear states that it is permissible to use these weapons offensively.

The draft nuclear doctrine also appears to undermine the credibility of other U.S. negative security assurances, such as those contained in the recent six-party statement of principles outlining the terms for the verifiable and complete dismantlement of North Korea's nuclear weapons capabilities.

Mr. President, it is one thing to threaten a devastating response to a biological or chemical weapons attack or the threat of a biological, chemical, or nuclear attack. It is quite another to say explicitly that the United States is prepared to counter non-nuclear weapons threats or attempt to pre-empt a suspected WMD attack by striking with nuclear weapons.

As former Secretary of State Powell said in response to the possibility that India and Pakistan might use nuclear weapons during their confrontation in the summer of 2002: “Nuclear weapons in this day and age may serve some deterrent effect, and so be it, but to think of using them as just another weapon in what might start out as a conventional conflict in this day and age seems to me to be something that no side should be contemplating.”

We urge you to personally review the draft doctrine and consider its serious negative consequences for U.S. national and international security interests. U.S. nuclear use policy and doctrine should be consistent with your often stated goal of significantly reducing the role and number of nuclear weapons worldwide.

Thank you for considering our suggestions and we look forward to your reply.

Sincerely,

Sens. Dianne Feinstein (CA), Daniel Akaka (HI), Edward Kennedy (MA), Jack Reed (RI), Byron Dorgan (ND), John Kerry (MA), Frank Lautenberg (NJ) and Reps. Ellen Tauscher (CA), Neil Abercrombie (HI), Rob Andrews (NJ), Marty Meehan (MA), Ed Markey (MA), Susan Davis (CA), Loretta Sanchez (CA), Adam Smith (WA), and Mark Udall (CO).

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