Western States Legal Foundation Nevada Desert Experience

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The Nevada Test Site: Desert Annex of the Nuclear Weapons Laboratories

Introduction

The Nevada Test Site (NTS), an immense tract of desert and mountains northwest of Las Vegas, is the test range where the United States government set off over 900 nuclear explosions during the Cold War phase of the arms race. For most Americans, the Test Site is only a symbol of a closed chapter of history, a time of great danger that now is over. Even those who know that the Nevada Test Site still is used for "subcritical" testing of nuclear weapons materials and components underground may think operations largely have been suspended, with unused facilities retained only against the eventuality of a return to full scale underground nuclear testing. But the Test Site remains an important part of the nuclear weapons complex, both a remote site where dangerous activities can be conducted with little public knowledge and a weapons laboratory unto itself. High risk programs involving nuclear material, such as nuclear criticality experiments, are slated for transfer to the Test Site, and it also is being considered as a location for a proposed factory to mass produce plutonium pits, the atomic explosive "triggers" at the core of most nuclear weapons. In addition, a wide range of other weapons testing takes place at NTS, ranging from flight testing of unmanned air vehicles to new types of conventional explosives. And as is true today of many military research laboratories, the NTS has an increasingly entrepreneurial culture, run with an eye to increasing its "market share" of tax dollars for its for-profit corporate managers.

Nuclear Testing at the Nevada Test Site: Out of Sight, but Never Ending

The first nuclear explosion at the Nevada Test Site, code-named Able, was conducted on January 27, 1951. Since then, 99 more tests were detonated aboveground there, and 804 were done underground. Twenty four underground tests were conducted jointly with the United Kingdom, which used NTS for the development of its own considerable nuclear arsenal. Some underground tests involved more than one nuclear explosion.¹ In a nuclear arms race that saw the development of weapons ranging from bombs that could destroy entire cities to atomic explosives that could be fired from an artillery shell, a mind-boggling array of nuclear tests were conducted. Nuclear explosives were "dropped from planes, shot as rockets, detonated on the surface, shot from a cannon, placed on top of towers, and suspended from balloons."² Structures like houses and underground parking garages were built and subjected to nuclear detonations to study the effects of nuclear war on cities. Animals were penned up where they would be burnt, blasted, or irradiated to death, and thousands of soldiers were deployed to the site to study their response to a nearby nuclear explosion. Much

1,000+ U.S. NUCLEAR TESTS SINCE 1945

* denotes "subcritical" test

Aardvark 1962 Abeytas 1970 Abilene 1988 Able 1946 Able 1951 Able 1951 Able 1952 Abo 1985 Absinthe 1967 Ace 1964 Acushi 1963 Adobe 1962 Adze 1968 Agile 1967 Agouti 1962 Agrini 1984 Ahtanum 1963 Ajax 1966 Ajo 1970 Akavi 1981 Akbar 1972 Akbar 1972 Alamo 1988 Aleman 1986 Algodones 1971 Aligote 1981 Aliment 1969 Allegheny 1962 Alman 1962 Almendro 1973 Alpaca 1965 Alumroot 1973 Alva 1964 Alviso 1975 Amarillo 1989 Anacostia 1962 Androscoggin 1962 Angus 1973 Anchovy 1963 Androscoggin Annie 1953 Antler 1961 Apache 1956 Apodaca 1971 Apple-1 1955 Apple-1 1955 Apple-2 1955 Apshapa 1963 Arabis-Blue 1970 Arabis-Green 1970 Arabis-Red 1970 Argus I 1958 Argus II 1958 ArgusIII 1958 Arikaree 1962 Arkansas 1962 Armada 1983 Armadillo 1962 Arnica-Violet 1970 Arnica-Yellow 1970 Arsenate 1972 Artesia 1970 Asco 1978 Asco 1978 Asiago 1976 Aspen 1958 Atarque 1972 Atrisco 1982 Auger 1968 Auk 1964 Austin 1990 Avens-Alkermes 1970 Avens-Andorre 1970 Avens-Asamite 1970 Avens-Cream 1970 Aztec 1962 Azul 1979 Baccarat 1979 Backbeach 1978 Backgammon 1979 Backswing 1964 Badger 1953 Bagpipe 1998 Baker 1946

Baker 1951 Baker 1951 Baker 1952 Baker-2 1951 Baltic 1971 Bandicoot 1962 Baneberry 1970 Banon 1976 Barbel 1964 Barnwell 1989 Barracuda 1963 Barranca 1971 Barsac 1969 Baseball 1981 Bay Leaf 1968 Bee 1955 Beebalm 1970 Belen 1970 Bellow 1984 Belmont 1986 Benham 1968 Bernal 1973 Bernalillo 1958 Bevel 1968 Bexar 1991 Biggin 1969 Bighorn 1962 Bilby 1963 Bilge 1975 Billet 1976 Bit-A 1968 Bit-B 1968 Bitterling 1964 Black 1962 Blackfoot 1956 Blanca 1958 Blenton 1969 Bluegill 3 Prime 1962 Bluestone 1962 Bobac 1962 Bobstay 1977 Bodie 1986 Bogey 1964 Boltzmann 1957 Bonarda 1980 Bonefish 1964 Boomer 1961 Borate 1987 Bordeaux 1967 Borrego 1982 Bourbon 1967 Bouschet 1982 Bowie 1990 Bowl-1 1969 Bowl-2 1969 Boxcar 1968 Bracken 1971 Branco 1983 Branco-Herkin Bravo 1954 1983 Brazos 1962 Breton 1984 Brie 1987 Bristol 1991 Bronze 1965 Brush 1968 Buff 1965 Burggy-A 1968 Buggy-B 1968 Buggy-C 1968 Buggy-C 1968 Buggy-D 1968 Buggy-E 1968 Bulkhead 1977 Bullfrog 1988 Bullion 1990 Bumping 1962 Bunker 1964 Burzet 1979 Buteo 1965 Butternut 1958 Bye 1964 Caboc 1981 Cabra 1983 Cabresto 1973 Cabrillo 1975 Cabriolet 1968 Cactus 1958 Calabash 1969 Calamity 1962 Cambric 1965 Camembert 1975 Camphor 1971 Campos 1978 Can-Green 1970 Can-Red 1970 Canfield 1980 Caniilon 1970 Canna-Limoges 1972 Canna-Umbrinus 1972 Cannikin 1971 Canvasback 1964 Capitan 1972 Caprock 1984 Carmel 1963 Carnelian 1977

of the population of the United States, living in the great part of the country east of Nevada, were unknowing participants in these experiments as well, with fallout distributed thousands of miles downwind.³

The last full-scale underground nuclear explosion at NTS took place on September 23, 1992. At that time, the U.S. government initiated a voluntary moratorium on nuclear explosive testing, a moratorium that continues to this day. The United States signed the Comprehensive Test Ban Treaty (CTBT) in 1996, but the Senate refused to ratify it, and it has since been repudiated by the Bush Administration.

Although the United States no longer explodes nuclear weapons underground, it continues to conduct a wide range of nuclear weapons research, and to develop and deploy nuclear weapons with new military capabilities. Budgets for the Department of Energy nuclear weapons laboratories today match those during the frenzied Cold War arms buildup, with the labs constructing an array of new nuclear weapons experimental facilities that will provide the capacity to simulate various aspects of nuclear explosions and study the resulting data in unprecedented detail. (See sidebar, Stockpile Stewardship: Nuclear Weapons Research and Production for the 21st Century) The Fiscal Year 2004 nuclear weapons budget includes funds for work at NTS that would allow the United States to resume full scale underground testing more quickly should the government choose to do so.

And despite the absence of full-scale underground nuclear explosions, the Nevada Test Site continues to play a central role in nuclear weapons research. "Subcritical" tests are conducted underground at the NTS U1A complex, a vast warren of tunnels deep beneath the desert. These tests are called "subcritical" because they use fissile materials but there is no self-sustaining nuclear chain reaction. Most subcritical tests employ weapons grade plutonium (Pu-239), which is imploded with high explosives or shocked in various ways.⁴ The data from these tests is integrated with that from a variety of other physical experiments in a continuing effort to expand nuclear weapons knowledge that both sustains the huge existing U.S. nuclear arsenal and contributes to efforts to develop nuclear weapons with new capabilities. (See sidebar, Nuclear Testing and the Quest for More Useable Nuclear Weapons).

In addition to providing information useful for nuclear weapons research, subcritical tests also play a central role in keeping the test site in a state of readiness:

Because of such factors as their inclusion of plutonium, their location– almost 1000 feet down at the NTS– and their complexity, the greatest proportion of test readiness is derived from the program of subcritical experiments.⁵

When conducted underground at the same site used for full-scale nuclear weapons tests, subcritical experiments make verification of a test ban more difficult,⁶ and manifest to the world both the existence of a vigorous nuclear weapons research program and the intention to retain the capability for full-scale underground tests. As was the case with full scale tests, the Los Alamos and Livermore National Laboratories each conduct subcritical tests, competing in an intramural arms competition intended to sharpen the skills of nuclear weapons design teams and to encourage creative and varied approaches to the constant refinement of weapons of mass destruction. To conduct these and other activities, the nuclear weapons laboratories maintain a

STOCKPILE STEWARDSHIP: Nuclear Weapons Research and Production for the 21st Century

...[A]n ability to innovate and produce small builds of special purpose weapons, characteristic of a smaller but still vital nuclear infrastructure, would act to convince an adversary that it could not expect to negate U.S. nuclear weapons capabilities. The development and subsequent modification of the B61-7 bomb—converting a few of them into B61-11 earth penetrator weapons—is a case in point. John Gordon, Administrator of the National Nuclear Security Administration (NNSA)⁷

The 2002 Nuclear Posture Review called for "revitalized defense infrastructure that will provide new capabilities in a timely fashion to meet emerging threats."⁸ A significant part of this infrastructure is the Department of Energy (DOE)/National Nuclear Security Administration (NNSA) nuclear weapons research, testing, and production facilities. To sustain this vast complex, the U.S. is spending more than six billion dollars a year on the "Stockpile Stewardship" program, including billions on new and more advanced nuclear weapons research and production facilities.

These facilities include:

--The National Ignition Facility (NIF), now nearing completion at the Livermore National Laboratory in California. The NIF is a laser driven fusion machine the size of a football stadium, designed to create very brief, contained thermonuclear explosions. It is slated to be used for a wide range of applications from training weapons designers in nuclear weapons science to nuclear weapons effects testing. NIF experiments, together with other fusion research being conducted at the nuclear weapons laboratories, could, in the long run, lead to the development of pure fusion weapons, not requiring plutonium or uranium.

--The Dual Axis Radiographic Hydrotest Facility (DARHT).Located at the Los Alamos National Laboratory in New Mexico, DARHT is one of several facilities where mockups of primaries or "pits," the first stage of a thermonuclear weapon, are imploded while very fast photographic or x-ray images are generated, thus allowing scientists to "see" inside the implosion. DOE/NNSA already is developing technology for an even more sophisticated "hydrodynamic testing" facility, the Advanced Hydrotest Facility.

--Pulsed power technologies: Further experiments exploring the extreme conditions created in a nuclear weapon explosion are studied using various types of "pulsed power," in which a large amount of energy is stored up and then released very quickly in a small space. The energy source can be chemical high explosives or stored electrical energy. Pulsed power facilities at both DOE and Department of Defense laboratories are used to explore nuclear weapons function and effects and directed energy weapons concepts, and could play a role in the development of a wide range of high technology weapons, including new types of nuclear weapons.

The data streams from these and other experimental facilities, along with that from "subcritical" tests conducted at the Nevada Test Site and the archived data from over 1000 past U.S. nuclear tests, will be integrated via the Advanced Strategic Computing Program. This multi-billion dollar supercomputing program reaches beyond the weapons laboratories, seeking to incorporate the nation's leading universities into an effort to attract and train yet another generation of nuclear weapons designers. Finally, smaller, modernized nuclear weapons production processes are being developed to allow flexible, small lot manufacturing, with planning underway for a new plutonium pit factory for large-scale production.

In addition to the Modern Pit Facility, the DOE is pursuing a wide range of programs to modernize its nuclear weapons production infrastructure. These range from a smaller pit manufacturing capability at Los Alamos National Laboratory in New Mexico to upgraded nuclear weapon component manufacturing facilities at Oak Ridge National Laboratory and tritium facilities at Savannah River, Georgia. In addition, the government has begun producing tritium for nuclear weapons at civilian nuclear power plants operated by the Tennessee Valley Authority (TVA).

Carp 1963 Carpetbag 1970 Carrizozo 1970 Cashmere 1965 Casselman 1963 Cassowary 1964 Cathay 1971 Catron 1958 Cebolla 1972 Cebrero 1985 Cedar 1958 Centaur 1965 Ceres 1958 Cerise 1966 Cernada 1981 Cerro 1982 Chaenactis 1971 Chama 1962 Chamita 1985 Chancell or 1983 Chantilly 1971 Charcoal 1965 Charleston 1957 Charlie 1951 Charlie 1952 Chartreuse 1966 Chateaugay 1968 Chatty 1969 Chavez 1958 Checkmate 1962 Cheedam 1983 Chena 1961 Chenille 1965 Cherokee 1956 Cheshire 1976 Chess 1979 Chetco 1962 Chevre 1976 Chiberta 1975 Chinchilla 1962 Chinchilla II 1962 Chipmunk 1963 Chocolate 1967 Cimarron 1962 Cimarron 1998 Cinnamon 1966 Clairette 1981 * Clarinet 1999 Clarksmobile 1968 Clean Slate I 1963 Clean Slate II 1963 Clean Slate II 1963 Clean Slate III 1963 Clearwater 1963 Climax 1953 Club 1964 Clymer 1966 Coalora 1983 Cobbler 1967 Codsaw 1962 Coffer 1969 Cognac 1967 Colby 1976 Colfax 1958 Colmor 1973 Colwick 1980 Commodore 1967 Comstock 1988 Concentration 1978 Contact 1989 Corazon 1970 Corduroy 1965 Cormorant 1964 Cornice-Green 1970 Cornice-Yellow 1970 Cornucopia 1986 Correo 1984 Coso-Bronze 1991 Coso-Gray 1991 Coso-Silver 1991 Cottage 1985 Coulomb-A 1957 Coulomb-B 1957 Coulomb-C 1957 Coulommiers 1977 Courser 1964 Cove 1977 Cowles 1972 Coypu 1963 Cremino 1978 Cremino-Caerphilly 1978 Crepe 1964 Crestlake-Briar 1974 Crestlake-Tansan 1974 Crestlake-Tans: Crew 1968 Crew-2nd 1968 Crew-3rd 1968 Crewline 1977 Crock 1968 Crowdie 1983 Crowdie 1983 Cruet 1969 Cuchillo 1972 Culantro-A 1969 Culantro-B 1969 Cumarin 1970 Cumberland 1963

permanent presence at the Test Site. In addition, NTS personnel work at the weapons laboratories; they will, for example, hone skills relevant to nuclear testing by developing diagnostics for the National Ignition Facility, an enormous laser fusion project that will create small thermonuclear explosions in a steel containment vessel.⁹

The Nevada Test Site: Weapons Lab Today, Weapons Factory Tomorrow?

In addition to weapons experiments that take advantage of the infrastructure and skills developed for underground nuclear testing and that help sustain capabilities, the Nevada Test Site supports a growing array of nuclear weapons facilities:¹⁰

---The Big Explosive Experiment Facility (BEEF) allows non-nuclear high explosive tests too powerful to be conducted at high explosive testing facilities at the nuclear weapons labs in Livermore and Los Alamos. BEEF can be used to tests new types or configurations of conventional explosives, and also for "hydrodynamic" experiments, in which the high explosive components of nuclear weapons can be tested, using substitutes for fissile materials that are similar in their physical characteristics but will not result in a nuclear explosion.

--The Joint Actinide Shock Physics Experimental Research Facility (JASPER) is a large gas gun that tests the characteristics of plutonium and other materials by blasting them with high speed projectiles.

--The Atlas pulsed power facility, a machine that instantaneously releases large amounts of stored electrical energy in a small space to simulate certain aspects of nuclear explosions, will be relocated from the Los Alamos National Laboratory to NTS.

--The Device Assembly Facility (DAF), a complex of thirty buildings reinforced with steel and covered with earth, is one of the two sites, together with the Pantex Plant in Texas, where special nuclear materials– plutonium and uranium– can be combined into either nuclear weapons or configurations for nuclear weapons tests, such as the subcritical experiments conducted at NTS. The DAF originally was built to assemble nuclear weapons for underground tests, and is jointly operated by the Los Alamos and Livermore National Laboratories. Located far from population centers and surrounded by layers of security, the DAF is one of the largest and most modern facilities available to the U.S. government for operations involving both nuclear materials and high explosives, including assembly of nuclear weapons.

With no full scale underground tests on the immediate horizon, the DAF is being given other roles involving nuclear materials. Test assemblies for subcritical experiments are put together at the DAF. Criticality experiments, which involve significant quantities of such weapons useable materials as highly enriched uranium and which study the behavior of these materials at or near the conditions where they generate a self-sustaining nuclear chain reaction, are being transferred to the DAF from Los Alamos. Some criticality experiments still may be conducted at Los Alamos, but those involving larger quantities of weapons-useable nuclear material will be moved to NTS. The move is expected to involve

relocation to NTS of 2.6 tons of special nuclear material (probably plutonium and enriched uranium), as well as 11 tons of depleted uranium and thorium.¹¹

The Nevada Test Site also is being considered as one possible location for the Modern Pit Facility, a factory to mass produce plutonium pits, the key component of the atomic explosive trigger at the heart of most modern nuclear weapons. The proposed pit factory would be able to produce as many as 450 pits per year working a single shift, and considerably more with two shift operation.¹² By comparison, China, the world's third leading nuclear power after the United States and Russia, is believed to have about 400 nuclear weapons.¹³ And even if the Modern Pit Facility isn't built at NTS, the Test Site's managers, Bechtel Corporation, are determined to compete for an

Nuclear Weapons Testing on Indigenous Lands

The existence of nuclear weapons in the world causes ecological devastation, even if they never are used in warfare. A half century of testing has contaminated vast reaches of the planet, and has resulted in millions of premature deaths by causing birth defects, cancer, and other diseases. Nuclear explosions at the Nevada Test Site have left millions of curies of strontium, cesium, and plutonium underground. In addition, hundreds of thousands of cubic yards of radioactive waste have been buried at NTS. Above ground nuclear testing, along with plutonium dispersal experiments and depleted uranium ammunition testing, caused additional contamination. For an overview of radioactive contamination at NTS, see Arjun Makhijani, Howard Hu, and Katherine Yih, Nuclear Wastelands: A Global Guide to Nuclear Weapons Production and its Health and Environmental Effects, (Cambridge, Massachusetts, MIT Press: 1995), pp.224-227

"...[Of] the eight nations in the world that have detonated nuclear weapons during the last 55 years, five have used the lands of indigenous peoples. The United States, Russia, Britain, France and China have tested their nuclear might on lands held sacred by the people of First Nations. The Western Shoshone nation of North America, the Marshall Islanders, and other South Pacific Islanders, Australian Aboriginals, the Kazakhs, and Tibetans are but a few of those whose land has been consistently contaminated with nuclear poison...." Richard Salvador, Pacific Islands Association of NGOs, NGO Presentation, "Indigenous Perspective," to the NPT Review Conference Preparatory Committee, New York, April 2002

"No Developed nation tests its nuclear weapons on its own lands. All nuclear testing is done on indigenous people's lands... The Western Shoshone are the rightful custodians of this land, affirmed by the Treaty of Ruby Valley in 1863. With over 900 bombs exploded, they are the most bombed nation in the world." Raymond D. Yowell, Chief, Western Shoshone National Council, Healing Global Wounds event invitation, The Test Banner, American Peace Test, Summer/Fall 1992.

For more on the impacts of nuclear weapons research, development, testing and production on indigenous peoples world wide, see the the fact sheet and resource links, "Indigenous People and the Nuclear Age: Making the Connections," prepared by the Women's International League for Peace and Freedom, at http://www.reachingcriticalwill.org/technical/factsheets/indigenous.html

Cup 1965 Cyathus 1970 Cybar 1986 Cyclamen 1966 Cypress 1969 Dalhart 1988 Daiquiri 1966 Dakota 1956 Dakota 1956 Daman I 1962 Danablu 1983 Danny Boy 1963 Darwin 1986 Dauphin 1980 De Baca 1958 Dead 1962 Deck 1975 Delamar 1987 Delphinium 1972 Derringer 1966 Des Moines 1962 Dexter 1971 Diablo 1957 Diablo 1957 Diablo Hawk 1978 Diagonal Line 1971 Diamond Ace 1982 Diamond Ace 1982 Diamond Beech 1985 Diamond Fortune 1992 Diamond Mine 1971 Diamond Mine 1971 Diamond Sculls 1972 Diana Mist 1970 Diana Moon 1968 Dianthus 1972 Dianthus 1972 Dido Queen 1973 Diesel Train 1969 Diluted Waters 1965 Dining Car 1975 Discus Thrower 1966 Disko Elm 1989 Distant Zenith 1991 Divider 1992 Divider 1992 Dixie 1953 Dofino 1977 Dofino-Lawton 1977 Dog 1951 Dog 1951 Dog 1952 Dogwood 1958 Dolcetto 1984 Dona Ana 1958 Door Mist 1967 Doppler 1957 Dormouse 1962 Dormouse Prime 1962 Dorsal Fin 1968 Double Play 1966 Double Tracks 1963 Dovekie 1966 Draughts 1978 Drill 1964 Drill 1964 Driver 1964 Dub 1964 Duffer 1964 Duffer 1964 Dulce 1962 Dumont 1966 Dumont 1966 Duoro 1984 Duryea 1966 Dutchess 1980 Eagle 1963 Easy 1951 Easy 1951 Easy 1951 Easy 1952 Easy 1952 Ebbtide 1977 Edam 1975 Eddy 1958 Eel 1962 Eel 1962 Effendi 1967 Egmont 1984 Elder 1958 Elida 1973 Elkhart 1965 Embudo 1971 Emerson 1965 Emmenthal 1978 Encino 1962 Encore 1953 Erie 1956 Ermine 1962 Escabosa 1974 Esrom 1976 Ess 1955 Estaca 1974 Estuary 1976 Evans 1958 Fade 1964 Fahada 1983 Fajy 1979 Fallon 1974 Farallones 1977 Farm 1978 Faultless 1968 Fawn 1967 Feather 1961

Fenton 1966 Ferret 1963 Ferret Prime 1963 Fig 1958 File 1968 Finfoot 1966 Fir 1958 Fisher 1961 Fizeau 1957 Fizz 1967 Flask-Green 1970 Flask-Red 1970 Flask-Yellow 1970 Flathead 1956 Flax-Backup 1972 Flax-Source 1972 Flax-Test 1972 Flora 1980 Flotost 1977 Floydada 1991 Fob-Blue 1970 Fob-Green 1970 Fob-Red 1970 Fondutta 1978 Fontina 1976 Fore 1964 Forefoot 1977 Forest 1964 Fox 1951 Fox 1952 Franklin 1957 Franklin Prime 1957 Freezeout 1979 Frigate Bird 1962 Frijoles-Deming 1971 Frijoles-Espuela 1971 Frijoles-Guaje 1971 Frijoles-Petaca 1971 Frisco 1982 Funnel 1968 Futtock 1975 Galena-Green 1992 Galena-Orange 1992 Galena-Yellow 1992 Galileo 1957 Galveston 1986 Ganymede 1958 Garden 1964 Gasbuggy 1967 Gascon 1986 Gazook 1973 George 1951 George 1952 Gerbil 1963 Gibne 1982 Gibson 1967 Gilroy 1967 Glencoe 1986 Gnome 1961 Goldstone 1985 Gorbea 1984 Gouda 1976 Gourd-Amber 1969 Gourd-Brown 1969 Grable 1953 Grape A 1969 Grape B 1970 Greeley 1966 Greys 1963 Grove 1974 Grunion 1963 Gruyere 1977 Gruyere-Gradino 1977 Guanay 1964 Gum Drop 1965 Gundi 1962 Gundi Prime 1963 HA(High Altitude) 1955 Haddock 1964 Halfbeak 1966 Hamilton 1958 Handcar 1964 Handicap 1964 Handley 1970 Haplopappus 1972 Hard Hat 1962 Hardin 1987 Harebell 1971 Harkee 1963 Harlem 1962 Harlingen-A 1988 Harlingen-B Harry 1953 Harzer 1981 Hatchet 1968 en-B 1988 Hatchie 1963 Havarti 1981 Haymaker 1962 Hazebrook- Apricot 1987 Hazebrook-Checkerberry 1987 Hazebrook-Emerald 1987 Hearts 1979 Heilman 1967 Hermosa 1985

Hickory 1958 Hidalgo 1958 Hod-A 1970 Hod-B 1970 Hod-C 1970 Hognose 1962 Holly 1958 * Holog 1997 Hood 1957 Hook 1964 Hoopoe 1964 Hoosic 1962 Horehound 1969 Hornet 1955 Hornitos 1989 Hospah 1971 Hosta 1982 Housatonic 1962 Houston 1990 How 1952 Hoya 1991 Hudson 1962 Hudson Moon 1970 Hudson Seal 1968 Hula 1968 Hulsea 1974 Humboldt 1958 Hunters Trophy 1992 Hupmobile 1968 Huron 1956 Huron 1956 Huron King 1980 Huron Landing 1982 Husky Ace 1973 Husky Pup 1975 Hutch 1969 Hulia 1963 Hybla Fair 1974 Hybla Gold 1977 Hyrax 1962 Iceberg 1978 Ildrim 1969 Imp 1968 Inca 1956 Ingot 1989 Inlet 1975 Ipecac-A 1969 Ipecac-B 1969 Islay 1981 Item 1951 Izzer 1965 Jackpots 1978 Jal 1970 Jara 1974 Jarlsberg 1983 Jefferson 1986 Jerboa 1963 Jib 1974 Jicarilla 1972 John 1957 Johnnie Boy 1962 Jornada 1982 Jorum 1969 Junction 1992 Juniner 1958 Juno 1958 Kankakee 1966 Kappeli 1984 Kara 1972 Karab 1978 Kash 1980 Kashan 1973 Kasseri 1975 Kaweah 1963 Kawich A-Blue 1988 Kawich A-White 1988 Kawich-Black 1989 Kawich-Red 1989 Kearsarge 1988 Keel 1974 Keelson 1976 Kennebec 1963 Kepler 1957 Kermet 1965 Kernville 1988 Kesti 1982 Kesti 1982 Kestrel 1965 Khaki 1966 Kickapoo 1956 King 1952 Kingfish 1962 Kinibito 1985 Klickitat 1964 Kloster 1979 Knickerbocker 1967 Knife A 1968 Knife B 1968 Knife C 1968 Knox 1968 Koa 1958 Kohocton 1963 Koon 1954 Kootanai 1963 Kryddost 1982 Kvack-A 1969 Kvack-B 1969

ever larger piece of the burgeoning high-tech weapons pie. As Frederick Tarantino, President and General Manager for NTS manager Bechtel Nevada, put it, "[i]f we don't get it, that's OK.... We'll go after something just as a large."¹⁴

A Full Service Test Range

The Nevada Test Site also is used for a variety of military tests besides those linked directly to nuclear weapons development. Over the years, NTS has been used to develop systems ranging from missile re-entry bodies to ballistic missile defense. Depleted uranium munitions were tested at NTS, with experiments including "controlled burns" and live firing.¹⁵ A small facility capable of manufacturing biological weapons was built at the Test Site in the 1990's, as part of a "counterproliferation" program aimed at determining how difficult it would be for countries or non-state organizations to do the same and at developing detection technologies.¹⁶ NTS also operates a hazardous materials spill facility, where large quantities of dangerous chemicals can be released for a variety of purposes, such as developing response and cleanup techniques or sensors to detect chemical weapons or their components.¹⁷ Recent military tests have included unmanned aircraft fitted with sensors to detect chemical weapons¹⁸ and the "thermobaric" bomb, a powerful explosive that was rushed into production for use against tunnels and caves in the Afghanistan war.¹⁹ Tunnel complexes at NTS are being used for a variety of tests aimed at developing additional ways to destroy targets buried in cave and tunnels, such as missile operations or command and control facilities.20

The Nuclear Non-Proliferation Treaty, the Comprehensive Test Ban Treaty, and U.S. Nuclear Weapons Policies

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control. Article VI, Treaty on the Non-Proliferation of Nuclear Weapons, Signed at Washington, London, and Moscow July 1, 1968. Entered into force March 5, 1970.

Ending nuclear testing has been seen as a key stepping stone towards the elimination of nuclear weapons virtually since efforts to control nuclear weapons began. The United States and the other parties to the 1963 Limited Test Ban Treaty, which banned all but underground nuclear test explosions, proclaimed as their "principal aim" the "speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armaments race and eliminate the incentive

Nuclear Testing and the Quest for More Useable Nuclear Weapons

The push by elements inside and outside the government for nuclear weapons with new military capabilities slowed for a brief period after end of the Cold War, with Congress placing some restrictions on research on nuclear warheads with a yield below 5 kilotons, and an official Clinton Administration policy of no "new" nuclear weapons. Despite this policy, U.S. nuclear weapons research continued throughout the 90's. The goals of these efforts were twofold: to develop capacities to destroy difficult types of targets, and to design nuclear weapons that would be politically feasible to use. A 1999 Department of Defense planning document identified as a priority the ability "to provide national leaders with improved options by increasing the responsiveness of strategic forces and developing more discriminate options, as done most recently with the introduction of the B61–11 earth-penetrating weapons."²¹ The B61-11, deployed in 1997, was a modification of an existing design. It was developed without underground nuclear explosive testing, using the component testing and computer simulation capabilities of the Department of Energy "Stockpile Stewardship" program.²² Research also continued on nuclear weapons effects, focusing on the "need to hold evolving enemy targets at risk using the reduced stockpile, and recognizing greatly increasing political and environmental constraints."²³

With the ascendance of the Bush Administration, the push for nuclear weapons with new military capabilities has intensified. The 2002 Bush Nuclear Posture Review (NPR), a major policy document that outlined plans for strategic weapons development, stated that

There are several nuclear weapon options that might provide important advantages for enhancing the nation's deterrence posture: possible modifications to existing weapons to provide additional yield flexibility in the stockpile; improved earth penetrating weapons (EPWs) to counter the increased use by potential adversaries of hardened and deeply buried facilities; and warheads that reduce collateral damage.²⁴

The NPR also indicated that the U.S. was prepared to use nuclear weapons in a wide range of circumstances and against a number of countries, including Iraq, Iran and North Korea. The FY2004 Department of Energy budget request, submitted in the Spring of 2003, called for an "advanced warhead concepts initiative" at the nuclear weapons laboratories to study various new nuclear weapons ideas.²⁵ And the National Nuclear Security Agency requested funding in FY 2003 to begin study of a new or modified "Robust Nuclear Earth Penetrator" (RNEP).²⁶ According to press reports, the RNEP concept now under consideration calls for a nuclear weapon with a substantial yield, likely to be several times the power of the bombs that destroyed Hiroshima and Nagasaki.²⁷

Additional nuclear planning documents leaked to the public in early 2003, together with the administration's recent Defense Department bid solicitations and FY2004 budget submissions, reveal that the Robust Nuclear Earth Penetrator is only one of a number of modified or new nuclear weapons under consideration. A January 2003 Pentagon meeting attended by high-ranking officials from the Defense Department and the Energy Department nuclear weapons programs set the agenda for further planning sessions that would evaluate "[r]equirements for low-yield weapons, EPWs, [earth penetrating weapons] enhanced radiation weapons, [and] agent defeat weapons" (weapons intended to destroy chemical or biological agents). Issues to be covered included "[e]ffects modeling capabilities to effectively plan for these weapons," "testing strategy for weapons more likely to be used in small strikes," and the "strategy for selecting first "small builds."²⁸ Research also is going forward on new strategic missiles with greater range, accuracy, and maneuverability, and with the capability to deliver both nuclear and conventional payloads.²⁹

This fall, Congress removed restrictions on low-yield nuclear weapons research, and approved funds for research on the robust nuclear earth penetrator (RNEP). National Nuclear Security Administrator Linton Brooks, in a memo to the nuclear weapons laboratories, thanked them for their support in the effort to remove restrictions on nuclear weapons research, and told the labs that "I expect your design teams to engage fully with the Department of Defense to examine advanced concepts that could contribute to our nation's security."³⁰ Although a number of new capabilities can be obtained by the modification of existing nuclear weapons, exploration of "advanced concepts" may lead to a push by nuclear weapons advocates for a resumption of full scale underground testing.

Laban 1983 Labis 1970 Labquark 1986 Lacrosse 1956 Lagoon 1971 Laguna 1971 Lampblack 1966 Lanpher 1967 Lanlace 1957 Laredo 1988 Lassen 1957 Latir 1974 Lea 1958 Ledoux 1990 Lexington 1967 Leyden 1975 e 1966 Linden 1958 Links 1964 Liptauer 1980 Little Feller I 1962 Little Feller II 1962 Lockney 1987 Logan 1958 Long Shot 1965 Longchamps 1972 Lovage 1969 Lowball 1978 Lubbock 1991 Luna 1958 Mackerel 1964 Mad 1961 Madison 1962 Magnolia 1958 Mallet 1968 Manatee 1962 Manteca 1982 Manzanas 1970 Maple 1958 Maribo 1985 [•] Mario 2002 Mars 1958 Marsh 1975 Marshmallow 1962 Marsilly 1977 Marvel 1967 Mast 1975 Mataco 1963 Mauve 1965 Maxwell 1966 Mazama 1958 Memory 1979 Mercury 1958 Merida 1972 Merlin 1965 Merrimac 1962 Mescalero 1972 Mesilla 1962 Mesita 1973 Met 1955 Metropolis 1990 Mickey 1967 Midas Myth/ Milagro 1984 Middle Note 1987 Midi Mist 1967 Midland 1987 Miera 1973 Mighty Epic 1976 Mighty Oak 1986 Mike 1952 Milk Shake 1968 Mill Yard 1985 Milrow 1969 Mineral Quarry 1990 Minero 1984 Miners Iron 1980 Ming Blade 1974 Ming Vase 1968 Mini Jade 1983 Miniata 1971 Mink 1961 Minnow 1964 Mint Leaf 1970 Minute Steak 1969 Mission Cyber 1987 Mission Ghost 1987 Mississippi 1962 Misty Echo 1988 Misty North 1972 Misty Rain 1985 Mizzen 1975 Moa 1965 Mogollon 1986 Mohawk 1956 Molbo 1982 Monahans-A 1988 Monahans-B 1988 Monero 1972 Montello 1991 Monterey 1982 Mora 1958 Morgan 1957 Morrones 1970 Moth 1955 Mudpack 1964

Muenster 1976 Muggins 1983 Muleshoe 1989 Mullet 1963 Mundo 1984 Muscovy 1965 Mushroom 1967 Muskegon 1962 Mustang 1963 Nama-Amarylis 1971 Nama-Mephisto 1971 Nambe 1962 Nancy 1953 Narraguagus 1963 Nash 1967 Natches 1963 Natoma 1973 Navajo 1956 Navata 1983 Nebbiolo 1982 Nectar 1954 Neptune 1958 Nessel 1979 New Point 1966 Newark 1966 Newton 1957 Nightingale 1988 Nipper 1969 Niza 1981 Noggin 1968 Noor 1968 Norbo 1980 Normanna 1984 Numbat 1962 Nutmeg 1958 Oak 1958 Oakland 1967 Oarlock 1977 Obar 1975 Oberon 1958 Oboe 1 1999 * Ohoe 2 1999 * Oboe 3 2000 * Oboe 4 2000 Oboe 5 2000 * Ohoe 6 2000 Oboe 7 2001 Oboe 8 2001 * Oboe 9 2002 Ocate 1972 Ochre 1966 Oconto 1964 Offshore 1979 Olive 1958 Onaja 1972 Orange 1958 Organdy 1965 Orkney 1984 Osage 1956 Oscuro 1972 Otero 1958 Otowi 1962 **Owens 1957** Paca 1962 Packard 1969 Packrat 1962 Paisano 1963 Paiara 1973 Palanquin 1965 Palisade-1 1989 Palisade-2 1989 Palisade-3 1989 Paliza 1981 Pamlico 1962 Pampas 1962 Panamint 1986 Panchuela 1987 Panir 1978 Par 1964 Parnassia 1971 Parrot 1964 Pascal-A 1957 Pascal-B 1957 Pascal-C 1957 Passaic 1962 Peba 1962 Pedernal 1971 Pekan 1963 Penasco 1970 Pepato 1979 Pera 1979 Persimmon 1967 Petit 1962 Petrel 1965 * Piano 2003 Piccalilli 1969 Pike 1964 Pile Driver 1966 Pin Stripe 1966 Pine 1958 Pineau 1981 Pinedrops-Bayou 1974 Pinedrops-Sloat 1974 Pinedrops-Tawny 1974 Pipefish 1964 Pipkin 1969

to the production and testing of all kinds of weapons, including nuclear weapons."³¹ The Preamble to the Non-Proliferation Treaty (NPT) recalled the intent expressed in the Limited Test Ban Treaty "to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time," in the context of a broader effort "to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control...."

In 1995, the NPT parties reaffirmed their commitment to the Treaty and set out further steps for implementing its provisions in a set of "Principles and Objectives for Nuclear Non-Proliferation and Disarmament." The "Principles and Objectives" document reaffirmed the nuclear weapon states' NPT Article VI obligation and listed the Comprehensive Test Ban (CTBT) first among measures "important in the full realization and effective implementation of Article VI."³² The United States signed the CTBT in 1996.

In 1999, the United States Senate voted not to approve ratification of the CTBT, and has chosen not to revisit the matter since that time. The Clinton administration and its allies, rather than trying to rally disarmament supporters as a counterweight to the powerful interests represented by the nuclear weapons complex, had portraved the CTBT as a means to preserve the decisive technological advantage in nuclear weaponry held by the U.S., and as a way to prevent nonnuclear weapon states from acquiring nuclear weapons, rather than as a step on the road to disarmament. This view was reaffirmed by Secretary of State Madeline Albright even after it had proved a losing strategy in the CTBT ratification campaign: "We simply do not need to test nuclear weapons to protect our security. On the other hand, would-be proliferators and modernizers must test if they are to develop the kind of advanced nuclear designs that are most threatening. Thus, the CTBT would go far to lock in a technological status quo that is highly favorable to us."33

In 2000, the NPT parties, including the United States, reiterated their commitment to disarmament, agreeing to a set of "practical steps for the systematic and progressive efforts to implement article VI of the Treaty..." These steps included, once again, ratification of the CTBT, recognition of a "principle of irreversibility" to apply to nuclear disarmament, and "an unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI."³⁴ Since that time, the U.S. has repudiated the CTBT, ramped up efforts to increase nuclear test readiness, and continued its ambitious program to refurbish its nuclear complex. The goal is to maintain nuclear supremacy in all conceivable circumstances by building facilities able to mass produce

nuclear weapons should the "need" some day arise, while at the same time being able to design and build new kinds of nuclear weapons quickly:

For example, a future adversary nation seeking to gain some nuclear advantage would be forced to conclude that its buildup could not occur quicker than the United States could act to reconstitute higher force levels. Alternatively, an ability to innovate and produce small builds of special purpose weapons, characteristic of a smaller but still vital nuclear infrastructure, would convince an adversary that it could not expect to negate United States nuclear forces, for example, by seeking to house vital command and control functions in hard, deeply buried installations.³⁵

The nuclear weapons laboratory testing and simulation technologies that comprise the U.S. "Stockpile Stewardship" program, and similar though far less ambitious programs in other nuclear weapons states, makes a Comprehensive Test Ban simultaneously less "comprehensive" and more necessary. A ban on nuclear explosive testing can limit, but not stop, advanced nuclear weapons development. It has little effect on existing arsenals, which can be maintained at high levels of readiness without explosive testing using technology now decades old.³⁶ The U.S. can upgrade existing nuclear weapons while remaining within the parameters of well-understood concepts and designs.³⁷ It also is possible that substantial progress can be made towards more extensive design innovations, which could increase pressure for a resumption of testing. This would be of particular concern in a crisis, whether the consequence of real events like the 9-11 attacks or a determined and successful propaganda campaign like that preceding the 2003 Iraq invasion. We have seen that few in Congress will challenge a demand by a sitting President, bolstered by classified information about some looming threat, on matters involving "weapons of mass destruction." A CTBT that has entered into force, which requires ratification by the United States, among others, could provide something of a "firebreak," making the decision to resume testing in order to deploy new weapons more consequential.

The Preamble to the Comprehensive Test Ban Treaty expresses the intent of the treaty to cut off the development and modernization of nuclear weapons as a meaningful disarmament measure, recognizing "that the cessation of all nuclear weapon test explosions and all other nuclear explosions, by constraining the development and qualitative improvement of nuclear weapons and ending the development of advanced new types of nuclear weapons, constitutes an effective measure of nuclear disarmament and non-proliferation in all its aspects," and "that an end to all such nuclear explosions will thus constitute a meaningful step in the realization of a systematic process to achieve nuclear disarmament...³⁸

Piranha 1966 Pisonia 1958 Piton-A 1970 Piton-B 1970 Piton-C 1970 Plaid II 1966 Planer 1969 Platte 1962 Platypus 1962 Player 1964 Pleasant 1963 Pliers 1969 Plomo 1974 Pod-A 1969 Pod-B 1969 Pod-C 1969 Pod-D 1969 Polka 1967 Polygonum 1973 Pommard 1968 Pongee 1965 Ponil 1985 Pool 1976 Poplar 1958 Portmanteau Portola 1975 1974 Portola-Larkin 1975 Potrero 1974 Portulaca 1973 Post 1955 Potrillo 1973 Pratt 1974 Presidio 1987 Priscilla 1957 Project 56 No. 1 1955 Project 56 No. 2 1955 Project 56 No. 3 1955 Project 56 No. 4 1956 Project 57 No. 1 1957 Puce 1966 Puddle 1974 Purple 1966 Purse 1969 Puye 1974 Pyramid 1980 Quargel 1978 Quay 1958 Queso 1982 Questa 1962 Quince 1958 Quinella 1979 Raccoon 1962 Rack 1968 Rainier 1958 Rainier 1957 Randsburg 1990 Raritan 1962 Ray 1953 Reblochon 1978 * Rebound 1997 Red Hot 1966 Redmud 1976 Redwood 1958 Reo 1966 Rex 1966 Rhyolite 1988 Rib 1977 Rickey 1968 Rinconada 1 ada 1962 Ringtail 1961 Rio Arriba 1958 Rio Blanco-1 1973 Rio Blanco-2 1973 Rio Blanco-3 1973 Riola 1980 Rivet I 1967 Rivet II 1967 Rivet III 1967 Rivoli 1976 Roanoke 1962 * Rocco 2002 Romano 1983 Romeo 1954 Roquefort 1985 Rose 1958 Rousanne 1981 Rovena 1966 Rudder 1976 Rulison 1969 Rummy 1978 Rushmore 1958 Russet 1968 Ruth 1953 Sabado 1983 Sacramento 1962 Salmon 1964 Salut 1985 San Juan 1958 Sandreef 1977 Sanford 1958 Santa Fe 1958 Santee 1962 Sapello 1974 Sappho 1972 Sardine 1963 Satsop 1963 Saturn 1957

Satz 1978 Saxon 1966 Sazerac 1967 Scaevola 1958 Scantling 1977 Scaup 1965 Schellbourne 1988 Schooner 1968 Scissors 1968 Scotch 1967 Screamer 1965 Scree-Acajou 1970 Scree-Alhambra 1970 Scree-Chamois 1970 Scroll 1968 Scupper 1977 Scuttle 1969 Seafoam 1973 Seamount 1977 Seaweed-B 1969 Seaweed-C 1969 Seaweed-D 1969 Seaweed-E 1969 Seco 1981 Sedan 1962 Seersucker 1965 Seminole 1956 Sepia 1965 Sequoia 1958 Serena 1985 Serpa 1980 Sevilla 1968 Seyval 1982 Shallows 1976 Shaper 1970 Shasta 1957 Shave 1969 Sheepshead 1979 Shoal 1963 Shrew 1961 Shuffle 1968 Sidecar 1966 Sienna 1966 Silene 1973 Simms 1966 Simon 1953 Sled 1968 Small Boy 1962 Smoky 1957 Snubber 1970 Socorro 1958 Solano 1972 Solanum 1972 Solendon 1964 Spar 1973 Spider-A 1969 Spider-B 1969 Spoon 1964 Sprit 1976 Spud 1968 St.Lawrence 1962 Staccato 1968 * Stagecoach 1998 Stanley 1967 Stanyan 1974 Starfish Prime 1962 Starwort 1973 Sterling 1966 Stillwater 1962 Stilt 1967 Stilton 1975 Stinger 1968 Stoat 1962 Stoddard 1968 Stokes 1957 Stones 1963 Strait 1976 Strake 1977 Sturgeon 1964 Stutz 1966 Suede 1965 Sugar 1951 Sulky 1964 Sundown-A 1990 Sundown-B 1990 Sunset 1962 Sutter 1976 Swanee 1962 Switch 1967 Swordfish 1962 Sycamore 1958 Tafi 1980 Tahoka 1987 Tajique 1972 Tajo 1986 Tamalpais 1958 Tan 1966 Tanana 1962 Tangerine 1966 Tanya 1968 Tapestry 1966 Tapper 1969 Tarko 1980 Taunton 1962 Techado 1983 Teak 1958

Tee 1965 Tejon 1963 Teleme 1975 Temescal 1974 Templar 1966 Tenabo 1990 Tenaja 1982 Tendrac 1962 Tern 1965 Terrine-White 1969 Terrine-Yellow 1969 Tesla 1955 Tewa 1956 Texarkana 1989 Thistle 1969 * Thoroughbred 2000 Throw 1968 Ticking 1965 Tierra 1984 Tightrope 1962 Tijeras 1970 Tilci 1981 Tinderbox 1968 Tiny Tot 1965 Tioga 1962 Titania 1958 Tobacco 1958 Tomato 1966 Tomme/ Midnight Zephyr 1983 Topgallant 1975 Topmast 1978 Torch 1968 Tornero 1987 Tornillo 1963 Torrido 1969 Tortugas 1984 Towanda 1985 Toyah 1963 Transom 1978 Traveler 1966 Trebbiano 1981 Trinity 1945 Trogon 1964 Truchas-Chacon 1970 Truchas-Chamisal 1970 Truchas-Rodarte 1970 Truckee 1962 Trumbull 1974 Tub-A 1968 Tub-B 1968 Tub-C 1968 Tub-D 1968 Tub-F 1968 Tulia 1989 Tuloso 1972 Tun-A 1969 Tun-B 1969 Tun-C 1969 Tun-D 1969 Tuna 1963 Turf 1964 Turk 1955 Turnstone 1964 Turquoise 1983 Tweed 1965 Tweed 1965 Tybo 1975 Tyg-A 1968 Tyg-B 1968 Tyg-C 1968 Tyg-D 1968 Tyg-E 1968 Tyg-F 1968 Tyg-F 1968 Umbrella 1958 Uncle 1951 Union 1954 Uranus 1958 Valencia 1958 Valise 1969 Vat 1968 Vaughn 1985 Velarde 1973 Venus 1958 Verdello 1980 Vermejo 1984 Vesta 1958 Victoria 1992 Vide 1981 Vigil 1966 Ville 1985 Villita 1984 Vise 1969 Vito 1967 Vito 2002 Vulcan 1966 Waco 1987 Wagtail 1965 Wahoo 1958 Waller 1973 Walnut 1958 Ward 1967 Washer 1967 Washer 1957 Wasp 1955 Wasp Prime 1955 Welder 1968

The CTBT interpreted literally may not ban expansive laboratory testing programs and subcritical tests. But the commitment made by the NWS at the 1995 NPT review and Extension Conference to achieve a CTBT as part of a program for the "effective implementation of article VI," embodied in a provision which further stated that "[p]ending the entry into force of a Comprehensive Test-Ban Treaty, the nuclearweapon States should exercise utmost restraint;" must be viewed in a different light. It clearly is bound to a broader interpretive context in which a CTBT is envisioned as a meaningful step along the road to nuclear disarmament, rather than an instrument for the permanent preservation of a two-tier world, in which a few states claim the right not only to possess unlimited weapons of mass destruction, but to destroy any state that dares to develop such weapons themselves.

Before nuclear arms racing can be reversed, it must be stopped. Real progress towards disarmament requires concrete steps by the nuclear weapons states to first control and then eliminate nuclear weapons research, development, and testing in all its forms. The United States, with nuclear weapons research programs that dwarf all others and with a stated policy of researching new kinds of nuclear weapons, bears the greatest responsibility here to take immediate, substantial, and unambiguous action. Because of their role not only in providing information useful for nuclear weapons design but in exercising capabilities needed to rapidly resume a full-scale nuclear explosive testing program, one logical starting place would be the termination of subcritical tests. Cessation of subcritical tests would both be a visible, concrete step towards controlling laboratory nuclear weapons research and would facilitate complete closure of all remaining underground nuclear test sites. In addition to simplifying verification issues, closure of the Nevada Test Site would further broaden the "firebreak" between simulation testing-based prototyping of some types of radically new nuclear weapons concepts and their deployment.

The elimination of nuclear weapons, still the gravest threat to humanity and growing once more as we enter a new century, will for a start require a clear commitment by the most powerful states, and the United States most of all, not only to nuclear disarmament but to a more peaceful world. The apparent determination of the most powerful countries to dominate the world by force of arms is eroding what remains of international order, and nuclear weapons are at the center of a growing global crisis of war and violence. The possibility that countries may obtain nuclear weapons is put forward as a principal rationale for a continuing U.S. high-tech and nuclear weapons buildup, and for preventive warfare without regard for the existing framework of international law. At the same time, the insistence by the existing nuclear weapons states, which also possess the most powerful conventional military forces, that nuclear weapons remain essential to their "security," continues to undercut the fragile nonproliferation regime. As the International Court of Justice noted in its 1996 opinion on the *Legality of the Threat or Use of Nuclear Weapons*,

In the long run, international law, and with it the stability of the international order which it is intended to govern, are bound to suffer from the continuing difference of views with regard to the legal status of weapons as deadly was nuclear weapons.³⁹

Nuclear weapons, and the brutal ultimate power politics that their possession simultaneously makes possible and, to those in their thrall, seem to make necessary,

themselves continue to escape all efforts at their legal regulation, and in the end render efforts to regulate lesser uses of force largely futile as well. And as the World Court then concluded,

It is consequently important to put an end to this state of affairs: the long-promised complete nuclear disarmament appears to be the most appropriate means of achieving that result. *Id.*

In today's mainstream U.S. political discourse, the daily grist of pundits, "electable" candidates, and "reasonable" experts, we hear barely a whisper about disarmament and the path to a more peaceful world for everyone, only endless debate over which new American weapons system can best destroy the weapons of others. Humanity will not survive many more decades of nuclear weapons and endless high-tech arms racing. It is long past time for us to take up the demand, made at the dawn of the nuclear age, "no longer a prayer, but an order which must rise up from people to their governments– the order to choose finally between hell and reason."⁴⁰

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Notes

1. Some tests involved multiple nuclear blasts; the total number of underground nuclear detonations at the Nevada Test Site was 828, counted as 804 "tests." See generally U.S. Department of Energy, "United States Nuclear Tests July 1945 through September 1992," DOE/NV--209-REV 15

2. U.S. Department of Energy, "Atmospheric Tests at the Nevada Test Site, 1951 - 1962," March 2000, DOE/NV-716, March 2001, p.2.

3. For a collection of materials on the health effects of U.S. nuclear weapons testing, including government studies and critical commentary, see the Alliance for Nuclear Accountability "Health Issues" page at http://www.ananuclear.org/healthpage.html

4. Subcritical tests also can be conducted aboveground, contained in steel vessels. See Greg Mello and Andrew Lichterman, "Nuclear Testing in Tanks: Subcritical Nuclear Tests Resume at Los Alamos," Los Alamos Study Group. June, 1999, http://www.lasg.org/updatej99_b.html

5. U.S. Department of Energy, National Nuclear Security Administration, *Fiscal Year 2001 Stockpile Stewardship Plan*, 2000, obtained by the Western States Legal Foundation via the Freedom of Information Act, p. 31-2.

6. See Suzanne L. Jones and Frank N. Von Hippel, "Transparency Measures for Subcritical Experiments Under the CTBT," *Science and Global Security*, 1997, Vol.6, p.291, 292-3.

7. John A. Gordon, Administrator of the National Nuclear Security Administration (NNSA), Written Statement to the Committee on Armed Services, U.S. Senate, February 14, 2002.

8. U.S. Department of Defense, "Nuclear Posture Review Report: Forward," January 8, 2002, http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm

9. Statement of Dr. Frederick A. Tarantino, President and General Manager, Bechtel Nevada, before the House Armed Services Committee, Procurement Subcommittee, June 12, 2002.

Wembley 1968 Wexford 1984 Whieel r 1957 White 1962 Whiteface-A 1989 Whiteface-B 1989 Whiteface-B 1989 Whiteface-B 1989 Wichita 1962 Wigwam 1955 Wishon 1957 Wishone 1965 Wolverine 1962 Wool 1965 Wool 1965 Worth 1967 Wrangell 1958 X-ray 1948 Yannigan-Blue 1970 Yannigan-Red 1970 Yannigan-Blue 1970 Yannigan-Blue 1970 Yannigan-Blue 1970 Yand 1967 Yerba 1971 Yerba 1971 Yeso 1962 Yuba 1963 Yucca 1958 Yukon 1962 Yuma 1956 Zaza 1967 Zebra 1948 Zinnia 1972 Zucchini 1955 Zuccinii 1955 10. See generally U.S. Department of Energy, *Final Environmental Impact Statement for the Nevada Test Site and Off-Site Locations in the State of Nevada* (1996), Volume 1, Appendix A, "Dewcription of Projecs and Activities, and National Nuclear Security Administration, Infrastructure Plan for the NNSA Nuclear Weapons Complex, April, 2003, p.19.

11. U.S. Department of Energy, National Nuclear Security Administration, "Record of Decision for the Final Environmental Impact Statement for the Relocation of Technical Area 18 Capabilities and Materials at the Los Alamos National Laboratory," 67 Federal Register no. 251, December 31, 2002, pp. 79906-79911.

12. For additional information on the Modern Pit Facility, see Andrew Lichterman, *Mass Producing Weapons of Mass Destruction: U.S. Plans for a New Nuclear Weapons Factory and the Global Resurgence of Nuclear Arms*, Western States Legal Foundation and the Los Alamos Study Group, Information Bulletin, Summer 2003 http://www.wslfweb.org/docs/mpfinfo.pdf

13. See Natural Resources Defense Council, "Table of Global Nuclear Weapons Stockpiles, 1945-2002," Table of Global Nuclear Weapons Stockpiles, 1945-2002

14. Chris Jones, "The Business of Defense: All New Site Lines," Las Vegas Review-Journal (web edition), October 26, 2003.

15. U.S. Department of Energy, *Final Environmental Impact Statement for the Nevada Test Site and Off-Site Locations in the State of Nevada* (1996), Volume 1, Appendices A-F, p.A-46.

16. See GlobalSecurity.org, "Nevada Test Site: BACHUS, Biotechnology Activity Characterization by Unconventional Signatures," http://www.globalsecurity.org/wmd/facility/nts-camp-12.htm

17. See Henry Goldwire, Jr., "Remote Sensor Test Range: Proving Ground for Tomorrow's Sensor Technologies," *Science and Technology Review* (Lawrence Livermore National Laboratory), April 2000.

18. NPS/CIRPAS Activity Summary, CADDIE Demonstration, http://web.nps.navy.mil/~cirpas/Projects/CADDIE%20Activity%20Summary.htm

19. U.S. Department of Defense, Defense Threat Reduction Agency, "Thermobaric Warheads," http://www.dtra.mil/td/thermo/td_thermo.html

20. U.S. Department of Defense, Deputy Under Secretary of Defense (Science and Technology), Defense Technology Area Plan, (2000), p.XI-9, obtained by Western States Legal Foundation under the Freedom of Information Act. Full document available at http://www.wslfweb.org/docs/dstp2000/dtappdf/contents.pdf

21. U.S. Department of Defense, Deputy Under Secretary of Defense (Science and Technology), *Defense Technology Area Plan*, (2000), p.XI-7, obtained by Western States Legal Foundation under the Freedom of Information Act. Full document available at http://www.wslfweb.org/docs/dstp2000/dtappdf/contents.pdf

22. For more information on the B61-11 and other research on nuclear weapons with new capabilities during the 1990's, see Greg Mello, "New bomb, No Mission," *The Bulletin of Atomic Scientists*, May/June 1997, and Andrew Lichterman, *Looking for New Ways to Use Nuclear Weapons: U.S. Counterproliferation Programs, Weapons Effects Research, and "Mini-Nuke" Development*, Western States Legal Foundation Information Bulletin, Winter 2001, http://www.wslfweb.org/docs/mininuke.pdf.

23. U.S. Department of Defense, Deputy Under Secretary of Defense (Science and Technology), *Defense Technology Objectives for Defense Technology Area Plan*, (2000), "Nuclear Phenomenology," p. II-372, obtained by Western States Legal Foundation under the Freedom of Information Act. (Emphasis added) The full document can be found on the WSLF web site at http://www.wslfweb.org/docs/dstp2000/dtopdf/24-NT.pdf

24. Nuclear Posture Review, pp. 34-35, provided in "Nuclear Posture Review Excerpts," Globalsecurity.org, at http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm (hereafter *Nuclear Posture Review*). For a more detailed analysis of the Nuclear Posture Review and current U.S. nuclear weapons policies and their relationship to other high-tech weapons programs, see Andrew Lichterman and Jacqueline Cabasso, *The Shape of Things to Come: The Nuclear Posture Review, Missile Defense, and the Dangers of a New Arms Race,* WSLF Special Report, April 2002, http://www.wslfweb.org/docs/shape.pdf For additional information from a variety of sources about the Nuclear Posture Review, see the WSLF NPR information page at http://www.wslfweb.org/nukes/npr.htm

25. U.S. Department of Energy FY2004 Congressional Budget Request, National Nuclear Security Administration, Weapons Activities, Executive Summary, p.42 (pdf file pagination)

26. U.S. Department of Energy FY2003 Congressional Budget Request, National Nuclear Security Administration, Weapons Activities, Executive Summary p.10 (pdf file pagination)

27. See Walter Pincus, "Pentagon Pursues Nuclear Earth Penetrator," *The Washington Post*, March 7, 2003, p.A25.

28. "Stockpile Stewardship Conference Planning Meeting Minutes," 10 January 2003, Attachment 2, "Panels: Draft Topics Lists and Members." Obtained by the Los Alamos Study Group, www.lasg.org, full document available at http://www.lasg.org/StockpileStewardshipReview%5b1%5d.htm

29. For an overview of these missile programs, see *Missiles of Empire: America's 21st Century Global Legions*, Western States Legal Foundation Information Bulletin, Fall 2003 http://www.wslfweb.org/docs/missiles03.pdf

30. "Memo re FY 2004 National Defense Authorization Act," Linton Brooks, Administrator, National Nuclear Security Administration, U.S. Department of Energy, to Pete Nanos, Director, Los Alamos National Laboratory, Michael Anastasio, Director, Livermore National Laboratory, and C. Paul Robinson, President, Sandia National Laboratory, December 5, 2003. Obtained by the Los Alamos Study Group, http://www.lasg.org

31. Preamble, *Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water* (1963) Entered into Force: 10 Oct 1963.

32. 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Principles and Objectives for Nuclear Non-Proliferation and Disarmament*, NPT/CONF,1995/L.5, 9 May 1995.

33. Secretary of State Madeleine K. Albright, Remarks at Chicago Council on Foreign Relations, November 10, 1999, Chicago, Illinois, as released by the Office of the Spokesman, U.S. Department of State. Emphasis added.

34. 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Final Document*, NPT/CONF.2000/28, 22 May 2000.

35. National Nuclear Security Administration, *Infrastructure Plan for the NNSA Nuclear Weapons Complex*, April, 2003, p.8.

36. In 1978, long before the sophisticated new weapons testing facilities now being built by the United States were contemplated, three prominent U.S. nuclear weapons scientists, Norris Bradbury, Carson Mark, and Richard Garwin, wrote to President Jimmy Carter informing him that it would be possible to assure the safety and reliability of nuclear warheads without underground nuclear testing, so long as warhead designs were not significantly changed. They noted that

...[T]he assurance of continued operability of stockpiled nuclear weapons has in the past been achieved almost exclusively by non-nuclear testing-- by meticulous inspection and disassembly of the components of the nuclear weapons, including their firing and fusing equipment. Problems encountered in this inspection are normally validated by additional sampling and solved by the remanufacture of the affected components. This program is, of course, supplemented by the instrumented firing of the entire nuclear weapon with inert material replacing

the fissile materials, and the entire program thus far described would be unaffected by the requirements of a CTBT. It has been exceedingly rare for a weapon to be taken from the stockpile and fired 'for assurance.'

It has been rare to the point of non-existence for a problem revealed by the sampling and inspection program to <u>require</u> a nuclear test for its resolution. There are three acceptable approaches to the correction of deficiencies without requiring nuclear testing:

1) Remanufacture to precisely the original specifications

2) Remanufacture with minor modifications in surface treatment, protective coatings, and the like, after thorough review by experienced and knowledgeable individuals.

3) Replace the nuclear explosive by one which has previously been tested and accepted for the stockpile.

A fourth option, to replace the troubled nuclear system by one not already proof tested may result in improved performance, lesser use of special nuclear materials, or the like, *virtues which have more to do with improvement of the stockpile than with confirming its operability....*" Letter, N. Bradbury, C. Mark, and R. Garwin, to President Jimmy Carter, August 15, 1978, Appendix J to R.E. Kidder, "Maintaining the U.S. Stockpile of Nuclear Weapons During a Low-Threshold or Comprehensive Test Ban," Lawrence Livermore National Laboratory 1987. (Emphasis added)

37. As Sandia National Laboratory Director C. Paul Robinson noted in his testimony to the Senate Armed Services Committee on the CTBT, while the national laboratories "cannot create completely new concepts without testing, many previously tested designs could be weaponized to provide new military capabilities." Robinson observed that

For example, if nuclear weapons emerge as the right answer to deter the use of other weapons of mass destruction in a regional conflict, the nuclear weapons we currently deploy may carry too high a yield and be far too disproportionate a response to be a credible deterrent. Proven designs of lower yield exist that might be adaptable for new military requirements in the future. I believe that such weapons could be deployed this way without the need for nuclear tests. Statement of C. Paul Robinson to the U.S. Senate Armed Services Committee, October 7, 1999.

38. Comprehensive Nuclear-Test-Ban Treaty, Opened for signature at New York: 24 September 1996, Not yet in force, Depositary: Secretary-General of the United Nations.

39. Legality of the Threat or Use of Nuclear Weapons(General List No. 95 (Advisory Opinion of 8 July 1996)) Para. 98.

40. Albert Camus, "Between Hell and Reason," Combat, August 6, 1945, in Kai Bird and Lawrence Lifschultz, eds., *Hiroshima's Shadow: Writings on the Denial of History and the Smithsonian Controversy*, (Stony Creek, Connecticut: 1998), 261.

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