

**Verbal comment on Scope of Programmatic Environmental Impact  
Statement for Plutonium Pit Production  
Scoping Hearing, May 27, 2025, Virtual**

My name is John Burroughs. I am Senior Analyst for the New York City-based Lawyers Committee on Nuclear Policy, and a member of the Board of Directors, Western States Legal Foundation, based in Oakland, California.

The PEIS should assess a Denuclearization Alternative in which there would be no plutonium pit production at Los Alamos National Laboratory, Savannah River Site, or elsewhere.

During a February 13, 2025 press conference, President Donald Trump said that once things “settle down,” his administration plans to discuss denuclearization and reducing military spending with the Russian Federation and China, stating, “There's no reason for us to be building brand-new nuclear weapons. We already have so many, you could destroy the world 50 times over, 100 times over.” On March 6, 2025, he told reporters, “It would be great if everybody would get rid of their nuclear weapons. I know Russia and us have by far the most. China will have an equal amount within 4-5 years. It would be great if we could all denuclearize because the power of nuclear weapons is crazy.”

President Trump’s remarks are consistent with the aim of previous presidents, notably Ronald Reagan and Barack Obama, to work toward and achieve a world free of nuclear weapons. Moreover, President Trump’s remarks are in line with US obligations under the Nuclear Non-Proliferation Treaty.

Article VI of the 1970 NPT provides: “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.” I quote the article in full partly because I want to draw attention to a frequently overlooked element of Article VI, *cessation of the nuclear arms race at an early date*. Production of pits for new-design warheads on a new delivery system, the Sentinel ICBM, and on submarine-based ballistic missiles, qualifies as nuclear arms racing. The United States is obligated to pursue negotiations to cease such arms racing *at an early date*.

In its 1996 advisory opinion, the International Court of Justice interpreted Article VI, stating: “The legal import of that obligation goes beyond that of a mere obligation of conduct; the obligation involved here is an obligation to achieve a precise result - - nuclear disarmament in all its aspects -- by adopting a particular course of conduct, namely, the pursuit of negotiations on the matter in good faith.” The Court unanimously concluded, “There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.”

At the 2000 NPT Review Conference, the United States and other NPT parties agreed to an outcome document which included the following provision: “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.” That undertaking is in harmony with the Court’s analysis of Article VI. It was repeated in the outcome of the 2010 NPT Review Conference. Another important commitment in 2000 and 2010 was to *irreversible* nuclear disarmament.

NPT Article VI is part of the law of the land under the US Constitution, and the United States has consistently affirmed its intent to fulfill Article VI. Analysis of a Denuclearization Alternative in the PEIS accords with Article VI. In the context of a long-duration, nation-wide program with major security and environmental dimensions, a *programmatic* review encompassing a Denuclearization Alternative would inform whole of government decision-making.