

**Congress of the United States**  
**Washington, DC 20515**

June 8, 2020

The Honorable Dan Brouillette  
Secretary  
U.S. Department of Energy  
1000 Independence Ave SW  
Washington, DC 20585

The Honorable Mark T. Esper  
Secretary  
U.S. Department of Defense  
1000 Defense Pentagon  
Washington, DC 20301

Dear Secretary Brouillette and Secretary Esper,

We write to express our deep concern regarding the revelation of high-level meetings within the administration on resuming nuclear testing, and recent cavalier public statements from a Department of Defense official on this topic. We are also deeply concerned that no information has been provided to Congress on these meetings as required by law, and that the Department of Energy's National Nuclear Security Administration (NNSA), which has direct responsibility for the certification of the U.S. nuclear stockpile, has so far refused to provide answers following these public reports and statements.

It is unfathomable that the administration is considering something so short-sighted and dangerous, and that directly contradicts its own 2018 Nuclear Posture Review (NPR). The NPR, which this administration often cites as inviolable, makes clear that "the United States will not resume nuclear explosive testing unless necessary to ensure the safety and effectiveness of the U.S. nuclear arsenal." There is no information to suggest nuclear explosive testing is necessary based on these factors. In fact, the entities responsible for the safety and effectiveness of the nuclear deterrent—the Department of Energy's National Nuclear Security Administration (NNSA) and its nuclear weapons laboratories—have, without fail for 24 years, certified to the President that our nuclear weapons stockpile remains safe, secure, and reliable without the need for testing.

The U.S. maintains the most effective and capable nuclear deterrent in the world. And we have done so while observing a moratorium on nuclear explosive testing for the past three decades, made possible by the success of the science-based Stockpile Stewardship Program and a rigorous annual assessment process. Administrations of both parties have supported the Stockpile Stewardship Program, which also enjoys broad, bipartisan support in Congress and has been, by all measures, an unmitigated success.

A return to nuclear explosive testing would undermine our national security and the superiority of our nuclear deterrent. As the nation which tested more nuclear devices than every other nation *combined*, the United States benefits most from a global testing moratorium. For this same reason, ratifying the Comprehensive Test Ban Treaty would substantially enhance our national security. The notion that resuming testing would somehow pressure Russia or China into arms control negotiations is baseless and uninformed. Resuming testing would open the door for widespread global testing, which would only serve to benefit our adversaries and make Americans less safe. The administration

should instead focus its efforts on productive arms control negotiations, including extending the New START Treaty, seeking limitations on the introduction of new and unnecessary military capabilities, and continuing to champion the long-standing global moratorium on testing.

Beyond the security implications, a return to testing would have far-reaching human and environmental impacts. One need look no further than the public health and environmental toll that previous nuclear testing—both by the U.S. and by others—has taken here at home and around the globe. The U.S. taxpayers have spent billions of dollars and will continue to spend billions more in the coming decades to address these impacts.

We request that you produce the following information and documents by June 22, 2020. We also request a briefing on these answers by June 25, 2020.

1. As recently as February 2020, NNSA Administrator Gordon-Hagerty testified before the Congress that “the science-based Stockpile Stewardship Program supported certifying to the President for the 24<sup>th</sup> consecutive year that the U.S. nuclear weapons stockpile remains safe, secure, and reliable without the need for nuclear explosive testing.” This administration’s own standard for consideration of resuming of nuclear tests is whether our nuclear stockpile is unsafe or ineffective. What has changed?
2. Under what legal authority and with what funds is testing being considered? Please provide all sources of funds under consideration by program, project, or activity.
3. The current Stockpile Stewardship and Management Plan notes that the Department of Energy “assumes that a test would be conducted only when the President has declared a national emergency or other similar contingency and only after any necessary waiver of applicable statutory and regulatory restrictions.” Please describe the statutory and regulatory restrictions the administration believes are applicable and how the administration would pursue securing any necessary waivers.
4. Have either of your Departments tasked the intelligence community to analyze the potential consequences of a nuclear test and likely reactions by U.S. allies and adversaries? If so, please provide the analysis.
5. Has the Department of Energy or its national laboratories analyzed timelines, plans, costs and required capabilities with respect to resuming nuclear testing? If so, please provide the analysis.
6. Has there been any independent assessment requested by the Departments of Energy or Defense of the need, cost, and impact of resuming nuclear testing, including supercritical testing? If so, please provide this information.

We appreciate your prompt attention to this matter. If you have any questions, please contact our staff at 202-225-4151 (Armed Services) or 202-225-2771 (Appropriations).

Sincerely,



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Adam Smith  
Chairman  
House Armed Services Committee



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Jim Cooper  
Chairman, Subcommittee on Strategic Forces  
House Armed Services Committee



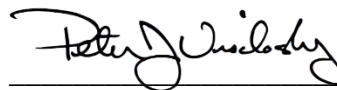
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Nita M. Lowey  
Chairwoman  
House Appropriations Committee



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Marcy Kaptur  
Chairwoman, Subcommittee on Energy and  
Water Development  
House Appropriations Committee



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Peter J. Visclosky  
Chairman, Subcommittee on Defense  
House Appropriations Committee