

DOD letter circulated to Members of Congress in late-May 2016 in response to amendment considered, but not yet introduced, by Senator Feinstein. Made available by Federation of American Scientists.

Informal View: Amendment to FY17 NDAA

LRSO – A Bill to impose conditions on funding for research and development of the Long-Range Standoff Weapon

- Section 1(a) would require a report that already has been, or will be, given to Congress as part of the standard DoD budget and acquisition processes. **This bill would impose additional administrative and cost burden to recreate and/or repackage information provided elsewhere.**
 - AoA completion: The AoA is complete, it is SAP, and it was shared with cleared staff members in 2014. However, the AoA does not and should not address why we have an airborne standoff leg of the Triad. The strategic premise was set outside of the AoA--the AoA only examined technical options to meet an air-based stand-off strategy in a cost and mission-effective manner.
 - LRSO cost estimate: This is initially produced as part of the on-going Milestone A process, and then updated at Milestone B. The W80-4 warhead is still in the Phase 6.2 process, so a cost estimate for it is premature.

- Section 1(b)(1)(A) would require a report on the types of targets the LRSO is needed to destroy that cannot also be destroyed by existing U.S. nuclear and conventional weapons. **Using the ability to destroy a target as sole metric is inconsistent with Administration policy and Presidential guidance.**
 - The President's guidance on nuclear employment directs that all plans must apply the principles of distinction and proportionality and seek to minimize collateral damage to civilian populations and civilian objects. Electing to retire a lower-yield option because a higher-yield weapon can also destroy the target would be inconsistent with this principle and direction.
 - Using the ability to destroy the target as the sole metric would also fail to address the dependence of effective deterrence on possessing credible options for responding to adversary attacks. A strategy of relying on large-scale or high-yield response options is credible and effective for deterring large-scale nuclear attack, particularly against the U.S. homeland, but it is less credible in the context of limited adversary use against an ally or U.S. forces operating abroad. Maintaining a credible ability to respond to a limited as well as large-scale nuclear attack against the United States or our allies strengthens our ability to deter such attacks from ever taking place.
 - We do not and should not think of nuclear weapons as just another tool for destroying a target. The President's guidance directs that DoD to assess what objectives and effects could be achieved through non-nuclear strike options, but also recognizes the unique contribution of nuclear weapons to our overall deterrence strategy. For example, the President might require a nuclear response to a nuclear attack in order to restore deterrence and prevent further attacks, even if a conventional weapon could also destroy the target.

- Requiring that only one warhead type is suitable for a given target also misses the LRSO's critical role in providing the ability to hedge against significant geopolitical or technical issues. An effective bomber force with standoff capability can be put on alert in response to a serious technical problem in another leg of the Triad, or if the nature of the threat changes suddenly. Reliance on a single warhead type would threaten the stability of our deterrence posture, and would have changed the approach required for negotiating the New START Treaty with Russia.
- Section 1(b)(1)(B) would require certification that the sole objective of the LRSO is to deter nuclear attack. **The required certification is inconsistent with the Administration's nuclear weapons policy and the President's guidance on nuclear employment.**
 - The 2010 Nuclear Posture Review (NPR) affirmed that the fundamental purpose of all U.S. nuclear weapons is to deter nuclear attack.
 - The 2010 NPR further stated that the United States will work to establish conditions under which it could adopt a "sole-purpose" policy, but found that it is not prepared at the present time to adopt such a policy.
 - It retains a narrow range of contingencies in which in which U.S. nuclear weapons may still play a role in deterring a conventional or CBW attack against the United States or its allies and partners.
 - Declaring "sole-purpose" could weaken our ability to extend deterrence to allies and assure them they do not need to pursue their own nuclear arsenals.