

carnegieendowment.org/publications/index.cfm?fa=view&id=988&prog=zgp&proj=znpp.

- 34 *NPR Excerpts*; William M. Arkin, "Secret Plan Outlines the Unthinkable," *Los Angeles Times*, March 10, 2002; Walter Pincus, "U.S. Nuclear Arms Stance Modified by Policy Study," *Washington Post*, March 23, 2002. Pincus wrote that the NPR "would give U.S. presidents the option of conducting a preemptive strike with precision-guided conventional bombs or nuclear weapons" against "hostile countries that threaten to use weapons of mass destruction."
- 35 *NPR Excerpts*.
- 36 *Weapons of Terror*, p. 90.

## Section 2.2: Preventive War and Counterproliferation

- 1 White House, "National Security Strategy of the United States of America, Section V," September 2002. Online at <http://www.whitehouse.gov/nsc/nss.pdf>. This doctrine was reaffirmed in Bush's second term National Security Strategy, released March 16, 2006, which states: "the United States will, if necessary, act preemptively in exercising our inherent right of self-defense." Online at <http://www.whitehouse.gov/nsc/nss/2006/sectionV.html>.
- 2 See Nicole Deller and John Burroughs, "Jus ad Bellum: Law Regulating Resort to Force," *Human Rights*, Vol. 30, No. 1, 2003, pp. 8-11. Online at <http://www.abanet.org/irr/hr/winter03/lawregulatingresorttoforce.html>. See also Peter Weiss, "The UN Charter and the Iraq War," New York session of the World Tribunal on Iraq, May 8, 2004, online at <http://lcnp.org/global/UNCharterIraqWar.htm>; and Andrew Lichterman and John Burroughs, "War Is Not the Path to Peace: The United States, Iraq, and the Need for Stronger International Legal Standards to Prevent War," Western States Legal Foundation and Lawyers' Committee on Nuclear Policy, October 24, 2002. Online at <http://lcnp.org/global/IraqLetter.htm>.
- 3 Ralph Bunche, "Some Reflections on Peace in Our Time," Nobel Lecture, University of Oslo, Oslo, December 11, 1950. Online at [http://nobelprize.org/nobel\\_prizes/peace/laureates/1950/bunche-lecture.html](http://nobelprize.org/nobel_prizes/peace/laureates/1950/bunche-lecture.html).
- 4 *Weapons of Terror*, p. 56.
- 5 George Perkovich, "Deconflating 'WMD'," WMD Commission background paper No. 17, October 2004, p. 1. Online at <http://www.wmdcommission.org/files/No17.pdf>.
- 6 *Id.*, p. 9.
- 7 Hans Kristensen, *Nuclear Futures: Proliferation of Weapons of Mass Destruction and U.S. Nuclear Strategy*, BASIC Research Report 98.2, British American Security Information Council, London, March 1998, p. 10. Online at [http://www.basicint.org/pubs/Research/1998nuclearfutures\(2\).pdf](http://www.basicint.org/pubs/Research/1998nuclearfutures(2).pdf). This report provides a detailed account of the shift in U.S. nuclear weapons targeting policy towards greater emphasis on broadly defined "weapons of mass destruction" threats" during the 1990s.
- 8 United States Joint Chiefs of Staff, Joint Pub 3-12.1: *Doctrine for Joint Theater Nuclear Operations*, February 9, 1996, p. I-3. Online at [http://www.fas.org/nuke/guide/usa/doctrine/dod/jp3\\_12\\_1.pdf](http://www.fas.org/nuke/guide/usa/doctrine/dod/jp3_12_1.pdf).
- 9 *Id.*, p. viii.

- 10 Secretary of the Air Force, Air Force Doctrine Document 2-1.5: *Nuclear Operations*, July 15, 1998, pp. 8-9 (emphasis supplied). Online at [http://www.dtic.mil/doctrine/jel/service\\_pubs/afd2\\_1\\_5.pdf](http://www.dtic.mil/doctrine/jel/service_pubs/afd2_1_5.pdf).
- 11 White House, *National Strategy to Combat Weapons of Mass Destruction*, December 2002, p. 3. Online at <http://www.whitehouse.gov/news/releases/2002/12/WMDStrategy.pdf>.
- 12 U.S. Department of Defense, *Strategic Deterrence Joint Operating Concept*, February 2004, pp. 32-33. Online at [http://www.dtic.mil/jointvision/sd\\_joc\\_v1.doc](http://www.dtic.mil/jointvision/sd_joc_v1.doc). "Joint Operating Concepts" are part of a set of planning documents intended "to assist in the development of enhanced joint military capabilities needed to protect and advance U.S. interests." The goal is "to realize the Chairman's vision of achieving Full Spectrum Dominance by the Joint Force." *Id.*, p. 1.
- 13 Committee on International Security and Arms Control, National Academy of Sciences, "Chapter 3: A Regime of Progressive Constraints, Nuclear Reductions and Nonproliferation section," *The Future of U.S. Nuclear Weapons Policy*, National Academy Press, Washington, D.C., 1997. Online at <http://www.nap.edu/readingroom/books/fun/3.html#redox>.
- 14 See "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. Online at <http://www.wslfweb.org/docs/mininuke.pdf>.
- 15 R. Jeffrey Smith, "Clinton Directive Changes Strategy on Nuclear Arms," *Washington Post*, December 7, 1997, p. 10.
- 16 Robert Bell, "Strategic Agreements and the CTB Treaty: Striking the Right Balance," *28 Arms Control Today*, No. 1, January/February 1998, p. 9. For more discussion see John Burroughs, "Two Legal Issues Confronting NATO and the Non-Proliferation Regime: US Presidential Decision Directive 60 versus Pledges of Non-Use of Nuclear Weapons Made to Non-Nuclear Weapon States; NATO Nuclear Sharing versus the Nuclear Non-Proliferation Treaty," Lawyers' Committee on Nuclear Policy, New York, May 3, 1999. Online at <http://www.lcnp.org/disarmament/npt/Nato.pdf>.
- 17 E.g. Patrick J. Sloyan, "New Nuke Policy by Clinton directive allows atomic retaliation against Hussein," *Newsday*, February 1, 1998, p. A7.
- 18 U.S. Department of Defense, "News Transcript," January 27, 1998. Presenter: Kenneth Bacon, Assistant Secretary of Defense of Public Affairs:

Q: I just wanted to check, has the President ruled out a response to weapons of mass destruction with our own weapons of mass destruction?

A: The Administration's policy on this is very clear. We will respond decisively with devastating force.

Q: The reason I ask is because if some of these targets are buried targets, the best weapons to get after them are the nuclear penetrating bombs. Has that been ruled out?

A: I don't think we've ruled anything in or out in this regard. Our position is that we would respond very aggressively.

- 19 See Patrick J. Sloyan, "New Nuke Policy by Clinton directive allows atomic retaliation against Hussein," *Newsday*, February 1, 1998, p. A7.
- 20 William S. Cohen, U.S. Secretary of Defense, "Chapter 2: The Military

- Requirements of the Defense Strategy,” *Annual Report to the President and Congress 2000*. Online at <http://www.dod.gov/execsec/adr1999/chap2.html>.
- 21 William M. Arkin, “Secret Plan Outlines the Unthinkable,” *The Los Angeles Times*, March 10, 2002 (web edition), quoting passages from the Nuclear Posture Review. “Nuclear Posture Review Excerpts.” Online at <http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm>. For detailed analysis of the NPR, see *The Shape of Things to Come: The Nuclear Posture Review, Missile Defense, and the Dangers of a New Arms Race*, Western States Legal Foundation Special Report, April 2002. Online at <http://www.wslfweb.org/docs/shape.pdf>.
- 22 White House, *National Strategy to Combat Weapons of Mass Destruction*, December 2002. Online at <http://www.whitehouse.gov/news/releases/2002/12/WMDStrategy.pdf>.
- 23 “President Bush Outlines Iraqi Threat,” Remarks by the President on Iraq, Cincinnati Museum Center—Cincinnati Union Terminal, Cincinnati, Ohio, October 7, 2002. Online at <http://www.whitehouse.gov/news/releases/2002/10/20021007-8.html>.
- 24 William M. Arkin, “The Nuclear Option in Iraq: The U.S. has lowered the bar for using the ultimate weapon,” *Los Angeles Times*, January 26, 2003. Reproduced online at <http://www.commondreams.org/views03/0126-01.htm>.
- 25 Seymour Hersh, “The Iran Plans: Would President Bush go to war to stop Tehran from getting the bomb?” *The New Yorker*, April 17, 2006; Peter Baker, Dafna Linzer and Thomas E. Ricks, “U.S. Is Studying Military Strike Options on Iran: Any Mix of Tact, Threats Alarms Critics,” *Washington Post*, April 9, 2006; Seymour Hersh, “Last Stand: The military’s problem with the president’s Iran policy,” *The New Yorker*, July 10, 2006.

### Section 2.3: Nuclear Weapons Research and Development

- 1 *Weapons of Terror*, p. 61.
- 2 *Id.*, Chairman’s Preface, p. 15.
- 3 *Id.*
- 4 *Id.* (emphasis supplied).
- 5 *Id.*, p. 10.
- 6 *Id.*, p. 38.
- 7 *Id.*
- 8 *Id.*
- 9 *Id.*, p. 35 (emphasis supplied).
- 10 Amulya K.N. Reddy, “*Designing Nuclear Weapons: The Moral Question*,” in *Prisoners of the Nuclear Dream*, edited by M.V. Ramana and C. Rammmanohar Reddy, Orient Longman, New Delhi, 2003, pp. 190-194 (emphasis supplied).
- 11 Dwight D. Eisenhower, Farewell Address, January 17, 1961. Online at <http://www.americanrhetoric.com/speeches/dwightdeisenhowerfarewell.html>. The original speech as written used the term “Congressional-Military-Industrial Complex” but it was edited out of the speech as Eisenhower delivered it. See also <http://en.wikipedia.org/wiki/Military-industrial>.
- 12 Based on close observation and analysis of developments at our local nuclear weapons lab, Western States Legal Foundation, began warning of this in the