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Department of Energy
National Nuclear Security Administration
Washington, DC 20585

DEC 5 2003

OFFICE OF THE ADMINISTRATOR

MEMORANDUM FOR PETE NANOS, DIRECTOR
LOS ALAMOS NATIONAL LABORATORY
MICHAEL ANASTASIO, DIRECTOR
LAWRENCE LIVERMORE NATIONAL LABORATORY
C PAUL ROBINSON, PRESIDENT
SANDIA NATIONAL LABORATORY

FROM LINTON F BROOKS, ADMINISTRATOR

SUBJECT FY 2004 National Defense Authorization Act

On November 24, 2003, President Bush signed the National Defense Authorization Act for FY2004 Section 3116 of this law repealed the 1994 law prohibiting the Secretary of Energy from conducting research and development that could lead to the production of a new, low-yield nuclear weapon (i e , Section 3136 of Public Law 103-160—the so-called PLYWD restriction) The administration had sought to remove this restriction because of the chilling effect it has had on nuclear weapons research and development

On behalf of the administration, I would like to thank you and your staff for helping to support this important effort, we are now free to explore a range of technical options that could strengthen our ability to deter, or respond to new or emerging threats without any concern that some ideas could inadvertently violate a vague and arbitrary limitation (Of course, testing, acquisition or deployment of any nuclear weapon—low-yield or otherwise—or commencement of weapons engineering development or subsequent phases, requires authorization by Congress)

Along these lines, 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 Potentially important areas of such research include agent defeat and reduced collateral damage

In addition, we must take advantage of this opportunity to ensure that we close any gaps that may have opened this past decade in our understanding of the possible military applications of atomic energy—no novel nuclear weapons concept developed by any other nation should ever come as a technical surprise to us

Repeal of the PLYWD restriction on nuclear weapons research and development represents, in part, an endorsement by Congress of our efforts to begin to address the nuclear weapons stockpile in accordance with the recommendations of the administration's Nuclear Posture Review to meet the security needs of the 21st century We should not fail to take advantage of this opportunity

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