

114TH CONGRESS
1ST SESSION

S. 831

To reduce the number of nuclear-armed submarines operated by the Navy, to prohibit the development of a new long-range penetrating bomber aircraft, to prohibit the procurement of new intercontinental ballistic missiles, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 23, 2015

Mr. MARKEY (for himself, Mr. SANDERS, Mr. MERKLEY, and Mr. FRANKEN) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To reduce the number of nuclear-armed submarines operated by the Navy, to prohibit the development of a new long-range penetrating bomber aircraft, to prohibit the procurement of new intercontinental ballistic missiles, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Smarter Approach to
5 Nuclear Expenditures Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The Berlin Wall fell in 1989, the Soviet
2 Union no longer exists, and the Cold War is over.
3 The nature of threats to the national security and
4 military interests of the United States has changed.
5 However, the United States continues to maintain
6 an enormous arsenal of nuclear weapons and deliv-
7 ery systems that were devised with the Cold War in
8 mind.

9 (2) The current nuclear arsenal of the United
10 States includes approximately 5,000 total nuclear
11 warheads, of which approximately 2,000 are de-
12 ployed with three delivery components: long-range
13 strategic bomber aircraft, land-based interconti-
14 nental ballistic missiles, and submarine-launched
15 ballistic missiles. The bomber fleet of the United
16 States comprises 93 B-52 and 20 B-2 aircraft. The
17 United States maintains 450 intercontinental bal-
18 listic missiles. The United States also maintains 14
19 Ohio-class submarines, up to 12 of which are de-
20 ployed at sea. Each of those submarines is armed
21 with up to 96 independently targetable nuclear war-
22 heads.

23 (3) This Cold War-based approach to nuclear
24 security comes at significant cost. Over the next 10
25 years, the United States will spend hundreds of bil-

1 lions of dollars maintaining its nuclear force. A sub-
2 stantial decrease in spending on the nuclear arsenal
3 of the United States is prudent for both the budget
4 and national security.

5 (4) The national security interests of the
6 United States can be well served by reducing the
7 total number of deployed nuclear warheads and their
8 delivery systems, as stated by the Department of
9 Defense's June 2013 nuclear policy guidance enti-
10 tled, "Report on Nuclear Employment Strategy of
11 the United States". This guidance found that force
12 levels under the Treaty on Measures for the Further
13 Reduction and Limitation of Strategic Offensive
14 Arms, signed on April 8, 2010, and entered into
15 force on February 5, 2011, between the United
16 States and the Russian Federation (commonly
17 known as the "New START Treaty") "are more
18 than adequate for what the United States needs to
19 fulfill its national security objectives" and that the
20 force can be reduced by up to $\frac{1}{3}$ below levels under
21 the New START Treaty to 1,000 to 1,100 war-
22 heads.

23 (5) Even without additional reductions in de-
24 ployed strategic warheads, the United States can
25 save tens of billions of dollars by deploying those

1 warheads more efficiently on delivery systems and by
2 deferring production of new delivery systems until
3 they are needed.

4 (6) Economic security and national security are
5 linked and both will be well served by smart defense
6 spending. Admiral Mike Mullen, Chairman of the
7 Joint Chiefs of Staff, stated on June 24, 2010,
8 “Our national debt is our biggest national security
9 threat” and on August 2, 2011, stated, “I haven’t
10 changed my view that the continually increasing
11 debt is the biggest threat we have to our national se-
12 curity.”.

13 (7) The Government Accountability Office has
14 found that there is significant waste in the construc-
15 tion of the nuclear facilities of the National Nuclear
16 Security Administration of the Department of En-
17 ergy.

18 **SEC. 3. REDUCTION IN NUCLEAR FORCES.**

19 (a) PROHIBITION ON NEW LONG-RANGE PENE-
20 TRATING BOMBER AIRCRAFT.—Notwithstanding any
21 other provision of law, none of the funds authorized to
22 be appropriated or otherwise made available for any of fis-
23 cal years 2015 through 2024 for the Department of De-
24 fense may be obligated or expended for the research, devel-

1 opment, test, and evaluation or procurement of a long-
2 range penetrating bomber aircraft.

3 (b) PROHIBITION ON F-35 NUCLEAR MISSION.—

4 Notwithstanding any other provision of law, none of the
5 funds authorized to be appropriated or otherwise made
6 available for fiscal year 2015 or any fiscal year thereafter
7 for the Department of Defense or the Department of En-
8 ergy may be used to make the F-35 Joint Strike Fighter
9 aircraft capable of carrying nuclear weapons.

10 (c) REDUCTION IN THE B61 LIFE EXTENSION PRO-

11 GRAM.—Notwithstanding any other provision of law, none
12 of the funds authorized to be appropriated or otherwise
13 made available for fiscal year 2015 or any fiscal year
14 thereafter for the Department of Defense or the Depart-
15 ment of Energy may be obligated or expended for the B61
16 life extension program until the Secretary of Defense and
17 the Secretary of Energy jointly certify to Congress that
18 the total cost of the B61 life extension program has been
19 reduced to not more than \$4,000,000,000.

20 (d) TERMINATION OF W78 LIFE EXTENSION PRO-

21 GRAM.—Notwithstanding any other provision of law, none
22 of the funds authorized to be appropriated or otherwise
23 made available for fiscal year 2015 or any fiscal year
24 thereafter for the Department of Defense or the Depart-

1 ment of Energy may be obligated or expended for the W78
2 life extension program.

3 (e) REDUCTION OF NUCLEAR-ARMED SUB-
4 MARINES.—Notwithstanding any other provision of law,
5 beginning in fiscal year 2021, the forces of the Navy shall
6 include not more than eight ballistic-missile submarines
7 available for deployment.

8 (f) LIMITATION ON SSBN-X SUBMARINES.—Not-
9 withstanding any other provision of law—

10 (1) none of the funds authorized to be appro-
11 priated or otherwise made available for any of fiscal
12 years 2015 through 2024 for the Department of De-
13 fense may be obligated or expended for the procure-
14 ment of an SSBN-X submarine; and

15 (2) none of the funds authorized to be appro-
16 priated or otherwise made available for fiscal year
17 2025 or any fiscal year thereafter for the Depart-
18 ment of Defense may be obligated or expended for
19 the procurement of more than eight such sub-
20 marines.

21 (g) PROHIBITION ON NEW INTERCONTINENTAL BAL-
22 LISTIC MISSILE.—Notwithstanding any other provision of
23 law, none of the funds authorized to be appropriated or
24 otherwise made available for any of fiscal years 2015
25 through 2024 for the Department of Defense may be obli-

1 gated or expended for the research, development, test, and
2 evaluation or procurement of a new intercontinental bal-
3 listic missile.

4 (h) TERMINATION OF MIXED OXIDE FUEL FABRICA-
5 TION FACILITY PROJECT.—Notwithstanding any other
6 provision of law, none of the funds authorized to be appro-
7 priated or otherwise made available for fiscal year 2015
8 or any fiscal year thereafter for the Department of De-
9 fense or the Department of Energy may be obligated or
10 expended for the Mixed Oxide Fuel Fabrication Facility
11 project.

12 (i) TERMINATION OF URANIUM PROCESSING FACIL-
13 ITY.—Notwithstanding any other provision of law, none
14 of the funds authorized to be appropriated or otherwise
15 made available for fiscal year 2015 or any fiscal year
16 thereafter for the Department of Defense or the Depart-
17 ment of Energy may be obligated or expended for the Ura-
18 nium Processing Facility located at the Y-12 National Se-
19 curity Complex, Oak Ridge, Tennessee.

20 (j) PROHIBITION ON NEW AIR LAUNCHED CRUISE
21 MISSILE.—Notwithstanding any other provision of law,
22 none of the funds authorized to be appropriated or other-
23 wise made available for fiscal year 2015 or any fiscal year
24 thereafter for the Department of Defense or the Depart-
25 ment of Energy may be obligated or expended for the re-

1 search, development, test, and evaluation or procurement
2 of a new air-launched cruise missile or for the W80 war-
3 head life extension program.

4 **SEC. 4. REPORTS REQUIRED.**

5 (a) INITIAL REPORT.—Not later than 180 days after
6 the date of the enactment of this Act, the Secretary of
7 Defense and the Secretary of Energy shall jointly submit
8 to the appropriate committees of Congress a report out-
9 lining the plan of each Secretary to carry out section 3.

10 (b) ANNUAL REPORT.—Not later than March 1,
11 2016, and annually thereafter, the Secretary of Defense
12 and the Secretary of Energy shall jointly submit to the
13 appropriate committees of Congress a report outlining the
14 plan of each Secretary to carry out section 3, including
15 any updates to previously submitted reports.

16 (c) ANNUAL NUCLEAR WEAPONS ACCOUNTING.—
17 Not later than September 30, 2016, and annually there-
18 after, the President shall transmit to the appropriate com-
19 mittees of Congress a report containing a comprehensive
20 accounting by the Director of the Office of Management
21 and Budget of the amounts obligated and expended by the
22 Federal Government for each nuclear weapon and related
23 nuclear program during—

24 (1) the fiscal year covered by the report; and

25 (2) the life cycle of such weapon or program.

1 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
2 FINED.—In this section, the term “appropriate commit-
3 tees of Congress” means—

4 (1) the Committee on Armed Services, the
5 Committee on Foreign Relations, the Committee on
6 Appropriations, and the Committee on Energy and
7 Natural Resources of the Senate; and

8 (2) the Committee on Armed Services, the
9 Committee on Foreign Affairs, the Committee on
10 Appropriations, the Committee on Energy and Com-
11 merce, and the Committee on Natural Resources of
12 the House of Representatives.

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