

AMENDMENT NO. _____ Calendar No. _____

Purpose: To prohibit the use of funds to reduce the nuclear forces of the United States.

IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.

H. R. 4350

To authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. HOEVEN to
the amendment (No. 3867) proposed by Mr. REED

Viz:

1 At the end of subtitle C of title XV, add the following:

2 **SEC. 1548. PROHIBITION ON THE USE OF FUNDS TO RE-**

3 **DUCE UNITED STATES NUCLEAR FORCES.**

4 (a) PROHIBITION.—None of the funds authorized to

5 be appropriated to the Department of Defense or the Na-

6 tional Nuclear Security Administration for any of fiscal

7 years 2022 through 2027 may be obligated or expended

8 to reduce—

1 (1) the total quantity of strategic delivery sys-
2 tems below the quantity of such systems as of Janu-
3 ary 1, 2021;

4 (2) the quantity of deployed or non-deployed
5 strategic delivery systems below the quantities de-
6 scribed as the “Final New START Treaty Force
7 Structure” in the plan on the implementation of the
8 New START Treaty required by section 1042 of the
9 National Defense Authorization Act for Fiscal Year
10 2012 (Public Law 112–81; 125 Stat. 1575); or

11 (3) the size of the nuclear weapons stockpile
12 below the size of the stockpile as of January 1,
13 2021.

14 (b) EXCEPTIONS.—The prohibition under subsection
15 (a) does not apply to—

16 (1) reductions made to ensure the safety, secu-
17 rity, reliability, and credibility of the nuclear weap-
18 ons stockpile and strategic delivery systems, includ-
19 ing activities related to surveillance, assessment, cer-
20 tification, testing, and maintenance of nuclear weap-
21 ons and strategic delivery systems;

22 (2) temporary reductions in the quantity of nu-
23 clear weapons or deployed strategic delivery systems
24 to facilitate the fielding of modernized replacements;

1 (3) nuclear weapons that are retired or await-
2 ing dismantlement as of January 1, 2021; or

3 (4) reductions made pursuant to a treaty with
4 respect to which the Senate has provided its advice
5 and consent pursuant to article II, section 2, clause
6 2 of the Constitution of the United States.

7 (c) DEFINITIONS.—In this section:

8 (1) NEW START TREATY.—The term “New
9 START Treaty” means the Treaty between the
10 United States of America and the Russian Federa-
11 tion on Measures for the Further Reduction and
12 Limitation of Strategic Offensive Arms, signed on
13 April 8, 2010, and entered into force on February
14 5, 2011.

15 (2) STRATEGIC DELIVERY SYSTEM.—The term
16 “strategic delivery system” means any of the fol-
17 lowing:

18 (A) LGM–30G Minuteman III interconti-
19 nental ballistic missiles and any associated re-
20 entry vehicles.

21 (B) Launch facilities for LGM–30G Min-
22 uteman III intercontinental ballistic missiles,
23 whether deployed or non-deployed.

24 (C) Ohio-class fleet ballistic missile sub-
25 marines.

1 (D) UGM-133 Trident II submarine-
2 launched ballistic missiles and any associated
3 reentry vehicles.

4 (E) B-52H Stratofortress long-range
5 heavy bombers.

6 (F) B-2A Spirit stealth bombers.

7 (G) AGM-86B air-launched cruise mis-
8 siles.