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(Original Signature of Member)

112TH CONGRESS  
2ND SESSION

**H. R.**

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 reduce the number of intercontinental ballistic missiles operated by the Department of Defense, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. MARKEY (for himself and [see ATTACHED LIST of cosponsors]) introduced the following bill; which was referred to the Committee on

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**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 reduce the number of intercontinental ballistic missiles operated by the Department of Defense, 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”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The Berlin Wall fell in 1989, the U.S.S.R.  
4 no longer exists, and the Cold War is over. The na-  
5 ture of threats to the national security and military  
6 interests of the United States has changed. How-  
7 ever, the United States continues to maintain an  
8 enormous arsenal of nuclear weapons and delivery  
9 systems that were devised with the Cold War in  
10 mind.

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

25 (3) This Cold War-based approach to nuclear  
26 security comes at significant cost. Over the next 10

1 years, the United States will spend hundreds of bil-  
2 lions of dollars maintaining its nuclear force. A sub-  
3 stantial decrease in the nuclear arsenal of the  
4 United States is prudent for both the budget and  
5 national security.

6 (4) The national security interests of the  
7 United States can be well served by reducing the  
8 total number of deployed nuclear warheads and their  
9 delivery systems, as suggested by the Department of  
10 Defense's January 2012 strategic guidance titled  
11 "Sustaining U.S. Global Leadership: Priorities for  
12 21st Century Defense". Furthermore, a number of  
13 arms control, nuclear, and national security experts  
14 have urged the United States to reduce the number  
15 of deployed nuclear warheads to no more than  
16 1,000.

17 (5) Economic security and national security are  
18 linked and both will be well served by smart defense  
19 spending. Admiral Mike Mullen, Chairman of the  
20 Joint Chiefs of Staff, stated on June 24, 2010, that  
21 "Our national debt is our biggest national security  
22 threat" and on August 2, 2011, stated that "I  
23 haven't changed my view that the continually in-  
24 creasing debt is the biggest threat we have to our  
25 national security."

1           (6) The Government Accountability Office has  
2           found that there is significant waste in the construc-  
3           tion of the nuclear facilities of the National Nuclear  
4           Security Administration of the Department of En-  
5           ergy.

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

7           (a) PROHIBITION ON USE OF B-2 AND B-52 AIR-  
8           CRAFT FOR NUCLEAR MISSIONS.—Notwithstanding any  
9           other provision of law, none of the funds authorized to  
10          be appropriated or otherwise made available for fiscal year  
11          2013 or any fiscal year thereafter for the Department of  
12          Defense may be obligated or expended to arm a B-2 or  
13          B-52 aircraft with a nuclear weapon.

14          (b) PROHIBITION ON NEW LONG-RANGE PENE-  
15          TRATING BOMBER AIRCRAFT.—Notwithstanding any  
16          other provision of law, none of the funds authorized to  
17          be appropriated or otherwise made available for any of fis-  
18          cal years 2013 through 2023 for the Department of De-  
19          fense may be obligated or expended for the research, devel-  
20          opment, test, and evaluation or procurement of a long-  
21          range penetrating bomber aircraft.

22          (c) PROHIBITION ON F-35 NUCLEAR MISSION.—  
23          Notwithstanding any other provision of law, none of the  
24          funds authorized to be appropriated or otherwise made  
25          available for fiscal year 2013 or any fiscal year thereafter

1 for the Department of Defense or the Department of En-  
2 ergy may be used to make the F-35 Joint Strike Fighter  
3 aircraft capable of carrying nuclear weapons.

4 (d) TERMINATION OF B61 LEP.—Notwithstanding  
5 any other provision of law, none of the funds authorized  
6 to be appropriated or otherwise made available for fiscal  
7 year 2013 or any fiscal year thereafter for the Department  
8 of Defense or the Department of Energy may be obligated  
9 or expended for the B61 life extension program.

10 (e) TERMINATION OF W78 LEP.—Notwithstanding  
11 any other provision of law, none of the funds authorized  
12 to be appropriated or otherwise made available for fiscal  
13 year 2013 or any fiscal year thereafter for the Department  
14 of Defense or the Department of Energy may be obligated  
15 or expended for the W78 life extension program.

16 (f) REDUCTION OF NUCLEAR-ARMED SUB-  
17 MARINES.—Notwithstanding any other provision of law,  
18 beginning in fiscal year 2013, the forces of the Navy shall  
19 include not more than eight operational ballistic-missile  
20 submarines available for deployment.

21 (g) LIMITATION ON SSBN-X SUBMARINES.—Not-  
22 withstanding any other provision of law—

23 (1) none of the funds authorized to be appro-  
24 priated or otherwise made available for any of fiscal  
25 years 2013 through 2023 for the Department of De-

1 fense may be obligated or expended for the procure-  
2 ment of an SSBN-X submarine; and

3 (2) none of the funds authorized to be appro-  
4 priated or otherwise made available for fiscal year  
5 2024 or any fiscal year thereafter for the Depart-  
6 ment of Defense may be obligated or expended for  
7 the procurement of more than eight such sub-  
8 marines.

9 (h) REDUCTION OF ICBMS.—Notwithstanding any  
10 other provision of law, none of the funds authorized to  
11 be appropriated or otherwise made available for fiscal year  
12 2013 or any fiscal year thereafter for the Department of  
13 Defense may be obligated or expended to maintain more  
14 than 200 intercontinental ballistic missiles.

15 (i) REDUCTION OF SLBMS.—Notwithstanding any  
16 other provision of law, none of the funds authorized to  
17 be appropriated or otherwise made available for fiscal year  
18 2013 or any fiscal year thereafter for the Department of  
19 Defense may be obligated or expended to maintain more  
20 than 250 submarine-launched ballistic missiles.

21 (j) PROHIBITION ON NEW ICBM.—Notwithstanding  
22 any other provision of law, none of the funds authorized  
23 to be appropriated or otherwise made available for fiscal  
24 year 2013 or any fiscal year thereafter for the Department  
25 of Defense may be obligated or expended for the research,

1 development, test, and evaluation or procurement of a new  
2 intercontinental ballistic missile.

3 (k) TERMINATION OF MOX FUEL PLANT  
4 PROJECT.—Notwithstanding any other provision of law,  
5 none of the funds authorized to be appropriated or other-  
6 wise made available for fiscal year 2013 or any fiscal year  
7 thereafter for the Department of Defense or the Depart-  
8 ment of Energy may be obligated or expended for the  
9 Mixed Oxide (MOX) Fuel Fabrication Facility project.

10 (l) TERMINATION OF CMRR PROJECT.—Notwith-  
11 standing any other provision of law, none of the funds au-  
12 thorized to be appropriated or otherwise made available  
13 for fiscal year 2013 or any fiscal year thereafter for the  
14 Department of Defense or the Department of Energy may  
15 be obligated or expended for the Chemistry and Metal-  
16 lurgy Research Replacement nuclear facility.

17 (m) TERMINATION OF UPF.—Notwithstanding any  
18 other provision of law, none of the funds authorized to  
19 be appropriated or otherwise made available for fiscal year  
20 2013 or any fiscal year thereafter for the Department of  
21 Defense or the Department of Energy may be obligated  
22 or expended for the Uranium Processing Facility located  
23 at the Y-12 National Security Complex.

24 (n) TERMINATION OF MEADS.—Notwithstanding  
25 any other provision of law, none of the funds authorized

1 to be appropriated or otherwise made available for fiscal  
2 year 2013 or any fiscal year thereafter for the Department  
3 of Defense may be obligated or expended for the medium  
4 extended air defense system.

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

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

11 (b) ANNUAL REPORT.—Not later than March 1,  
12 2013, and each year thereafter, the Secretary of Defense  
13 and the Secretary of Energy shall jointly submit to the  
14 appropriate committees of Congress a report outlining the  
15 plan of each Secretary to carry out section 3, including  
16 any updates to previously submitted reports.

17 (c) ANNUAL NUCLEAR WEAPONS ACCOUNTING.—  
18 Not later than September 30, 2013, and each year there-  
19 after, the President shall transmit to the appropriate com-  
20 mittees of Congress a report containing a comprehensive  
21 accounting by the Director of the Office of Management  
22 and Budget of the amounts obligated and expended by the  
23 Federal Government for each nuclear weapon and related  
24 nuclear program during—

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

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

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

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

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