

119TH CONGRESS
1ST SESSION

S. _____

To reduce spending on nuclear weapons and related defense spending and to prohibit the procurement and deployment of low-yield nuclear warheads, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MARKEY introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To reduce spending on nuclear weapons and related defense spending and to prohibit the procurement and deployment of low-yield nuclear warheads, 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 Approaches
5 to Nuclear Expenditures Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) The United States continues to maintain an
2 excessively large and costly arsenal of nuclear deliv-
3 ery systems and warheads that are a holdover from
4 the Cold War.

5 (2) The current nuclear arsenal of the United
6 States includes approximately 3,748 total nuclear
7 warheads in its military stockpile, of which approxi-
8 mately 1,770 are deployed with five delivery compo-
9 nents: land-based intercontinental ballistic missiles,
10 submarine-launched ballistic missiles, long-range
11 strategic bomber aircraft armed with nuclear gravity
12 bombs, long-range strategic bomber aircraft armed
13 with nuclear-armed air-launched cruise missiles, and
14 short-range fighter aircraft that can deliver nuclear
15 gravity bombs. The strategic bomber fleet of the
16 United States comprises 87 B-52 and 20 B-2 air-
17 craft, over 66 of which contribute to the nuclear
18 mission. The United States also maintains 400
19 intercontinental ballistic missiles and 14 Ohio-class
20 submarines, up to 12 of which are deployed. Each
21 of those submarines is armed with approximately 90
22 nuclear warheads.

23 (3) According to the Congressional Budget Of-
24 fice, the projected cost to sustain and modernize the
25 United States nuclear arsenal has increased signifi-

1 cantly. From 2025 to 2034, the Congressional
2 Budget Office estimates that the cost will be
3 \$946,000,000,000 to operate, sustain, and mod-
4 ernize current nuclear forces, an average of
5 \$95,000,000,000 annually. When accounting for in-
6 flation and rising program expenses, the cost could
7 easily surpass \$1,000,000,000,000 in the 10 year
8 period after the date of the enactment of this Act.
9 Current estimates from the Congressional Budget
10 Office for the period between 2025 and 2034 have
11 already ballooned by 25 percent, or
12 \$190,000,000,000, more than the 2023 estimate for
13 the period between 2023 and 2032. Further calls to
14 increase the nuclear arsenal would increase these
15 projections.

16 (4) According to the Government Accountability
17 Office, **【the National Nuclear Security Administra-**
18 **tion (NNSA)】** has still not factored affordability
19 concerns into its planning as was recommended by
20 the Government Accountability Office in 2017, with
21 the warning that “it is essential for NNSA to
22 present information to Congress and other key deci-
23 sion makers indicating whether the agency has
24 prioritized certain modernization programs or con-
25 sidered trade-offs (such as deferring or cancelling

1 specific modernization programs)”. Instead, the
2 budget estimate of the Department of Energy for
3 nuclear modernization activities during the period of
4 fiscal years 2021 through 2025 was
5 \$83,619,000,000—\$15,410,000,000 more than the
6 2020 budget estimate of the Department for the
7 same period.

8 (5) A December 2020 Congressional Budget
9 Office analysis showed that the projected costs of
10 nuclear forces over the next decade can be reduced
11 by \$15,380,000,000 to \$16,870,000,000 by trim-
12 ming back current plans, while still maintaining a
13 triad of delivery systems. Even larger savings would
14 accrue over the subsequent decade.

15 (6) The Department of Defense’s June 2013
16 nuclear policy guidance entitled “Report on Nuclear
17 Employment Strategy of the United States” found
18 that force levels under the April 2010 Treaty on
19 Measures for the Further Reduction and Limitation
20 of Strategic Offensive Arms between the United
21 States and the Russian Federation (commonly
22 known as the “New START Treaty”) “are more
23 than adequate for what the United States needs to
24 fulfill its national security objectives” and can be re-

1 duced by up to $\frac{1}{3}$ below levels under the New
2 START Treaty to 1,000 to 1,100 warheads.

3 (7) President Trump expanded the role of, and
4 spending on, nuclear weapons in United States pol-
5 icy at the same time that he withdrew from, un-
6 signed, or otherwise terminated a series of important
7 arms control and nonproliferation agreements.

8 **SEC. 3. REDUCTIONS IN NUCLEAR FORCES.**

9 (a) REDUCTION OF NUCLEAR-ARMED SUB-
10 MARINES.—Notwithstanding any other provision of law,
11 none of the funds authorized to be appropriated or other-
12 wise made available for fiscal year 2026 or any fiscal year
13 thereafter for the Department of Defense may be obli-
14 gated or expended for purchasing more than eight Colum-
15 bia-class submarines.

16 (b) REDUCTION OF GROUND-BASED MISSILES.—Not-
17 withstanding any other provision of law, beginning in fis-
18 cal year 2026, the forces of the Air Force shall include
19 not more than 150 intercontinental ballistic missiles.

20 (c) REDUCTION OF DEPLOYED STRATEGIC WAR-
21 HEADS.—Notwithstanding any other provision of law, be-
22 ginning in fiscal year 2026, the forces of the United States
23 Military shall include not more than 1,000 deployed stra-
24 tegic warheads, as that term is defined in the New START
25 Treaty.

1 (d) LIMITATION ON NEW LONG-RANGE PENE-
2 TRATING BOMBER AIRCRAFT.—Notwithstanding any
3 other provision of law, none of the funds authorized to
4 be appropriated or otherwise made available for any of fis-
5 cal years 2024 through 2030 for the Department of De-
6 fense may be obligated or expended for purchasing more
7 than 80 B–21 long-range penetrating bomber aircraft.

8 (e) PROHIBITION ON F–35 NUCLEAR MISSION.—
9 Notwithstanding any other provision of law, none of the
10 funds authorized to be appropriated or otherwise made
11 available for fiscal year 2026 or any fiscal year thereafter
12 for the Department of Defense or the Department of En-
13 ergy may be used to make the F–35 Joint Strike Fighter
14 aircraft capable of carrying nuclear weapons.

15 (f) PROHIBITION ON NEW AIR-LAUNCHED CRUISE
16 MISSILE.—Notwithstanding any other provision of law,
17 none of the funds authorized to be appropriated or other-
18 wise made available for fiscal year 2026 or any fiscal year
19 thereafter for the Department of Defense or the Depart-
20 ment of Energy may be obligated or expended for the re-
21 search, development, test, and evaluation or procurement
22 of the long-range stand-off weapon or any other new air-
23 launched cruise missile or for the W80 warhead life exten-
24 sion program.

1 (g) PROHIBITION ON NEW INTERCONTINENTAL BAL-
2 LISTIC MISSILE.—Notwithstanding any other provision of
3 law, none of the funds authorized to be appropriated or
4 otherwise made available for fiscal year 2026 or any fiscal
5 year thereafter for the Department of Defense may be ob-
6 ligated or expended for the research, development, test,
7 and evaluation or procurement of the LGM–35 Sentinel,
8 previously known as the ground-based strategic deterrent,
9 or any new intercontinental ballistic missile.

10 (h) TERMINATION OF URANIUM PROCESSING FACIL-
11 ITY.—Notwithstanding any other provision of law, none
12 of the funds authorized to be appropriated or otherwise
13 made available for fiscal year 2026 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 Ura-
16 nium Processing Facility located at the Y–12 National Se-
17 curity Complex, Oak Ridge, Tennessee.

18 (i) PROHIBITION ON PROCUREMENT AND DEPLOY-
19 MENT OF NEW LOW-YIELD WARHEAD.—Notwithstanding
20 any other provision of law, none of the funds authorized
21 to be appropriated or otherwise made available for fiscal
22 year 2026 or any fiscal year thereafter for the Department
23 of Defense or the Department of Energy may be obligated
24 or expended to deploy the W76–2 low-yield nuclear war-

1 head or any other low-yield or nonstrategic nuclear war-
2 head.

3 (j) PROHIBITION ON NEW SUBMARINE-LAUNCHED
4 CRUISE MISSILE.—Notwithstanding any other provision
5 of law, none of the funds authorized to be appropriated
6 or otherwise made available for fiscal year 2026 or any
7 fiscal year thereafter for the Department of Defense or
8 the Department of Energy may be obligated or expended
9 for the research, development, test, and evaluation or pro-
10 curement of a new submarine-launched cruise missile ca-
11 pable of carrying a low-yield or nonstrategic nuclear war-
12 head, as the 2022 Nuclear Posture Review found this sys-
13 tem “no longer necessary”.

14 (k) LIMITATION ON PLUTONIUM PIT PRODUCTION.—

15 (1) IN GENERAL.—Notwithstanding any other
16 provision of law, none of the funds authorized to be
17 appropriated or otherwise made available for fiscal
18 year 2026 or any fiscal year thereafter for the De-
19 partment of Defense or the Department of Energy
20 may be obligated or expended for expanding produc-
21 tion of plutonium pits at the Los Alamos National
22 Laboratory, Los Alamos, New Mexico, or the Savan-
23 nah River Site, South Carolina, until the Adminis-
24 trator for Nuclear Security submits to the appro-
25 priate committees of Congress an integrated master

1 schedule and total estimated cost for the National
2 Nuclear Security Administration’s overall plutonium
3 pit production effort during the period of 2026
4 through 2036.

5 (2) REQUIREMENTS FOR SCHEDULE.—The
6 schedule required to be submitted under paragraph
7 (1) shall—

8 (A) include timelines, resources, and budg-
9 ets for planned work; and

10 (B) be consistent with modern manage-
11 ment standards and best practices as described
12 in guidelines of the Government Accountability
13 Office.

14 (l) PROHIBITION ON SUSTAINMENT OF B83–1
15 BOMB.—Notwithstanding other provision of law, none of
16 the funds authorized to be appropriated or otherwise made
17 available for fiscal year 2026 or any fiscal year thereafter
18 for the Department of Defense or the Department of En-
19 ergy may be obligated or expended for the sustainment
20 of the B83–1 bomb, as the 2022 Nuclear Posture Review
21 declared the B83-1 “will be retired”.

22 (m) PROHIBITION ON SPACE-BASED MISSILE DE-
23 FENSE.—Notwithstanding other provision of law, none of
24 the funds authorized to be appropriated or otherwise made
25 available for fiscal year 2026 or any fiscal year thereafter

1 for the Department of Defense or the Department of En-
2 ergy may be obligated or expended for the research, devel-
3 opment, test, and evaluation or procurement of a space-
4 based missile defense system.

5 (n) PROHIBITION ON THE W-93 WARHEAD.—Not-
6 withstanding any other provision of law, none of the funds
7 authorized to be appropriated or otherwise made available
8 for fiscal year 2026 or any fiscal year thereafter for the
9 Department of Defense or the Department of Energy may
10 be obligated or expended for the procurement and deploy-
11 ment of a W-93 warhead on a submarine launched bal-
12 listic missile.

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

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

19 (b) ANNUAL REPORT.—Not later than March 1,
20 2026, and annually thereafter, the Secretary of Defense
21 and the Secretary of Energy shall jointly submit to the
22 appropriate committees of Congress a report outlining the
23 plan of each Secretary to carry out section 3, including
24 any updates to previously submitted reports.

1 (c) ANNUAL NUCLEAR WEAPONS ACCOUNTING.—

2 Not later than September 30, 2026, and annually there-
3 after, the President shall transmit to the appropriate com-
4 mittees of Congress a report containing a comprehensive
5 accounting by the Director of the Office of Management
6 and Budget of the amounts obligated and expended by the
7 Federal Government for each nuclear weapon and related
8 nuclear program during—

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

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

11 (d) COST ESTIMATE REPORT.—Not later than 180
12 days after the date of the enactment of this Act, the Sec-
13 retary of Defense and the Secretary of Energy shall jointly
14 submit to the appropriate committees of Congress a report
15 outlining the estimated cost savings that result from car-
16 rying out section 3.

17 **SEC. 5. APPROPRIATE COMMITTEES OF CONGRESS DE-**
18 **FINED.**

19 In this Act, the term “appropriate committees of
20 Congress” means—

21 (1) the Committee on Armed Services, the
22 Committee on Foreign Relations, the Committee on
23 Appropriations, and the Committee on Energy and
24 Natural Resources of the Senate; and

1 (2) the Committee on Armed Services, the
2 Committee on Foreign Affairs, the Committee on
3 Appropriations, the Committee on Energy and Com-
4 merce, and the Committee on Natural Resources of
5 the House of Representatives.