

AMENDMENT NO. _____ Calendar No. _____

Purpose: To reduce spending on nuclear weapons and related defense spending and to prohibit the procurement and deployment of low-yield nuclear warheads.

IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.

S. 2296

To authorize appropriations for fiscal year 2026 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. MARKEY

Viz:

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

2 **SEC. 1522. SMARTER APPROACHES TO NUCLEAR EXPENDI-**
3 **TURES ACT.**

4 (a) **SHORT TITLE.**—This section may be cited as the
5 “Smarter Approaches to Nuclear Expenditures Act”.

6 (b) **FINDINGS.**—Congress makes the following find-
7 ings:

8 (1) The United States continues to maintain an
9 excessively large and costly arsenal of nuclear deliv-

1 ery systems and warheads that are a holdover from
2 the Cold War.

3 (2) The current nuclear arsenal of the United
4 States includes approximately 3,748 total nuclear
5 warheads in its military stockpile, of which approxi-
6 mately 1,770 are deployed with five delivery compo-
7 nents: land-based intercontinental ballistic missiles,
8 submarine-launched ballistic missiles, long-range
9 strategic bomber aircraft armed with nuclear gravity
10 bombs, long-range strategic bomber aircraft armed
11 with nuclear-armed air-launched cruise missiles, and
12 short-range fighter aircraft that can deliver nuclear
13 gravity bombs. The strategic bomber fleet of the
14 United States comprises 74 B-52 and 20 B-2 air-
15 craft, over 66 of which contribute to the nuclear
16 mission. The United States also maintains 400
17 intercontinental ballistic missiles and 14 Ohio-class
18 submarines, up to 12 of which are deployed. Each
19 of those submarines is armed with approximately 90
20 nuclear warheads.

21 (3) According to the Congressional Budget Of-
22 fice, the projected cost to sustain and modernize the
23 United States nuclear arsenal has increased signifi-
24 cantly. From 2025 to 2034, the Congressional
25 Budget Office estimates that the cost will be

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

14 (4) According to the Government Accountability
15 Office, the National Nuclear Security Administration
16 has still not factored affordability concerns into its
17 planning as was recommended by the Government
18 Accountability Office in 2017, with the warning that
19 “it is essential for NNSA to present information to
20 Congress and other key decision makers indicating
21 whether the agency has prioritized certain mod-
22 ernization programs or considered trade-offs (such
23 as deferring or cancelling specific modernization pro-
24 grams)”. Instead, the budget estimate of the De-
25 partment of Energy for nuclear modernization ac-

1 activities during the period of fiscal years 2021
2 through 2025 was \$83,6190,000,000—
3 \$15,410,000,000 more than the 2020 budget esti-
4 mate of the Department for the same period.

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

12 (6) The Department of Defense’s June 2013
13 nuclear policy guidance entitled “Report on Nuclear
14 Employment Strategy of the United States” found
15 that force levels under the April 2010 Treaty on
16 Measures for the Further Reduction and Limitation
17 of Strategic Offensive Arms between the United
18 States and the Russian Federation (commonly
19 known as the “New START Treaty”) “are more
20 than adequate for what the United States needs to
21 fulfill its national security objectives” and can be re-
22 duced by up to $\frac{1}{3}$ below levels under the New
23 START Treaty to 1,000 to 1,100 warheads.

24 (7) President Trump expanded the role of, and
25 spending on, nuclear weapons in United States pol-

1 icy at the same time that he withdrew from, un-
2 signed, or otherwise terminated a series of important
3 arms control and nonproliferation agreements.

4 (c) REDUCTIONS IN NUCLEAR FORCES.—

5 (1) REDUCTION OF NUCLEAR-ARMED SUB-
6 MARINES.—Notwithstanding any other provision of
7 law, none of the funds authorized to be appropriated
8 or otherwise made available for fiscal year 2026 or
9 any fiscal year thereafter for the Department of De-
10 fense may be obligated or expended for purchasing
11 more than eight Columbia-class submarines.

12 (2) REDUCTION OF GROUND-BASED MIS-
13 SILES.—Notwithstanding any other provision of law,
14 beginning in fiscal year 2026, the forces of the Air
15 Force shall include not more than 150 interconti-
16 nental ballistic missiles.

17 (3) REDUCTION OF DEPLOYED STRATEGIC WAR-
18 HEADS.—Notwithstanding any other provision of
19 law, beginning in fiscal year 2026, the forces of the
20 United States Military shall include not more than
21 1,000 deployed strategic warheads, as that term is
22 defined in the New START Treaty.

23 (4) LIMITATION ON NEW LONG-RANGE PENE-
24 TRATING BOMBER AIRCRAFT.—Notwithstanding any
25 other provision of law, none of the funds authorized

1 to be appropriated or otherwise made available for
2 any of fiscal years 2026 through 2030 for the De-
3 partment of Defense may be obligated or expended
4 for purchasing more than 80 B-21 long-range pene-
5 trating bomber aircraft.

6 (5) PROHIBITION ON F-35 NUCLEAR MISSION.—
7 Notwithstanding any other provision of law, none of
8 the funds authorized to be appropriated or otherwise
9 made available for fiscal year 2026 or any fiscal year
10 thereafter for the Department of Defense or the De-
11 partment of Energy may be used to make the F-35
12 Joint Strike Fighter aircraft capable of carrying nu-
13 clear weapons.

14 (6) PROHIBITION ON NEW AIR-LAUNCHED
15 CRUISE MISSILE.—Notwithstanding any other provi-
16 sion of law, none of the funds authorized to be ap-
17 propriated 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 the research, de-
21 velopment, test, and evaluation or procurement of
22 the long-range stand-off weapon or any other new
23 air-launched cruise missile or for the W80 warhead
24 life extension program.

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

11 (8) TERMINATION OF URANIUM PROCESSING
12 FACILITY.—Notwithstanding any other provision of
13 law, none of the funds authorized to be appropriated
14 or otherwise made available for fiscal year 2026 or
15 any fiscal year thereafter for the Department of De-
16 fense or the Department of Energy may be obligated
17 or expended for the Uranium Processing Facility lo-
18 cated at the Y-12 National Security Complex, Oak
19 Ridge, Tennessee.

20 (9) PROHIBITION ON PROCUREMENT AND DE-
21 PLOYMENT OF NEW LOW-YIELD WARHEAD.—Not-
22 withstanding any other provision of law, none of the
23 funds authorized to be appropriated or otherwise
24 made available for fiscal year 2026 or any fiscal year
25 thereafter for the Department of Defense or the De-

partment of Energy may be obligated or expended to deploy the W76-2 low-yield nuclear warhead or any other low-yield or nonstrategic nuclear warhead.

(10) PROHIBITION ON NEW SUBMARINE-LAUNCHED CRUISE MISSILE.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2026 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for the research, development, test, and evaluation or procurement of a new submarine-launched cruise missile capable of carrying a low-yield or nonstrategic nuclear warhead, as the 2022 Nuclear Posture Review found this system “no longer necessary”.

(11) LIMITATION ON PLUTONIUM PIT PRODUCTION.—

(A) IN GENERAL.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2026 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for expanding production of plutonium pits at the Los Alamos National Laboratory,

1 Los Alamos, New Mexico, or the Savannah
2 River Site, South Carolina, until the Adminis-
3 trator for Nuclear Security submits to the ap-
4 propriate committees of Congress an integrated
5 master schedule and total estimated cost for the
6 National Nuclear Security Administration's
7 overall plutonium pit production effort during
8 the period of 2026 through 2036.

9 (B) REQUIREMENTS FOR SCHEDULE.—The
10 schedule required to be submitted under para-
11 graph (1) shall—

12 (i) include timelines, resources, and
13 budgets for planned work; and

14 (ii) be consistent with modern man-
15 agement standards and best practices as
16 described in guidelines of the Government
17 Accountability Office.

18 (12) PROHIBITION ON SUSTAINMENT OF B83-1
19 BOMB.—Notwithstanding other provision of law,
20 none of the funds authorized to be appropriated or
21 otherwise made available for

22 (13) fiscal year 2026 or any fiscal year there-
23 after for the Department of Defense or the Depart-
24 ment of Energy may be obligated or expended for
25 the sustainment of the B83-1 bomb, as the 2022

1 Nuclear Posture Review declared the B83-1 “will be
2 retired”.

3 (14) PROHIBITION ON SPACE-BASED MISSILE
4 DEFENSE.—Notwithstanding other provision of law,
5 none of the funds authorized to be appropriated or
6 otherwise made available for fiscal year 2026 or any
7 fiscal year thereafter for the Department of Defense
8 or the Department of Energy may be obligated or
9 expended for the research, development, test, and
10 evaluation or procurement of a space-based missile
11 defense system.

12 (15) PROHIBITION ON THE W-93 WARHEAD.—
13 Notwithstanding any other provision of law, none of
14 the funds authorized to be appropriated or otherwise
15 made available for fiscal year 2026 or any fiscal year
16 thereafter for the Department of Defense or the De-
17 partment of Energy may be obligated or expended
18 for the procurement and deployment of a W-93 war-
19 head on a submarine launched ballistic missile.

20 (d) REPORTS REQUIRED.—

21 (1) INITIAL REPORT.—Not later than 180 days
22 after the date of the enactment of this Act, the Sec-
23 retary of Defense and the Secretary of Energy shall
24 jointly submit to the appropriate committees of Con-

1 gress a report outlining the plan of each Secretary
2 to carry out subsection (c).

3 (2) ANNUAL REPORT.—Not later than March 1,
4 2026, and annually thereafter, the Secretary of De-
5 fense and the Secretary of Energy shall jointly sub-
6 mit to the appropriate committees of Congress a re-
7 port outlining the plan of each Secretary to carry
8 out subsection (c), including any updates to pre-
9 viously submitted reports.

10 (3) ANNUAL NUCLEAR WEAPONS ACCOUNT-
11 ING.—Not later than September 30, 2026, and an-
12 nually thereafter, the President shall transmit to the
13 appropriate committees of Congress a report con-
14 taining a comprehensive accounting by the Director
15 of the Office of Management and Budget of the
16 amounts obligated and expended by the Federal
17 Government for each nuclear weapon and related
18 nuclear program during—

19 (A) the fiscal year covered by the report;
20 and

21 (B) the life cycle of such weapon or pro-
22 gram.

23 (4) COST ESTIMATE REPORT.—Not later than
24 180 days after the date of the enactment of this Act,
25 the Secretary of Defense and the Secretary of En-

1 ergy shall jointly submit to the appropriate commit-
2 tees of Congress a report outlining the estimated
3 cost savings that result from carrying out subsection
4 (c).

5 (e) APPROPRIATE COMMITTEES OF CONGRESS DE-
6 FINED.—In this section, the term “appropriate commit-
7 tees of Congress” means—

8 (1) the Committee on Armed Services, the
9 Committee on Foreign Relations, the Committee on
10 Appropriations, and the Committee on Energy and
11 Natural Resources of the Senate; and

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