

AMENDMENT TO RULES COMMITTEE PRINT 117–

13

OFFERED BY MR. GARAMENDI OF CALIFORNIA

Add at the end of title XVI the following new subtitle:

1 **Subtitle F—Ballistic Missiles**

2 **SEC. 1661. FINDINGS.**

3 Congress finds the following:

4 (1) According to the Congressional Budget Of-
5 fice, the projected cost to sustain and modernize the
6 United States nuclear arsenal, as of 2017, “is \$1.2
7 trillion in 2017 dollars over the 2017–2046 period:
8 more than \$800 billion to operate and sustain (that
9 is, incrementally upgrade) nuclear forces and about
10 \$400 billion to modernize them”. With inflation, the
11 cost rises to \$1,700,000,000,000 and does not in-
12 clude the cost of the additional nuclear capabilities
13 proposed in the 2018 Nuclear Posture Review.

14 (2) The Government Accountability Office
15 found in July 2020 that the Department of Defense
16 and the National Nuclear Security Administration
17 have still not taken meaningful steps to address af-
18 fordability concerns or heeded the Government Ac-

1 countability Office’s recommendation to consider
2 “deferring the start of or cancelling specific mod-
3 ernization programs”, including the W87–1 warhead
4 modification program, to address increases in the
5 weapons activities budget requests of the National
6 Nuclear Security Administration.

7 (3) The ground-based strategic deterrent pro-
8 gram is expected to cost between \$93,100,000,000
9 and \$95,800,000,000 which does not include the
10 cost of the W87–1 warhead modification program or
11 the cost to produce new plutonium pits for the war-
12 head. The total estimated life cycle cost of the
13 ground based strategic deterrent program is
14 \$264,000,000,000, and the program is intended to
15 replace 400 deployed Minuteman III missiles with
16 more than 600 new missiles, to allow for test flights
17 and spares.

18 (4) The Air Force awarded a sole-source con-
19 tract to Northrop Grumman for the engineering and
20 manufacturing component of the ground-based stra-
21 tegic deterrent program in September 2020, raising
22 concerns that the absence of competition for the
23 award may result in higher than projected costs to
24 United States taxpayers.

1 (5) The National Nuclear Security Administra-
2 tion is also in the early stages of developing a re-
3 placement intercontinental ballistic missile warhead,
4 the W87-1, and expanding plutonium pit production
5 to build new warhead cores, costing at least
6 \$12,000,000,000 and \$9,000,000,000, respectively,
7 to meet the modernization needs of the ground-based
8 strategic deterrent program.

9 (6) Maintaining and updating the current Min-
10 uteman III missiles is possible for multiple decades
11 and, according to the Congressional Budget Office,
12 through 2036 this would cost \$37,000,000,000 less
13 in 2017 dollars than developing and deploying the
14 ground-based strategic deterrent program.

15 (7) On April 3, 2019, Lieutenant General Rich-
16 ard M. Clark, then-Air Force Deputy Chief of Staff
17 for Strategic Deterrence and Nuclear Integration,
18 noted in testimony before the Committee on Armed
19 Services of the House of Representatives that we
20 have “one more opportunity” to conduct life exten-
21 sion on the Minuteman III intercontinental ballistic
22 missile, indicating the technical feasibility of extend-
23 ing the Minuteman III missile despite his stated
24 preference for the ground-based strategic deterrent.

1 (8) Even in the absence of an intercontinental
2 ballistic missile leg of the triad, the 2018 Nuclear
3 Posture Review signaled that the United States
4 would have an assured retaliatory capability in the
5 form of ballistic missile submarines, which are, “at
6 present, virtually undetectable, and there are no
7 known, near-term credible threats to the surviv-
8 ability of the [ballistic missile submarine] force”, a
9 benefit that will be enhanced as the Department of
10 Defense moves to replace the Ohio class ballistic
11 submarine fleet with the new Columbia class ballistic
12 missile fleet.

13 (9) While intercontinental ballistic missiles had
14 historically been the most responsive leg of the
15 United States nuclear triad, advances in ballistic
16 missile submarine communications now provide im-
17 mediate dissemination of information during war-
18 time.

19 (10) Intercontinental ballistic missiles cannot be
20 recalled, leaving decision-makers with mere minutes
21 to decide whether to launch the missiles before they
22 are destroyed, known as a posture of “launch on
23 warning” or “launch under attack” in the face of a
24 perceived nuclear attack, greatly increasing the risk

1 of a national leader initiating a nuclear war by mis-
2 take.

3 (11) In 1983, Stanislav Petrov, a former lieu-
4 tenant colonel of the Soviet Air Defense Forces cor-
5 rectly identified a false warning in an early warning
6 system that showed several United States incoming
7 nuclear missiles, preventing Soviet leaders from
8 launching a retaliatory response, earning Colonel
9 Petrov the nickname “the man who saved the
10 world”.

11 (12) Former Secretary of Defense William
12 Perry, who once briefed President Bill Clinton on a
13 suspected Russian first nuclear strike, wrote that
14 the ground-based leg of the nuclear triad is “desta-
15 bilizing because it invites an attack” and interconti-
16 nental ballistic missiles are “some of the most dan-
17 gerous weapons in the world” and “could even trig-
18 ger an accidental nuclear war”.

19 (13) General James Cartwright, former vice
20 chair of the Joint Chiefs of Staff and former Com-
21 mander of the United States Strategic Command,
22 wrote, with Secretary Perry, “[T]he greatest danger
23 is not a Russian bolt but a US blunder—that we
24 might accidentally stumble into nuclear war. As we
25 make decisions about which weapons to buy, we

1 should use this simple rule: If a nuclear weapon in-
2 creases the risk of accidental war and is not needed
3 to deter an intentional attack, we should not build
4 it. . . . Certain nuclear weapons, such as...the [inter-
5 continental ballistic missile], carry higher risks of
6 accidental war that, fortunately, we no longer need
7 to bear. We are safer without these expensive weap-
8 ons, and it would be foolish to replace them.”.

9 (14) General George Lee Butler, the former
10 Commander-in-Chief of the Strategic Air Command
11 and subsequently Commander-in-Chief of the United
12 States Strategic Command, said, “I would have re-
13 moved land-based missiles from our arsenal a long
14 time ago. I’d be happy to put that mission on the
15 submarines. So, with a significant fraction of bomb-
16 ers having a nuclear weapons capability that can be
17 restored to alert very quickly, and with even a small
18 component of Trident submarines—with all those
19 missiles and all those warheads on patrol—it’s hard
20 to imagine we couldn’t get by.”.

21 (15) While a sudden “bolt from the blue” first
22 strike from a near-peer nuclear adversary is a highly
23 unlikely scenario, extending the Minuteman III
24 would maintain the purported role of the interconti-

1 mental ballistic missile leg of the triad to absorb such
2 an attack.

3 **SEC. 1662. STATEMENT OF POLICY ON SERVICE LIFE OF**
4 **MINUTEMAN III INTERCONTINENTAL BAL-**
5 **LISTIC MISSILES AND PAUSE IN DEVELOP-**
6 **MENT OF GROUND-BASED STRATEGIC DETER-**
7 **RENT PROGRAM.**

8 It is the policy of the United States that—

9 (1) the operational life of the Minuteman III
10 intercontinental ballistic missiles can be safely ex-
11 tended until at least 2040; and

12 (2) the research, development, testing, and eval-
13 uation of the ground-based strategic deterrent pro-
14 gram can be paused until 2031.

15 **SEC. 1663. PROHIBITION ON USE OF FUNDS FOR GROUND**
16 **BASED STRATEGIC DETERRENT PROGRAM**
17 **AND W87-1 WARHEAD MODIFICATION PRO-**
18 **GRAM.**

19 (a) PROHIBITION.—None of the funds authorized to
20 be appropriated or otherwise made available for any of fis-
21 cal years 2022 through 2031 may be obligated or ex-
22 pended for the ground-based strategic deterrent program
23 (including with respect to supporting infrastructure) or
24 the W87–1 warhead modification program, and such
25 funds authorized to be appropriated for the W87–1 war-

1 head modification program that are unobligated as of the
2 date of the enactment of this Act may not be transferred
3 or reprogrammed.

4 (b) TRANSFER.—The Secretary of Defense shall
5 transfer the amounts made available for the Department
6 of Defense for the research, development, testing, and
7 evaluation of the ground-based strategic deterrent pro-
8 gram that are unobligated as of the date of the enactment
9 of this Act to the Secretary of the Air Force for such pur-
10 poses as the Secretary of the Air Force determines appro-
11 priate. Amounts so transferred shall be merged with and
12 be available for the same purposes as the amounts to
13 which transferred.

14 **SEC. 1664. LIFE EXTENSION OF MINUTEMAN III INTER-**
15 **CONTINENTAL BALLISTIC MISSILES.**

16 (a) LIFE EXTENSION PROGRAM.—Beginning not
17 later than 180 days after the date of the enactment of
18 this Act, the Secretary of Defense shall carry out a life
19 extension program of Minuteman III intercontinental bal-
20 listic missiles to extend the life of such missiles to 2040.

21 (b) ELEMENTS OF PROGRAM.—In carrying out the
22 life extension program under subsection (a), the Secretary
23 shall ensure the following:

24 (1) The program will incorporate new and nec-
25 essary technologies that could also be incorporated

1 in the future ground-based strategic deterrent pro-
2 gram, including with respect to technologies that—

3 (A) increase the resilience against adver-
4 sary missile defenses; and

5 (B) incorporate new nuclear command,
6 control, and communications systems.

7 (2) The program will use nondestructive testing
8 methods and technologies similar to the testing
9 methods used by the Navy for Trident II D5 sub-
10 marine launched ballistic missiles to reduce destruc-
11 tive testing.

