## En Bloc Amendments to H.R. 1960 National Defense Authorization Act for Fiscal Year 2014

Wednesday, June 5, 2013

STRATEGIC FORCES	
En Bloc # 3	

Log #	Sponsor	Description
134r1	Thornberry	Arms control violations by the Russian Federation and further
		nuclear force reductions
239r2	H. Johnson	A certification on the New START treaty.

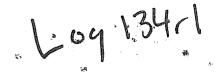
Log 1347

## AMENDMENT TO H.R. 1960

OFFERED BY M\_.\_\_\_\_\_

At the appropriate place in title X, insert the following:

1	SEC. 10 SENSE OF CONGRESS ON COMPLIANCE WITH
2	NUCLEAR ARMS CONTROL AGREEMENTS.
3	(a) FINDINGS.—Congress finds the following:
4	(1) President Obama stated in Prague in April
5	2009 that "Rules must be binding. Violations must
6	be punished. Words must mean something.".
7	(2) President Obama's Nuclear Posture Review
8	of 2010 stated, "it is not enough to detect non-com-
9	pliance; violators must know that they will face con-
10	sequences when they are caught.".
11	(3) The July 2010 Verifiability Assessment re-
12	leased by the Department of State on the New
13	START Treaty stated, "The costs and risks of Rus-
14	sian cheating or breakout, on the other hand, would
15	likely be very significant. In addition to the financial
16	and international political costs of such an action,
17	any Russian leader considering cheating or breakout
18	from the New START Treaty would have to con-
19	sider that the United States will retain the ability to



upload large numbers of additional nuclear warheads on both bombers and missiles under the New START, which would provide the ability for a timely and very significant U.S. response.".

(4) Subsection (a) of the Resolution of Advice and Consent to Ratification of the New START Treaty of the Senate, agreed to on December 22, 2010, listed conditions of the Senate to the ratification of the New START Treaty that are binding upon the President, including the condition under paragraph (1)(B) of such subsection that requires the President to take certain actions in response to actions by the Russian Federation that are in violation of or inconsistent with such treaty, including to "seek on an urgent basis a meeting with the Russian Federation at the highest diplomatic level with the objective of bringing the Russian Federation into full compliance with its obligations under the New START Treaty".

(5) The Obama Administration demonstrated that violations of treaty obligations by other parties require corresponding action by the United States when, on November 22, 2011, the Department of State announced that the United States would "cease carrying out certain obligations under the

1	Conventional Armed Forces in Europe (CFE) Trea-
2	ty with regard to Russia. This announcement in the
3	CFE Treaty's implementation group comes after the
4	United States and NATO Allies have tried over the
5	past 4 years to find a diplomatic solution following
6	Russia's decision in 2007 to cease implementation
7	with respect to all other 29 CFE States. Since then,
8	Russia has refused to accept inspections and ceased
9	to provide information to other CFE Treaty parties
10	on its military forces as required by the Treaty.".
11	(6) On October 17, 2012, the Chairman of the
12	Committee on Armed Services of the House of Rep-
13	resentatives and the Chairman of the Permanent Se-
14	lect Committee on Intelligence of the House of Rep-
15	resentatives wrote a classified letter to the President
16	stating their concerns about a major arms control
17	violation by the Russian Federation.
18	(7) The Chairmen followed up their classified
19	letter with unclassified letters on February 14 and
20	April 12, 2013—in their latest letter, the Chairmen
21	stated that they expect the Administration to "di-
22	rectly confront the Russian violations and cir-
23	cumventions of this and other treaties[we] fur-
24	ther ask, again, for your engagement in correcting
25	this behavior. We also seek your commitment not to

1	undertake further reductions to the U.S. nuclear de-
2	terrent or extended deterrent until this Russian be-
3	havior is corrected. We are in full agreement with
4	your policy as you articulated it in Prague four
5	years ago this month, 'rules must be binding, Viola-
6	tions must be punished. Words must mean some-
7	thing.'".
8	(b) Sense of Congress.—It is the sense of Con-
9	gress that the President should consider not seeking to
10	further limit or reduce the nuclear forces of the United
11	States, including by negotiation, with a foreign country
12	that remains in active noncompliance with existing nuclear
13	arms obligations, such as the Russian Federation.
14	(c) Obligations of the President in the Event
15	OF NONCOMPLIANCE.—If the President determines that
16	a foreign country is not in compliance with its obligations
17	under a nuclear arms control agreement, treaty, or com-
18	mitment to which the United States is a party or in which
19	the United States is a participating government, including
20	the Missile Technology Control Regime, the President
21	shall—
22	(1) immediately consult with Congress regard-
23	ing the implications of such noncompliance for—
24	(A) the viability of such agreement, treaty,
25	or commitment; and

1	(B) the national security interests of the
2	United States and the allies of the United
3	States;
4	(2) submit to Congress a plan concerning the
5	diplomatic strategy of the President to engage such
6	foreign country at the highest diplomatic level with
7	the objective of bringing such country into full com-
8	pliance with such obligations; and
9	(3) at the earliest date practicable following the
10	submission of the plan under paragraph (2), submit
11	to Congress a report detailing—
12	(A) whether adherence by the United
13	States to such obligation remains in the na-
14	tional security interests of the United States or
15	the allies of the United States; and
16	(B) how the United States will redress the
17	effect of such noncompliance to the national se-
18	curity interests of the United States or such al-
19	lies.



## AMENDMENT TO H.R. 1960 OFFERED BY MR. JOHNSON OF GEORGIA

At the end of subtitle F of title X, insert the following:

- 1 SEC. 10\_\_\_. REPORT ON NEW START TREATY.
- Not later than January 15, 2014, the Secretary of
- 3 Defense and the Chairman of the Joint Chiefs of Staff
- 4 shall jointly submit to the congressional defense commit-
- 5 tees, the Committee on Foreign Affairs of the House of
- 6 Representatives, and the Committee on Foreign Relations
- 7 of the Senate a report on whether the New START Treaty
- 8 (as defined in section 494(a)(2)(D)(ii)) of title 10, United
- 9 States Code) is in the national security interests of the
- 10 United States.

