

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.

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AMENDMENT TO H.R. 1960
OFFERED BY M. Thornberry

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

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

5 (4) Subsection (a) of the Resolution of Advice
6 and Consent to Ratification of the New START
7 Treaty of the Senate, agreed to on December 22,
8 2010, listed conditions of the Senate to the ratifica-
9 tion of the New START Treaty that are binding
10 upon the President, including the condition under
11 paragraph (1)(B) of such subsection that requires
12 the President to take certain actions in response to
13 actions by the Russian Federation that are in viola-
14 tion of or inconsistent with such treaty, including to
15 “seek on an urgent basis a meeting with the Russian
16 Federation at the highest diplomatic level with the
17 objective of bringing the Russian Federation into
18 full compliance with its obligations under the New
19 START Treaty”.

20 (5) The Obama Administration demonstrated
21 that violations of treaty obligations by other parties
22 require corresponding action by the United States
23 when, on November 22, 2011, the Department of
24 State announced that the United States would
25 “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

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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.

2 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 committees,
5 the Committee on Foreign Affairs of the House of Representatives,
6 and the Committee on Foreign Relations of the Senate a report on
7 whether the New START Treaty (as defined in section 494(a)(2)(D)(ii)
8 of title 10, United States Code) is in the national security interests
9 of the United States.

