



## Differences Between House and Senate FY 2019 NDAA on Major Nuclear Provisions

### Topline

	President's Request	House Approved	Senate Approved
Department of Defense base budget	\$617.1 billion	\$616.7 billion	\$617.6 billion
Atomic Energy Defense Programs	\$21.6 billion	\$22.1 billion	\$21.6 billion
Overseas Contingency Operations	\$69 billion	\$69 billion	\$68.5 billion
Other Spending	\$8.3 billion	\$9.2 billion	\$8.2 billion
<b>Total</b>	<b>\$716.0 billion</b>	<b>\$717.0 billion</b>	<b>\$715.9 billion</b>

### Treaties

#### 1. *Intermediate-Range Nuclear Forces (INF) Treaty*

**A. House:** Section 1233: Fences a portion of DOD funding for White House support services until the implementation of previously congressionally-mandated sanctions for Russia's violating the Intermediate Nuclear Forces (INF) Treaty, and until a previously required plan for additional sanctions is submitted to Congress.

**Senate:** No similar provision.

**B. House:** Section 1239: Declares that the INF Treaty is no longer binding to the United States after one year of enactment unless the President certifies that Russia has returned to compliance.

**Senate:** No similar provisions.

#### 2. *Open Skies Treaty*

**A. House:** Section 1232: Fences funding for upgrading U.S. Open Skies Treaty sensors and procuring new aircraft used to conduct U.S. verification flights over Russia until the President has imposed responsive costs on Russia for its violations of the treaty. This section also prohibits the U.S. from approving any upgrades to Russian sensors unless the Secretary of Defense certifies that such a move would not be harmful to U.S. national security and the President certifies that Russia is in compliance with the treaty.

**Senate:** Section 1648: Fences funding for upgrading U.S. Open Skies Treaty sensors and procuring new aircraft used to conduct U.S. verification flights over Russia until the President certifies that he has imposed treaty violation responses and legal countermeasures on Russia for its violation of the Open Skies treaty, and the Secretary of Defense certifies that modification of

the existing U.S. sensors will provide digital imagery that is superior to digital imagery available to the DOD commercially.

3. *New START Treaty*

**A. House:** Section 1240: Bars spending to extend New START unless the President certifies that he has raised the issue of new Russian nuclear weapons to the Russians directly and the Russians respond in writing that they will declare the weapons pursuant to the Treaty.

**Senate:** No similar provision.

**B. House:** Requires a report explaining why the New START Treaty is in the national security interests of the United States.

**Senate:** No similar provision.

**Nuclear Weapons**

1. *Life Extension Program (LEP) and Major Alteration Funding for nuclear warheads, in thousands of dollars*

	House	Senate
B61-12	\$794,049	\$794,049
W76-1	\$48,888	\$48,888
W88 Alt 370	\$304,285	\$304,285
W80-4	\$654,766	\$654,766
IW-1	\$53,000	\$53,000
W76-2	\$65,000	\$65,000

2. *Selected Nuclear Delivery Platform Funding, in thousands of dollars*

	House	Senate
Ground Based Strategic Deterrent (GBSD)	\$414,441	\$414,441
Long Range Standoff Weapon (LRSO)	\$699,920	\$699,920
Trident II Ballistic Missile Modifications	\$1,078,750	\$1,078,750
Long Range Strike Bomber*	\$2,314,196	\$2,314,196

*\*Long range strike bomber will serve both conventional and nuclear missions*

3. *Low-Yield Warhead Modification*

**A. House:** Section 3114: Authorizes \$65 million for the modification of a low-yield nuclear warhead for use on submarine-launched ballistic missiles. This section also repeals a prohibition on developing and producing low-yield nuclear warheads absent congressional authorization, and

authorizes the Secretary of Energy to carry out the low-yield warhead modification or development process.

**Senate:** Section 3117: Repeals a prohibition on developing and producing low-yield nuclear warheads absent congressional authorization. Authorizes \$65 million for the modification of the low-yield warhead under the W76-2 warhead modification program.

4. *W78 Replacement Program (IW-1)*

**A. House:** Requires report by NNSA Administrator and Chairman of the Nuclear Weapons Council on status of W78 replacement, also referred to as the Interoperable Warhead (IW-1) program.

**Senate:** No similar provision.

## General Nuclear

1. *Nuclear Posture*

**A. House:** Section 1647: Requires an independent report on the risks and benefits of changing the U.S. nuclear weapons launch-under-attack posture.

**Senate:** No similar provision.

2. *Plutonium Pit Production*

**A. House:** Requires a report on the rationale for the Nuclear Posture Review recommendation to change the annual plutonium pit requirement to “at least 80 pits” from a previous requirement of “50-80 pits.” It also requires a study on the potential to re-use existing plutonium pits.

**Senate:** Requires an independent review of the National Nuclear Security Administration’s (NNSA) April 2018 engineering assessment report on plutonium pit production, which recommended repurposing the Mixed-Oxide Fuel (MOX) fabrication facility to be used for plutonium pit production. The review will assess the soundness of the estimated construction and life-cycle costs of each of the alternative plans for plutonium pit production analyzed in the NNSA’s April 2018 report.

3. *B83 Nuclear Bomb*

**A. House:** Requires a report on the military requirements, and cost/life extension implications of retaining the megaton-range B83 bomb that had been slated for retirement.

**Senate:** No similar provision.

4. *Intercontinental Ballistic Missiles (ICBMs)*

**A. House:** Section 1645: Prohibits the Department of Defense from reducing the number of Intercontinental Ballistic Missiles (ICBMs), or reducing their level of alert for a nuclear launch.

**Senate:** No similar provision.

## 5. *Ground-Based Strategic Deterrent (GBSD)*

**A. House:** Section 1643: Requires development and implementation of a plan to accelerate the acquisition of the Ground-Based Strategic Deterrent (GBSD). Authorizes \$69.4 million above the Administration's request to speed up GBSD acquisition.

**Senate:** No similar provision, but also authorizes \$69.4 million above the Administration's request to speed up GBSD acquisition.

**B. House:** Section 1646: Prohibits funding for retaining the option for or developing a mobile variant of the GBSD through FY 2020.

**Senate:** No similar provision.

## 6. *Long Range Standoff Weapon (LRSO)*

**A. House:** Section 1643: Requires development and implementation of a plan to accelerate the acquisition of the Long-Range Stand-Off (LRSO) weapon. Authorizes \$85 million above the Administration's request to speed up LRSO acquisition.

**Senate:** No similar provision, but also authorizes \$85 million above the Administration's request to speed up LRSO acquisition.

**B. House:** Section 1642: Drops the congressional requirement that had prevented the Air Force from retiring the conventional air-launched cruise missile, and mandates that a conventional LRSO achieve initial operating capability within **four** years of the nuclear-armed LRSO.

**Senate:** Section 1642: Drops the congressional requirement that had prevented the Air Force from retiring the conventional air-launched cruise missile, and mandates that a conventional LRSO achieve initial operating capability within **five** years of the nuclear-armed LRSO.

## Missile Defense

### 1. *Ground-based Midcourse Defense (United States Homeland Defense)*

**A. House:** Section 1661: Directs the Director of the Missile Defense Agency (MDA) to complete a plan and initiate development of a space-based missile defense sensor architecture.

**Senate:** Section 1660C: Directs the Director of the MDA to initiate development of a space-based missile defense sensor architecture by December 31, 2018, to be deployed no later than December 31, 2022.

**B. House:** Section 1665: Requires a successful test of the Redesigned Kill Vehicle (RKV) before a lot production decision can be made. Also provides a waiver for the Secretary of Defense.

**Senate:** Section 1657: Gives the sense of the Senate that the RKV should be demonstrated in a successful, operationally realistic flight test prior to its operational deployment.

**C. House:** Section 1669: Requires the director of the MDA to continue development for the Homeland defense radar in Hawaii to deliver an operational capability in fiscal year 2023.

**Senate:** No similar provision.

**D. House:** Section 1671: Requires a Congressional Budget Office report on costs relating to ballistic, cruise, and hypersonic defenses of the United States, including any new recommendations contained in the Ballistic Missile Defense Review.

**Senate:** No similar provision.

**E. House:** Section 1673: Requires a MDA report on the status of the countermeasures test program. The report shall include an evaluation and response to the 2010 JASON report entitled “MDA Discrimination.”

**Senate:** Section 1660B: Gives the sense of the Senate that prioritizing discrimination capabilities to improve missile defense is critically important. Requests an MDA report on the improvements to discrimination required within missile defense architecture and the MDA’s plan to rapidly field advanced discrimination capabilities.

**F. Senate:** Section 1657: Directs the Director of the MDA to submit a report on ways the MDA can accelerate the construction of Missile Field 4 at Fort Greely, Alaska, and the deployment of 20 ground-based interceptors with Redesigned Kill Vehicles at that missile field, by at least one year. The report will include a cost-benefit analysis and feasibility assessment for construction of a fifth missile field at Fort Greely, Alaska.

**House:** No similar provision.

## 2. *Boost-Phase Intercept*

**A. House:** Section 1662: Requires the director of the MDA to establish a boost-phase intercept program using **kinetic** interceptors, and requires an independent assessment of a concept proposal for this capability.

**Senate:** No similar provision, but authorizes \$80 million above the Administration’s request for boost phase intercept **laser** R&D.

**B. Senate:** Section 1660D: Requires the Director of the Missile Defense Agency to develop a plan to develop a space-based ballistic missile intercept layer notwithstanding the outcome of the Missile Defense Review.

**House:** No similar provision.

## 3. *Missile Defense Test Schedule*

**A. House:** Section 1663: Requires the MDA to provide unclassified information relating to the schedule for planned missile defense tests (fiscal year and quarter).

**Senate:** No similar provision.

## 4. *Hypersonic Missile Defense*

**A. Senate:** Section 1659: Directs the Director of the MDA to accelerate the hypersonic missile defense program, to be deployed in conjunction with a persistent space-based missile defense sensor program. This section also requires a report on how hypersonic missile defense can be accelerated, and an estimate of the cost of acceleration.

**House:** No similar provision.

## MOX (Mixed Oxide Fuel)

**A. House:** Section 3115: Allows the Secretary of Energy to close the MOX Facility by certifying that a preferable alternative option exists for plutonium disposition.

**Senate:** Section 3115: Prohibits the use of DOE funding to terminate construction of the MOX facility or to convert MOX facility for use other than its original mission.

**Senate:** Requires an independent review of the National Nuclear Security Administration (NNSA)'s April 2018 engineering assessment report on plutonium pit production, which recommended repurposing the Mixed-Oxide Fuel (MOX) fabrication facility to be used for plutonium pit production. The review will assess the soundness of the estimated construction and life-cycle costs of each of the alternative plans for plutonium pit production analyzed in the NNSA's April 2018 report.

## Nonproliferation

### 1. Nonproliferation Budgets (in thousands of dollars; bold = lower)

Program	House	Senate
International Nuclear Security	\$46,339	\$46,339
Radiological Security (Domestic + International)	\$150,340	\$150,340
Nuclear Smuggling Detection and Deterrence	\$140,429	\$140,429
Nuclear Material Removal	\$32,925	\$32,925
Nonproliferation and Arms Control	\$129,703	\$129,703
Defense Nuclear Nonproliferation R&D	\$468,095	<b>\$456,095</b>
Low Enriched Uranium R&D for Naval Reactors	\$10,000	<b>\$0</b>

### 2. HEU to LEU Reactors

**A. House:** Section 3117: Authorizes \$10 million for feasibility work on low-enriched uranium naval reactor fuel.

**Senate:** No similar provision.

### 3. Nonproliferation cooperation with Russia

**A. House:** Section 3116: Bars any funds to be used for nonproliferation cooperation with Russia unless the Secretary of Energy submits in writing that a nuclear-related emergency in Russia must be addressed urgently.

**Senate:** No similar provision.