AMENDMENT TO H.R. 7900
OFFERED BY MR. Cooper

At the appropriate place in title XVI add the following new section:

SEC. 16. NUCLEAR-CAPABLE SEA-LAUNCHED CRUISE MISSILE.

(a) FINDINGS.—Congress finds the following:

(1) Several senior military officers, including the Chairman and Vice Chairman of the Joint Chiefs of Staff and the Commander of United States Strategic Command, have offered their support for continued research and development of a nuclear-capable sea-launched cruise missile to strengthen nuclear deterrence.

(2) Deploying a nuclear-capable sea-launched cruise missile on naval vessels would “not come without a cost”, as was testified by Chief of Naval Operations Admiral Mike Gilday. Admiral Gilday described the challenges associated with training, sustainability, reliability, and readiness that would be associated with adding a nuclear mission and went on to say that he was “not convinced yet that we need to make a $31,000,000,000 investment in that
particular system to close that particular gap”. Instead, he recommended keeping “a small amount of money” for research and development of the nuclear-capable sea-launched cruise missile as the Department of Defense seeks to better understand the implications of living with two nuclear-armed peer competitors.

(b) REPORTS.—

(1) DETERRENCE.—Not later than 270 days after the date of the enactment of this Act, the Secretary of the Defense shall submit to the congressional defense committees a report that describes the approach by the Department of Defense for deterring theater nuclear employment by Russia and China, including—

(A) an assessment of the current and future theater nuclear capabilities and doctrine of Russia and China;

(B) an explanation of the strategy and capabilities of the United States for deterring theater nuclear employment; and

(C) a comparative assessment of options for strengthening deterrence of theater nuclear employment, including pursuit of the nuclear-capable sea-launched cruise missile and other
potential changes to the nuclear and conventional posture and capabilities of the United States.

(2) **Cost.**—Not later than 270 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report that describes the full cost of developing, producing, fielding, and maintaining nuclear-capable sea-launched cruise missiles through at least 2050, including—

(A) the costs associated with research and development and production of the missile;

(B) the costs associated with modifications to port infrastructure;

(C) the costs associated with nuclear certification, personnel training, and operations; and

(D) any other incremental costs compared to sustaining and operating nonnuclear naval vessels.

(3) **Operational Limitations.**—Not later than 270 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report that describes any operational limitations and trade-offs
that would be associated with deploying nuclear-capable sea-launched cruise missiles on naval vessels, including—

(A) the effect of allocating missile or torpedo tubes from conventional munitions to nuclear munitions;

(B) operational constraints and trade-offs associated with reserving or limiting naval vessels on account of nuclear mission requirements;

(C) trade-offs in posture and capabilities that the Navy would likely face if the Navy had to allocate more resources to a nuclear-capable missiles; and

(D) any other issues identified by the Secretary.

(4) DEVELOPMENT.—Not later than 270 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a report that describes the cost and timeline of developing and producing a warhead for a nuclear-capable sea-launched cruise missile, including—

(A) the cost of developing, producing, and sustaining the warhead;
(B) the timeline for the design, production, and fielding of the warhead; and

(C) an assessment of how the pursuit of the warhead would affect other planned warhead activities of the National Nuclear Security Administration, including whether there would be risk to the cost and schedule of other warhead programs of the Administration if the Administrator added a nuclear-capable sea-launched cruise missile warhead to the portfolio of such programs.

(5) Preferred course of action.—To inform the reports under this subsection, not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report identifying one or more preferred courses of action from among the actions identified in the analysis of alternatives for a nuclear-capable sea-launched cruise missile.

(c) Limitation.—

(1) In general.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2023 for the Department of Defense or the National Nuclear Security
Administration may be obligated or expended for a purpose specified in paragraph (2) until—

(A) each of the reports under subsection (b) have been submitted to the congressional defense committees; and

(B) the Secretary of Defense, in coordination with the Administrator for Nuclear Security, certifies to the congressional defense committees that the development and deployment of a nuclear-capable sea-launched cruise missile is required to meet a valid military requirement and would not create significant risk to conventional or nuclear deterrence by constraining conventional military operations or trading-off with the pursuit of other conventional or nuclear military capabilities.

(2) FUNDS SPECIFIED.—The purposes specified in this paragraph are the following:

(A) With respect to the Department of Defense, system development and demonstration of a nuclear-capable sea-launched cruise missile.

(B) With respect to the National Nuclear Security Administration, development engineering for a modified, altered, or new warhead for a sea-launched cruise missile.
(d) DEFINITIONS.—In this section:

(1) The term “development engineering” means activities under phase 3 of the joint nuclear weapons life cycle (as defined in section 4220 of the Atomic Energy Defense Act (50 U.S.C. 2538b) or phase 6.3 of a nuclear weapons life extension program.

(2) The term “system development and demonstration” means the activities occurring in the phase after a program achieves Milestone B approval (as defined in section 4172 of title 10, United States Code).
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OFFERED BY MR. COOPER

(funding table amendment)

In section 4201 of division D, relating to research, development, test, and evaluation, Navy, increase the amount for Precision Strike Weapons Development Program, PE 0604659N, Line 091, by $25,000,000 for research and development for a nuclear-capable sea-launched cruise missile.

In section 4701 of division D, relating to Stockpile Management, increase the amount for W80-4 ALT SLCM by $20,000,000 for research and development for a nuclear warhead for a nuclear-capable sea-launched cruise missile.

In section 4301 of division D, relating to Operation and Maintenance, Defense-wide, decrease the amount for Office of Secretary of Defense, Line 440, by $45,000,000.