



**DEPARTMENT OF DEFENSE
AND
DEPARTMENT OF ENERGY
NUCLEAR WEAPONS COUNCIL
WASHINGTON, DC 20301-3050**



The Honorable James M. Inhofe
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

SEP 15 2020

Dear Mr. Chairman:

Title 10, United States Code (U.S.C.), section 179(f)(2) requires the Nuclear Weapons Council (NWC) to notify the congressional defense committees if a House of Congress adopts a bill that would authorize or appropriate insufficient funds for the Department of Energy's National Nuclear Security Administration (DOE/NNSA) to support activities related to the U.S. nuclear weapons stockpile.

The House of Representatives recently passed H.R. 7617, which includes FY 2021 appropriations for Energy and Water Development and related agencies, and provides nearly \$2 billion less than the FY 2021 President's Budget Request (PBR) for DOE/NNSA's Weapons Activities. This shortfall jeopardizes the Department of Defense (DoD) and DOE/NNSA's shared efforts to maintain a safe, secure, and effective nuclear deterrent for the Nation and to sustain and modernize the nuclear weapons stockpile. In particular, the bill's omission of funding for the W93 program, underfunding NNSA's production activities for plutonium pits and uranium secondary manufacturing, near-elimination of funding for the Stockpile Responsiveness Program, and other broad cuts to infrastructure recapitalization directly inhibit NNSA's ability to meet DoD's military requirements.

Consequently, pursuant to title 10, U.S.C., section 179(f)(2), the NWC has determined and hereby notifies you that H.R. 7617 provides insufficient funds to execute activities required to support the U.S. nuclear weapons stockpile. The FY 2021 PBR for DOE/NNSA funds these activities at levels necessary to meet the demands placed on the Nuclear Security Enterprise. Should the cuts proposed by H.R. 7617 be enacted and these levels sustained across the Future Years Nuclear Security Program, NNSA will have insufficient funding to support DoD requirements, and there will be both immediate and long-term impacts that will prevent the NWC from certifying that NNSA's budget request is sufficient in FY 2022 to carry out the nuclear modernization program of record.

Also of strong concern are sections 307, 309, and 8138 of the bill, which will prevent the NWC from carrying out its existing statutory duties. Through the responsibilities prescribed to it under title 10, U.S.C., section 179, the NWC provides a crucial mechanism for coordinating and aligning the nuclear weapons programs and budgets of the two departments. It is the position of the DoD that, together, these sections limit the NWC's effectiveness as a coordinating body, place

Congress within the executive branch decision-making process, and jeopardize the ability of DoD and DOE/NNSA to coordinate effectively on our shared responsibilities for nuclear deterrence.

Nuclear deterrence is the Nation's highest priority defense mission. Through the NWC, DoD and DOE/NNSA remain committed to partnering to achieve this mission successfully. The extent of the proposed funding cuts to NNSA jeopardize this mission and the entire nuclear modernization effort currently underway in NNSA and DoD, including the successful delivery of critical delivery systems such as the Ground-Based Strategic Deterrent weapon system and the Long-Range Standoff Weapon. The NWC strongly urges Congress to provide NNSA the full funding-level contained in the PBR and reconsider the previously mentioned provisions in H.R. 7617.

Thank you for your consideration and your continued support to our most critical national defense mission. I am sending identical letters to the other congressional defense committees.

A handwritten signature in black ink, reading "Ellen M. Lord". The signature is fluid and cursive, with the first name "Ellen" and last name "Lord" clearly distinguishable.

Ellen M. Lord
Chairwoman

cc:

The Honorable Jack Reed
Ranking Member