

117TH CONGRESS  
1ST SESSION

# H. R. 3837

To reduce and eliminate threats posed by nuclear weapons to the United States, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2021

Mr. MCGOVERN (for himself, Mr. BEYER, Mr. BLUMENAUER, and Mr. GARAMENDI) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To reduce and eliminate threats posed by nuclear weapons to the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hastening Arms Limi-  
5 tations Talks Act of 2021” or the “HALT Act of 2021”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1           (1) The use of nuclear weapons poses an exis-  
2           tential threat to humanity, a fact that led President  
3           Ronald Reagan and Soviet Premier Mikhail Gorba-  
4           chev to declare in a joint statement in 1987 that a  
5           “nuclear war cannot be won and must never be  
6           fought”.

7           (2) On June 12, 1982, an estimated 1,000,000  
8           people attended the largest peace rally in United  
9           States history, in support of a movement to freeze  
10          and reverse the nuclear arms race, a movement that  
11          helped to create the political will necessary for the  
12          negotiation of several bilateral arms control treaties  
13          between the United States and former Soviet Union,  
14          and then the Russian Federation. Those treaties  
15          contributed to strategic stability through mutual and  
16          verifiable reciprocal nuclear weapons reductions.

17          (3) Since the advent of nuclear weapons in  
18          1945, millions of people around the world have stood  
19          up to demand meaningful, immediate international  
20          action to halt, reduce, and eliminate the threats  
21          posed by nuclear weapons, nuclear weapons testing,  
22          and nuclear war, to humankind and the planet.

23          (4) In 1970, the Treaty on the Non-Prolifera-  
24          tion of Nuclear Weapons done at Washington, Lon-  
25          don, and Moscow July 1, 1968 (21 UST 483) (com-

1 monly referred to as the “Nuclear Non-Proliferation  
2 Treaty” or the “NPT”) entered into force, which in-  
3 cludes a binding obligation on the 5 nuclear-weapon  
4 states (commonly referred to as the “P5”), among  
5 other things, “to pursue negotiations in good faith  
6 on effective measures relating to the cessation of the  
7 nuclear arms race . . . and to nuclear disarm-  
8 mament”.

9 (5) Bipartisan United States global leadership  
10 has curbed the growth in the number of countries  
11 possessing nuclear weapons and has slowed overall  
12 vertical proliferation among countries already pos-  
13 sessing nuclear weapons, as is highlighted by a more  
14 than 85-percent reduction in the United States nu-  
15 clear weapons stockpile from its Cold War height of  
16 31,255 in 1967.

17 (6) The United States testing of nuclear weap-  
18 ons is no longer necessary as a result of the fol-  
19 lowing major technical developments since the Sen-  
20 ate’s consideration of the Comprehensive Nuclear-  
21 Test-Ban Treaty (commonly referred to as the  
22 “CTBT”) in 1999:

23 (A) The verification architecture of the  
24 Comprehensive Nuclear Test-Ban-Treaty Orga-

nization (commonly referred to as the “CTBTO”)—

(i) has made significant advancements, as seen through its network of 300 International Monitoring Stations and its International Data Centre, which together provide for the near instantaneous detection of nuclear explosives tests, including all 6 such tests conducted by North Korea between 2006 and 2017; and

(ii) is operational 24 hours a day, 7 days a week.

(B) Since the United States signed the CTBT, confidence has grown in the science-based Stockpile Stewardship and Management Plan of the Department of Energy, which forms the basis of annual certifications to the President regarding the continual safety, security, and effectiveness of the United States nuclear deterrent in the absence of nuclear testing, leading former Secretary of Energy Ernest Moniz to remark in 2015 that “lab directors today now state that they certainly understand much more about how nuclear weapons work than during the period of nuclear testing”.

1           (7) Despite the progress made to reduce the  
2           number and role of, and risks posed by, nuclear  
3           weapons, and to halt the Cold War-era nuclear arms  
4           race, tensions between countries that possess nuclear  
5           weapons are on the rise, key nuclear risk reduction  
6           treaties are under threat, significant stockpiles of  
7           weapons-usable fissile material remain, and a quali-  
8           tative global nuclear arms race is now underway  
9           with each of the countries that possess nuclear  
10          weapons spending tens of billions of dollars each  
11          year to maintain and improve their arsenals.

12          (8) The Russian Federation is pursuing the de-  
13          velopment of destabilizing types of nuclear weapons  
14          that are not presently covered under any existing  
15          arms control treaty or agreement and the People's  
16          Republic of China, India, Pakistan, and North  
17          Korea have each taken concerning steps to diversify  
18          their more modest sized, but nonetheless very dead-  
19          ly, nuclear arsenals.

20          (9) Former President Donald J. Trump's 2018  
21          Nuclear Posture Review called for the development  
22          two new nuclear weapons capabilities, which have  
23          the effect of lowering the threshold for nuclear weap-  
24          ons use:

1 (A) A low-yield warhead on a submarine-  
2 launched ballistic missile, which was deployed  
3 before the date of the enactment of this Act.

4 (B) A sea-launched cruise missile, still  
5 under development on the date of the enact-  
6 ment of this Act.

7 (10) On February 3, 2021, President Joseph R.  
8 Biden preserved binding and verifiable limits on the  
9 deployed and non-deployed strategic forces of the  
10 largest two nuclear weapons powers through the  
11 five-year extension of the Treaty between the United  
12 States of America and the Russian Federation on  
13 Measures for the Further Reduction and Limitation  
14 of Strategic Offensive Arms, signed April 8, 2010,  
15 and entered into force February 5, 2011 (commonly  
16 referred to as the “New START Treaty”).

17 (11) In 2013, the report on a nuclear weapons  
18 employment strategy of the United States submitted  
19 under section 492 of title 10, United States Code,  
20 determined that it is possible to ensure the security  
21 of the United States and allies and partners of the  
22 United States and maintain a strong and credible  
23 strategic deterrent while safely pursuing up to a  $\frac{1}{3}$   
24 reduction in deployed nuclear weapons from the level  
25 established in the New START Treaty.

1           (12) On January 12, 2017, then-Vice President  
2       Biden stated, “[G]iven our non-nuclear capabilities  
3       and the nature of today’s threats—it’s hard to envi-  
4       sion a plausible scenario in which the first use of nu-  
5       clear weapons by the United States would be nec-  
6       essary. Or make sense.”.

7           (13) In light of moves by the United States and  
8       other countries to increase their reliance on nuclear  
9       weapons, a global nuclear freeze would seek to halt  
10      the new nuclear arms race by seeking conclusion of  
11      a comprehensive and verifiable freeze on the testing,  
12      deployment, and production of nuclear weapons and  
13      delivery vehicles for such weapons.

14   **SEC. 3. STATEMENT OF POLICY.**

15       The following is the policy of the United States:

16           (1) The United States should build upon its  
17       decades long, bipartisan efforts to reduce the num-  
18       ber and salience of nuclear weapons by leading inter-  
19       national negotiations on specific arms-reduction  
20       measures as part of a 21st century global nuclear  
21       freeze movement.

22           (2) Building on the successful extension of the  
23       New START Treaty, the United States should en-  
24       gage with all other countries that possess nuclear  
25       weapons to seek to negotiate and conclude future

1 multilateral arms control, disarmament, and risk re-  
2 duction agreements, which should contain some or  
3 all of the following provisions:

4 (A) An agreement by the United States  
5 and the Russian Federation on a follow-on trea-  
6 ty or agreement to the New START Treaty  
7 that may lower the central limits of the Treaty  
8 and cover new kinds of strategic delivery vehi-  
9 cles or non-strategic nuclear weapons.

10 (B) An agreement on a verifiable freeze on  
11 the testing, production, and further deployment  
12 of all nuclear weapons and delivery vehicles for  
13 such weapons.

14 (C) An agreement that establishes a  
15 verifiable numerical ceiling on the deployed  
16 shorter-range and intermediate-range and stra-  
17 tegic delivery systems (as defined by the INF  
18 Treaty and the New START Treaty, respec-  
19 tively) and the nuclear warheads associated  
20 with such systems belonging to the P5, and to  
21 the extent possible, all countries that possess  
22 nuclear weapons, at August 2, 2019, levels.

23 (D) An agreement by each country to  
24 adopt a policy of no first use of nuclear weap-



1           ons or provide transparency into its nuclear de-  
2           claratory policy.

3           (E) An agreement on a proactive United  
4           Nations Security Council resolution that ex-  
5           pands access by the International Atomic En-  
6           ergy Agency to any country found by the Board  
7           of Governors of that Agency to be noncompliant  
8           with its obligations under the NPT.

9           (F) An agreement to refrain from config-  
10          uring nuclear forces in a “launch on warning”  
11          or “launch under warning” nuclear posture,  
12          which may prompt a nuclear armed country to  
13          launch a ballistic missile attack in response to  
14          detection by an early-warning satellite or sensor  
15          of a suspected incoming ballistic missile.

16          (G) An agreement not to target or inter-  
17          fere in the nuclear command, control, and com-  
18          munications (commonly referred to as “NC3”)  
19          infrastructure of another country through a ki-  
20          netic attack or a cyberattack.

21          (H) An agreement on transparency meas-  
22          ures or verifiable limits, or both, on hypersonic  
23          cruise missiles and glide vehicles that are fired  
24          from sea-based, ground, and air platforms.

1           (I) An agreement to provide a baseline and  
2           continuous exchanges detailing the aggregate  
3           number of active nuclear weapons and associ-  
4           ated systems possessed by each country.

5           (3) The United States should rejuvenate efforts  
6           in the United Nations Conference on Disarmament  
7           toward the negotiation of a verifiable Fissile Mate-  
8           rial Treaty or Fissile Material Cutoff Treaty, or  
9           move negotiations to another international body or  
10          fora, such as a meeting of the P5. Successful conclu-  
11          sion of such a treaty would verifiably prevent any  
12          country's production of highly enriched uranium and  
13          plutonium for use in nuclear weapons.

14          (4) The United States should convene a series  
15          of head-of-state level summits on nuclear disar-  
16          mament modeled on the Nuclear Security Summits  
17          process, which saw the elimination of the equivalent  
18          of 3,000 nuclear weapons.

19          (5) The President should seek ratification by  
20          the Senate of the CTBT and mobilize all countries  
21          covered by Annex 2 of the CTBT to pursue similar  
22          action to hasten entry into force of the CTBT. The  
23          entry into force of the CTBT, for which ratification  
24          by the United States will provide critical momentum,  
25          will activate the CTBT's onsite inspection provision

1 to investigate allegations that any country that is a  
2 party to the CTBT has conducted a nuclear test of  
3 any yield.

4 (6) The President should make the accession of  
5 North Korea to the CTBT a component of any final  
6 agreement in fulfilling the pledges the Government  
7 of North Korea made in Singapore, as North Korea  
8 is reportedly the only country to have conducted a  
9 nuclear explosive test since 1998.

10 (7) The United States should—

11 (A) refrain from developing any new de-  
12 signs for nuclear warheads or bombs, but espe-  
13 cially designs that could add a level of technical  
14 uncertainty into the United States stockpile and  
15 thus renew calls to resume nuclear explosive  
16 testing in order to test that new design; and

17 (B) seek reciprocal commitments from  
18 other countries that possess nuclear weapons.

19 **SEC. 4. PROHIBITION ON USE OF FUNDS FOR NUCLEAR**  
20 **TEST EXPLOSIONS.**

21 (a) IN GENERAL.—None of the funds authorized to  
22 be appropriated or otherwise made available for fiscal year  
23 2022 or any fiscal year thereafter, or authorized to be ap-  
24 propriated or otherwise made available for any fiscal year  
25 before fiscal year 2022 and available for obligation as of

1 the date of the enactment of this Act, may be obligated  
2 or expended to conduct or make preparations for any ex-  
3 plosive nuclear weapons test that produces any yield until  
4 such time as—

5           (1) the President submits to Congress an ad-  
6 dendum to the report required by section 4205 of  
7 the Atomic Energy Defense Act (50 U.S.C. 2525)  
8 that details any change to the condition of the  
9 United States nuclear weapons stockpile from the  
10 report submitted under that section in the preceding  
11 year; and

12           (2) there is enacted into law a joint resolution  
13 of Congress that approves the test.

14       (b) RULE OF CONSTRUCTION.—Subsection (a) does  
15 not limit nuclear stockpile stewardship activities that are  
16 consistent with the zero-yield standard and other require-  
17 ments under law.

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