

104TH CONGRESS
1ST SESSION

H. R. 2483

To require the President to give notice of the intention of the United States to withdraw from the Anti-Ballistic Missile Treaty, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 17, 1995

Mr. HOKE (for himself, Mr. HYDE, Mr. LIVINGSTON, Mr. SPENCE, Mr. DELAY, Mr. BOEHNER, Mr. COX of California, Mr. STUMP, Mr. DORNAN, Mr. HUNTER, Mr. CUNNINGHAM, Mr. ROHRABACHER, Mr. ROYCE, Mr. BARR of Georgia, Mr. BONO, Mr. FUNDERBURK, Mr. JONES, Mr. SHADEGG, Mr. SMITH of Texas, and Mr. HANSEN) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on National Security, 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

A BILL

To require the President to give notice of the intention of the United States to withdraw from the Anti-Ballistic Missile Treaty, 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 “Defend America Act
5 of 1995”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds that—

3 (1) it is a primary responsibility of the United
4 States Government under the Constitution to pro-
5 vide for the common defense of the American people;

6 (2) the territory of the United States is cur-
7 rently unprotected against attacks, purposeful or ac-
8 cidental, with ballistic missiles; and

9 (3) the international proliferation of ballistic
10 missiles and weapons of mass destruction constitute
11 extraordinary events that have jeopardized the su-
12 preme interests of the United States.

13 **SEC. 3. REQUIREMENT TO GIVE NOTICE OF WITHDRAWAL.**

14 Based on the changed strategic circumstances de-
15 scribed in section 2(3), the President shall, within 180
16 days after the date of the enactment of this Act, give no-
17 tice to the Russian Federation of the intention of the Unit-
18 ed States to withdraw from the Anti-Ballistic Missile
19 Treaty, as permitted under Article XV of that Treaty.

20 **SEC. 4. CONDUCT OF A TEST.**

21 The Secretary of Defense, acting through the Direc-
22 tor of the Ballistic Missile Defense Organization, shall, not
23 later than 1 year after the date of the enactment of this
24 Act, order that at least of one of the following tests be
25 conducted:

1 (1) The test of an anti-ballistic missile intercep-
2 tor that is based in space.

3 (2) The test of a sensor in space capable of pro-
4 viding data directly to an anti-ballistic missile inter-
5 ceptor.

6 (3) The test of an existing air defense system,
7 theater missile defense system, or early warning sys-
8 tem to demonstrate its capability to counter strate-
9 gic ballistic missiles or their elements in flight tra-
10 jectory.

11 **SEC. 5. DEFINITION.**

12 As used in this Act, the term “Anti-Ballistic Missile
13 Treaty” means the Treaty Between the United States of
14 America and the Union of Soviet Socialist Republics on
15 the Limitation of Anti-Ballistic Missile Systems, signed in
16 Moscow on May 26, 1972, with related protocol, signed
17 in Moscow on July 3, 1974.

18 **SEC. 6. FUNDING.**

19 Of the funds available to the Ballistic Missile Defense
20 Organization, up to \$50,000,000 shall be made available
21 for the conduct of at least one test described in section
22 4.

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