

**AMENDMENT TO H.R. 4546, AS REPORTED
OFFERED BY MR. MARKEY OF MASSACHUSETTS**

At the end of subtitle C of title XXXI (page 352,
after line 24), insert the following new section:

1 **SEC. 3146. PROHIBITION ON RESEARCH AND DEVELOP-**
2 **MENT OF NUCLEAR EARTH PENETRATOR**
3 **WEAPON.**

4 (a) PERMANENT PROHIBITION.—No funds available
5 to the Department of Energy may be used for any develop-
6 ment, testing, or engineering of a nuclear earth penetrator
7 weapon.

8 (b) FISCAL YEAR 2003.—No funds appropriated for
9 or otherwise made available to the Secretary of Energy
10 for fiscal year 2003 may be used for a feasibility study
11 for a nuclear earth penetrator weapon.

