

(5) The Director for Strategy, Plans, and Policy of the Joint Staff.

(6) The Director for Capability and Resource Integration for the United States Strategic Command.

(c) DELEGATION.—An official specified in subsection (b) may delegate the authority to provide a briefing under subsection (a) to a member of the Senior Executive Service who reports to the official.

(d) TERMINATION.—The requirement to provide a briefing under subsection (a) shall terminate on January 1, 2028.

(Added Pub. L. 117–263, div. A, title XVI, §1631, Dec. 23, 2022, 136 Stat. 2934; amended Pub. L. 118–159, div. A, title XVI, §1621(d)(2), Dec. 23, 2024, 138 Stat. 2171.)

Editorial Notes

CODIFICATION

As enacted by Pub. L. 117–263, “SEC.” preceding section designation and catchline text were editorially conformed to the style used in this title.

AMENDMENTS

2024—Subsec. (b)(2). Pub. L. 118–159 substituted “Nuclear Deterrence, Chemical, and Biological Defense Policy and Programs” for “Nuclear, Chemical, and Biological Defense Programs”.

§ 493. Reports to Congress on the modification of the force structure for the strategic nuclear weapons delivery systems of the United States

Whenever after December 31, 2011, the President proposes a modification of the force structure for the strategic nuclear weapons delivery systems of the United States, the President shall submit to Congress a report on the modification not less than 180 days before the intended effective date of the modification. The report shall include a description of the manner in which such modification will maintain for the United States a range of strategic nuclear weapons delivery systems appropriate for the current and anticipated threats faced by the United States when compared with the current force structure of strategic nuclear weapons delivery systems.

(Added and amended Pub. L. 112–239, div. A, title X, §1031(b)(3)(B), (C)(ii), Jan. 2, 2013, 126 Stat. 1918, 1919; Pub. L. 113–66, div. A, title X, §1091(b)(5), Dec. 26, 2013, 127 Stat. 876; Pub. L. 117–81, div. A, title XVI, §1634, Dec. 27, 2021, 135 Stat. 2091.)

Editorial Notes

CODIFICATION

The text of this section is based on Pub. L. 112–81, div. A, title X, §1077, Dec. 31, 2011, 125 Stat. 1596. Section 1077 of Pub. L. 112–81, formerly classified to section 2514 of Title 50, War and National Defense, was transferred to this section by Pub. L. 112–239, §1031(b)(3)(B)(i)–(iii).

AMENDMENTS

2021—Pub. L. 117–81 inserted “not less than 180 days before the intended effective date of the modification” after “report on the modification”.

2013—Pub. L. 112–239, §1031(b)(3)(C)(ii), made technical amendments to conform section enumerator and catch-

line to the style of this title. See Codification note above.

Pub. L. 112–239, §1031(b)(3)(B)(iv), as amended by Pub. L. 113–66, §1091(b)(5), substituted “December 31, 2011,” for “the date of the enactment of this Act”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 113–66, div. A, title X, §1091(b), Dec. 26, 2013, 127 Stat. 876, provided in part that the amendment made by section 1091(b)(5) is effective as of Jan. 2, 2013, and as if included in Pub. L. 112–239 as enacted.

§ 493a. Industrial base monitoring for B-21 and Sentinel programs

(a) DESIGNATION.—The Secretary of the Air Force, acting through the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics, shall designate a senior official, who shall report to the Assistant Secretary, to monitor the combined industrial base supporting the acquisition of—

(1) B-21 aircraft; and

(2) the Sentinel intercontinental ballistic missile weapon system.

(b) REQUIREMENTS FOR MONITORING.—In monitoring the combined industrial base described in subsection (a), the senior official designated under such subsection shall—

(1) have the authority to select staff to assist the senior official from among civilian employees of the Department and members of the armed forces, who may provide such assistance concurrently while serving in another position;

(2) monitor the acquisition by the combined industrial base of—

(A) materials, technologies, and components associated with nuclear weapons systems; and

(B) commodities purchased on a large scale;

(3) monitor the hiring or contracting by the combined industrial base of personnel with critical skills; and

(4) assess whether personnel with critical skills and knowledge, intellectual property on manufacturing processes, and facilities and equipment necessary to design, develop, manufacture, repair, and support a program are available and affordable within the scopes of the B-21 aircraft program and the Sentinel intercontinental ballistic missile weapon system program.

(c) ANNUAL REPORT.—At the same time as the submission of the budget of the President pursuant to section 1105(a) of title 31 for a fiscal year, the Secretary shall submit to the congressional defense committees a report with respect to the status of the combined industrial base described in subsection (a).

(Added Pub. L. 117–263, div. A, title XVI, §1632, Dec. 23, 2022, 136 Stat. 2934.)

Statutory Notes and Related Subsidiaries

CONDITIONAL REQUIREMENTS FOR SENTINEL INTERCONTINENTAL BALLISTIC MISSILE PROGRAM

Pub. L. 118–159, div. A, title XVI, §1629, Dec. 23, 2024, 138 Stat. 2176, provided that:

“(a) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment shall ensure, to the maximum extent practicable that—

“(1) the contract structure for the Sentinel intercontinental ballistic missile (previously referred to as the ‘ground-based strategic weapon’) program allows for maximum Federal Government oversight of—

“(A) the Aerospace Vehicle Segment program area;

“(B) the Launch Control Center program area; and

“(C) the Launch Control Facility program area;

“(2) such Federal Government oversight includes Federal Government control of—

“(A) preliminary and critical design reviews entrance criteria, exit criteria; and

“(B) certification of completion at the subsystem level through total system architecture; and

“(3) there are opportunities for competition throughout the lifecycle of the Sentinel intercontinental ballistic missile program, including competition across each of the program areas specified in paragraph (1).

“(b) REPORT.—If the Under Secretary completes a revised Milestone B approval for such program, the Under Secretary shall, not later than 60 days after the date on which the Under Secretary completes such approval, submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report that includes a description of how the Under Secretary intends to satisfy the requirements of subsection (a).

“(c) MILESTONE B APPROVAL DEFINED.—In this section, the term ‘Milestone B approval’ has the meaning given in section 4172 of title 10, United States Code.”

§ 494. Nuclear force reductions

(a) IMPLEMENTATION OF NEW START TREATY.—

(1) SENSE OF CONGRESS.—It is the Sense of Congress that—

(A) the United States is committed to maintaining a safe, secure, reliable, and credible nuclear deterrent;

(B) the United States should undertake and support an enduring stockpile stewardship program and maintain and modernize nuclear weapons production capabilities and capacities to ensure the safety, security, reliability, and credibility of the United States nuclear deterrent and to meet requirements for hedging against possible international developments or technical problems;

(C) the United States should maintain nuclear weapons laboratories and plants and preserve the intellectual infrastructure, including competencies and skill sets; and

(D) the United States should provide the necessary resources to achieve these goals, using as a starting point the levels set forth in the President’s 10-year plan provided to Congress pursuant to section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549).

(2) INSUFFICIENT FUNDING.—

(A) REPORT.—During each year in which the New START Treaty is in force, if the President determines that an appropriations Act is enacted that fails to meet the resource levels set forth in the November 2010 update to the plan referred to in section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123

Stat. 2549) or if at any time determines that more resources are required to carry out such plan than were estimated, the President shall transmit to the appropriate congressional committees, within 60 days of making such a determination, a report detailing—

(i) a plan to address the resource shortfall;

(ii) if more resources are required to carry out the plan than were estimated—

(I) the proposed level of funding required; and

(II) an identification of the stockpile work, campaign, facility, site, asset, program, operation, activity, construction, or project for which additional funds are required;

(iii) any effects caused by the shortfall on the safety, security, reliability, or credibility of the nuclear forces of the United States;

(iv) whether and why, in light of the shortfall, remaining a party to the New START Treaty is still in the national interest of the United States; and

(v) a detailed explanation of why the modernization timelines established in the 2010 Nuclear Posture Review are no longer applicable.

(B) PRIOR NOTIFICATION.—If the President transmits a report under subparagraph (A), the President shall notify the appropriate congressional committees of any determination by the President to reduce the number of deployed nuclear warheads of the United States by not later than 60 days before taking any action to carry out such reduction.

(C) EXCEPTION.—The limitation in subparagraph (B) shall not apply to—

(i) reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery systems; or

(ii) nuclear warheads that are retired or awaiting dismantlement on the date of the report under subparagraph (A).

(D) DEFINITIONS.—In this paragraph:

(i) The term “appropriate congressional committees” means—

(I) the congressional defense committees; and

(II) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(ii) The term “New START Treaty” means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

(b) ANNUAL REPORT ON THE NUCLEAR WEAPONS STOCKPILE OF THE UNITED STATES.—