

Program Evaluation and the Director for Cost Estimating and Program Evaluation have sufficient information system support, as determined by such Directors, to facilitate the timely hosting, handling, and sharing of data relating to programs and projects of the nuclear security enterprise under this section at the appropriate level of classification.

(3) The Deputy Administrator for Naval Reactors of the National Nuclear Security Administration may coordinate with the Director of Cost Assessment and Program Evaluation and the Director for Cost Estimating and Program Evaluation to ensure that, at the discretion of the Deputy Administrator, data relating to programs and projects of the Office of Naval Reactors are correctly represented in the data storage system pursuant to paragraph (1)(A).

(d) **CONTRACT REQUIREMENTS.**—The Secretary and the Administrator shall ensure that any relevant contract relating to a program or project of the nuclear security enterprise and nuclear forces that is entered into after December 11, 2017, appropriately includes—

(1) requirements and standards for data collection; and

(2) requirements for reporting on cost, programmatic, and technical data using procedures, standards, and formats approved by the Director of Cost Assessment and Program Evaluation and the Director for Cost Estimating and Program Evaluation.

(e) **NUCLEAR SECURITY ENTERPRISE DEFINED.**—In this section, the term “nuclear security enterprise” has the meaning given that term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

(Added Pub. L. 115–91, div. A, title XVI, §1652(a), Dec. 12, 2017, 131 Stat. 1757; amended Pub. L. 115–232, div. A, title X, §1081(a)(7), Aug. 13, 2018, 132 Stat. 1983.)

Editorial Notes

AMENDMENTS

2018—Subsec. (d). Pub. L. 115–232 substituted “after December 11, 2017,” for “on or after the date of the enactment of this section” in introductory provisions.

§ 499b. Participation in United States Strategic Command strategic deterrence exercises

(a) **PARTICIPATION.**—In the case of annual strategic deterrence exercises held by the United States Strategic Command during fiscal years 2022 through 2032—

(1) the Assistant to the President for National Security Affairs is encouraged to participate in each such exercise that occurs during an even-numbered year;

(2) the Deputy Assistant to the President for National Security Affairs is encouraged to participate in each such exercise that occurs during an odd-numbered year;

(3) the Under Secretary of Defense for Policy shall participate, in whole or in part, in each such exercise;

(4) the Vice Chairman of the Joint Chiefs of Staff shall participate, in whole or in part, in each such exercise;

(5) appropriate senior staff of the Executive Office of the President or appropriate organi-

zations supporting the White House relating to continuity of government activities are encouraged to participate in each such exercise;

(6) appropriate general or flag officers of the military departments, and appropriate employees of Federal agencies in Senior Executive Service positions (as defined in section 3132 of title 5), shall participate, in whole or in part, in each such exercise, to provide relevant expertise to the Assistant to the President for National Security Affairs and the Deputy Assistant to the President for National Security Affairs; and

(7) in the case of such an exercise for which a unified combatant command has a geographic area of responsibility relevant to the scenario planned to be used for the exercise, not fewer than two of the following individuals from that command shall participate, in whole or in part, in the exercise:

(A) The Commander.

(B) The Deputy Commander.

(C) The Director of the Joint Staff for Operations.

(D) The Director of the Joint Staff for Strategic Plans and Policy.

(b) **BRIEFING.**—Not fewer than once every four years (or more frequently if appropriate) during the period specified in subsection (a), the President shall be provided a briefing on the annual strategic deterrence exercise held by the United States Strategic Command during the year in which the briefing is provided, including the principal findings resulting from the exercise.

(c) **REPORTS.**—(1) Not later than 30 days after the completion of an annual strategic deterrence exercise described in subsection (a), the Commander of the United States Strategic Command shall submit to the Chairman of the Joint Chiefs of Staff and the Secretary of Defense a report on the exercise, which, at a minimum, shall include the following:

(A) A description of the purpose and scope of the exercise.

(B) An identification of the principal personnel participating in the exercise.

(C) A statement of the principal findings resulting from the exercise that specifically relate to the nuclear command, control, and communications or senior leader decision-making process and a description of any deficiencies in that process identified a result of the exercise.

(D) Whether the President was briefed on the exercise and the principal findings resulting from the exercise.

(2) Not later than 60 days after the completion of an annual strategic deterrence exercise described in subsection (a), the Secretary shall submit to the congressional defense committees—

(A) an unedited copy of the report of the Commander submitted under paragraph (1); and

(B) any additional recommendations or other matters the Secretary considers appropriate.

(Added Pub. L. 117–81, div. A, title XVI, §1631, Dec. 27, 2021, 135 Stat. 2089.)

§ 499c. Portfolio management framework for nuclear forces

(a) REQUIREMENT.—Not later than January 1, 2024, the Secretary of Defense shall—

(1) implement a portfolio management framework for nuclear forces of the United States that—

(A) specifies the portfolio of nuclear forces covered by the framework;

(B) establishes a portfolio governance structure for such forces that takes advantage of, or is modeled on, an existing portfolio governance structure, such as the Deputy's Management Action Group described in Department of Defense Directive 5105.79;

(C) outlines the approach of the Secretary for identifying and managing risk relating to such forces and prioritizing the efforts among such forces, including how the Secretary, acting through the Under Secretary of Defense for Acquisition and Sustainment, will coordinate such identification, management, and prioritization with the Administrator for Nuclear Security using the coordination processes of the Nuclear Weapons Council; and

(D) incorporates the findings and recommendations identified by the Comptroller General of the United States in the report titled “Nuclear Enterprise: DOD and NNSA Could Further Enhance How They Manage Risk and Prioritize Efforts” (GAO–22–104061) and dated January 2022; and

(2) complete a comprehensive assessment of the portfolio management capabilities required to identify and manage risk in the portfolio of nuclear forces, including how to draw upon public and private sector resources and the program management expertise within the Defense Acquisition University.

(b) ANNUAL BRIEFINGS; NOTIFICATIONS.—(1) In conjunction with the submission of the budget of the President to Congress pursuant to section 1105 of title 31 for fiscal year 2025 and each fiscal year thereafter through the date specified in subsection (c), the Secretary shall provide to the congressional defense committees a briefing on identifying and managing risk relating to nuclear forces and prioritizing the efforts among such forces, including, with respect to the period covered by the briefing—

(A) the current and projected operational requirements for nuclear forces that were used for such identification, management, and prioritization;

(B) key areas of risk identified; and

(C) a description of the actions proposed or carried out to mitigate such risk.

(2) The Secretary may provide the briefings under paragraph (1) in classified form.

(3) If a House of Congress adopts a bill authorizing or appropriating funds that, as determined by the Secretary, provides funds in an amount that will result in a significant delay in the nuclear certification or delivery of nuclear forces, the Secretary shall notify the congressional defense committees of the determination.

(c) TERMINATION.—The requirements of this section shall terminate 90 days after the date on

which the Secretary certifies to the congressional defense committees that each of the following have achieved full operational capability:

(1) The LGM–35A Sentinel intercontinental ballistic missile weapon system.

(2) The Columbia-class ballistic missile submarine program.

(3) The long-range standoff weapon program.

(4) The B–21 Raider bomber aircraft program.

(5) The F–35A dual-capable aircraft program.

(d) NUCLEAR FORCES DEFINED.—In this section, the term “nuclear forces” includes, at a minimum—

(1) nuclear weapons;

(2) the delivery platforms and systems for nuclear weapons;

(3) nuclear command, control, and communications systems; and

(4) the infrastructure and facilities of the Department of Defense and the National Nuclear Security Administration that support nuclear weapons, the delivery platforms and systems for nuclear weapons, and nuclear command, control, and communications systems, including with respect to personnel, construction, operation, and maintenance.

(Added Pub. L. 117–263, div. A, title XVI, § 1634(a), Dec. 23, 2022, 136 Stat. 2938.)

CHAPTER 25—ELECTROMAGNETIC WARFARE

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§ 500. Electromagnetic Spectrum Operations Executive Committee

(a) IN GENERAL.—There is within the Department of Defense an Electromagnetic Spectrum Operations Executive Committee (in this section referred to as the “Executive Committee”).

(b) PURPOSES.—The Executive Committee shall—

(1) serve as the principal forum within the Department of Defense to inform, coordinate, and evaluate matters relating to electromagnetic warfare;

(2) provide senior oversight, coordination, and budget and capability harmonization with respect to such matters; and

(3) act as an advisory body to the Secretary of Defense, the Deputy Secretary of Defense,

¹ Editorially supplied.