

**§ 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**

Sec.<sup>1</sup>

500. Electromagnetic Spectrum Operations Executive Committee.

500a. Guidance on electromagnetic spectrum operations mission area and joint electromagnetic spectrum operations.

500b. Annual report on electromagnetic spectrum operations strategy of the Department of Defense.

500c. Annual assessment of budget with respect to electromagnetic spectrum operations capabilities.

500d. Electromagnetic spectrum superiority implementation plan.

500e. Electromagnetic Spectrum Enterprise Operational Lead for Joint Electromagnetic Spectrum Operations.

500f. Evaluations of abilities of armed forces and combatant commands to perform electromagnetic spectrum operations missions.

**§ 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,

<sup>1</sup> Editorially supplied.