2015, and also as part of the Consolidated and Further Continuing Appropriations Act, 2015, and not as part of the Atomic Energy Defense Act which comprises this chapter.

§ 2524. Stockpile management program

(a) Program required

The Secretary of Energy, acting through the Administrator and in consultation with the Secretary of Defense, shall carry out a program, in support of the stockpile stewardship program, to provide for the effective management, modernization, and replacement, as required, of the weapons in the nuclear weapons stockpile. The program shall have the following objectives:

(1) To enhance the performance and reliability of the nuclear weapons stockpile of the United States.

(2) To further reduce the likelihood of the resumption of underground nuclear weapons testing.

(3) To maintain the safety and security of the nuclear weapons stockpile.

(4) To optimize the future size of the nuclear weapons stockpile.

(5) To reduce the risk of an accidental detonation of an element of the stockpile.

(6) To reduce the risk of an element of the stockpile being used by a person or entity hostile to the United States, its vital interests, or its allies.

(b) Program limitations

In carrying out the stockpile management program under subsection (a), the Secretary of Energy shall ensure that—

(1) any changes made to the stockpile shall be consistent with the objectives identified in subsection (a);

(2) any changes made to the stockpile consistent with the objectives identified in subsection (a) are carried out in a cost effective manner; and

(3) any such changes made to the stockpile shall—

(A) be well understood and certifiable without the need to resume underground nuclear weapons testing;

(B) use the design, certification, and production expertise resident in the nuclear security enterprise to fulfill current mission requirements of the existing stockpile; and

(C) develop future generations of design, certification, and production expertise in the nuclear security enterprise to support the fulfillment of mission requirements of the future stockpile.

(c) Program budget

In accordance with the requirements under section 2529 of this title, for each budget submitted by the President to Congress under section 1105 of title 31, the amounts requested for the program under this section shall be clearly identified in the budget justification materials submitted to Congress in support of that budget.

(Pub. L. 107–314, div. D, title XLII, § 4204, formerly Pub. L. 106–65, div. C, title XXXI, § 3133, Oct. 5, 1999, 113 Stat. 926; renumbered Pub. L. 107–314, div. D, title XLII, § 4204, and amended Pub. L. 108–136, div. C, title XXXI, §§ 3111, 3141(e)(5), Nov. 24, 2003, 117 Stat. 1743, 1758; Pub. L. 111–84, div. C, title XXXI, § 3113(a)(2), Oct. 28, 2009, 123 Stat. 2704; Pub. L. 112–239, div. C, title XXXI, § 3133(d), Jan. 2, 2013, 126 Stat. 2192; Pub. L. 113–66, div. C, title XXXI, § 3146(c)(2), Dec. 26, 2013, 127 Stat. 1073; Pub. L. 118–159, div. C, title XXXI, § 3111(c)(2), Dec. 23, 2024, 138 Stat. 2294.)

Editorial Notes

CODIFICATION

Section was formerly set out as a note under section 2121 of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108–136.

AMENDMENTS

2024—Subsec. (a). Pub. L. 118–159, § 3111(c)(2)(A)(i), inserted '', modernization, and replacement, as required,'' after ''effective management'' and struck out '', including the extension of the effective life of such weapons'' after ''nuclear weapons stockpile'' in introductory provisions.

Subsec. (a)(1). Pub. L. 118–159, § 3111(c)(2)(A)(ii), substituted ''enhance the performance and reliability'' for ''increase the reliability, safety, and security''.

Subsec. (a)(3). Pub. L. 118–159, § 3111(c)(2)(A)(iv), added par. (3). Former par. (3) redesignated (4).

Subsec. (a)(4). Pub. L. 118–159, § 3111(c)(2)(A)(iii), (v), redesignated par. (3) as (4) and amended it generally. Prior to amendment, par. (4) read as follows: ''To achieve reductions in the future size of the nuclear weapons stockpile.'' Former par. (4) redesignated (5).

Subsec. (a)(5), (6). Pub. L. 118–159, § 3111(c)(2)(A)(iii), redesignated pars. (4) and (5) as (5) and (6), respectively.

Subsec. (b)(1). Pub. L. 118–159, § 3111(c)(2)(B)(i), substituted ''consistent with'' for ''made to achieve'' and semicolon at end for ''; and''.

Subsec. (b)(2). Pub. L. 118–159, § 3111(c)(2)(B)(iii), added par. (2). Former par. (2) redesignated (3).

Subsec. (b)(3). Pub. L. 118–159, § 3111(c)(2)(B)(ii), redesignated par. (2) as (3).

Subsec. (b)(3)(A). Pub. L. 118–159, § 3111(c)(2)(B)(iv)(I), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: ''remain consistent with basic design parameters by including, to the maximum extent feasible, components that are well understood or are certifiable without the need to resume underground nuclear weapons testing; and''.

Subsec. (b)(3)(C). Pub. L. 118–159, § 3111(c)(2)(B)(iv)(II), (III), added subpar. (C).

2013—Subsec. (a). Pub. L. 113–66 struck out ''for Nuclear Security'' after ''Administrator'' in introductory provisions.

Subsec. (b)(2)(B). Pub. L. 112–239, § 3133(d)(1), substituted ''nuclear security enterprise'' for ''nuclear complex''.

Subsecs. (c) to (e). Pub. L. 112–239, § 3133(d)(2), (3), redesignated subsec. (e) as (c) and struck out former subsecs. (c) and (d), which related, respectively, to program plan and annual updates.

2009—Pub. L. 111–84 amended section generally. Prior to amendment, section related to the nuclear weapons stockpile life extension program.

2003—Subsec. (c). Pub. L. 108–136, § 3111, struck out subsec. (c), which related to a plan for the extension of the effective life of the weapons in the nuclear weapons stockpile.

Subsec. (c)(1). Pub. L. 108–136, § 3141(e)(5)(D), substituted ''October 5, 1999'' for ''the date of the enactment of this Act''.

Subsecs. (d) to (f). Pub. L. 108–136, § 3111, struck out subsecs. (d) to (f). Prior to amendment, subsec. (d) required submittal to committees of the House and Senate of a plan for the extension of the effective life of the weapons in the nuclear weapons stockpile and annual updates of the plan, subsec. (e) required a GAO assessment of the plan and updates, and subsec. (f) stated the sense of Congress regarding funding of the program under subsec. (a).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108–136, div. C, title XXXI, § 3111, Nov. 24, 2003, 117 Stat. 1743, provided that the amendment made by section 3111 is effective December 31, 2004.

§ 2524a. Repealed. Pub. L. 111–84, div. C, title XXXI, § 3113(a)(1), Oct. 28, 2009, 123 Stat. 2704

Section, Pub. L. 107–314, div. D, title XLII, § 4204A, formerly § 4204a, as added Pub. L. 109–163, div. C, title XXXI, § 3111(a), Jan. 6, 2006, 119 Stat. 3539; renumbered § 4204A, Pub. L. 110–181, div. C, title XXXI, § 3117(1), Jan. 28, 2008, 122 Stat. 578, related to the Reliable Replacement Warhead program.

§ 2525. Annual assessments and reports to the President and Congress regarding the condition of the United States nuclear weapons stockpile

(a) Annual assessments required

For each nuclear weapon type in the stockpile of the United States, each official specified in subsection (b) on an annual basis shall, to the extent such official is directly responsible for the safety, reliability, performance, or military effectiveness of that nuclear weapon type, complete an assessment of the safety, reliability, performance, or military effectiveness (as the case may be) of that nuclear weapon type.

(b) Covered officials

The officials referred to in subsection (a) are the following:

(1) The head of each national security laboratory.

(2) The Commander of the United States Strategic Command.

(c) Dual validation teams in support of assessments

In support of the assessments required by subsection (a), the Administrator may establish teams, known as ''dual validation teams'', to provide each national security laboratory responsible for weapons design with independent evaluations of the condition of each warhead for which such laboratory has lead responsibility. A dual validation team established by the Administrator shall—

(1) be comprised of weapons experts from the laboratory that does not have lead responsibility for fielding the warhead being evaluated;

(2) have access to all surveillance and underground test data for all stockpile systems for use in the independent evaluations;

(3) use all relevant available data to conduct independent calculations; and

(4) pursue independent experiments to support the independent evaluations.

(d) Use of teams of experts for assessments

The head of each national security laboratory shall establish and use one or more teams of experts, known as ''red teams'', to assist in the assessments required by subsection (a). Each such team shall include experts from both of the other national security laboratories. Each such team for a national security laboratory shall—

(1) review both the matters covered by the assessments under subsection (a) performed by the head of that laboratory and any independent evaluations conducted by a dual validation team under subsection (c);

(2) subject such matters to challenge; and

(3) submit the results of such review and challenge, together with the findings and recommendations of such team with respect to such review and challenge, to the head of that laboratory.

(e) Report on assessments

Not later than December 1 of each year, each official specified in subsection (b) shall submit to the Secretary concerned, and to the Nuclear Weapons Council, a report on the assessments that such official was required by subsection (a) to complete. The report shall include the following:

(1) The results of each such assessment.

(2)(A) Such official's determination as to whether or not one or more underground nuclear tests are necessary to resolve any issues identified in the assessments and, if so—

(i) an identification of the specific underground nuclear tests that are necessary to resolve such issues; and

(ii) a discussion of why options other than an underground nuclear test are not available or would not resolve such issues.

(B) An identification of the specific underground nuclear tests which, while not necessary, might have value in resolving any such issues and a discussion of the anticipated value of conducting such tests.

(C) Such official's determination as to the readiness of the United States to conduct the underground nuclear tests identified under subparagraphs (A)(i) and (B), if directed by the President to do so.

(3) In the case of a report submitted by the head of a national security laboratory—

(A) a concise statement regarding the adequacy of the science-based tools and methods, including with respect to cyber assurance, being used to determine the matters covered by the assessments;

(B) a concise statement regarding the adequacy of the tools and methods employed by the manufacturing infrastructure required by section 2532 of this title to identify and fix any inadequacy with respect to the matters covered by the assessments, and the confidence of the head in such tools and methods;

(C) a concise summary of the findings and recommendations of any teams under subsection (d) that relate to the assessments, together with a discussion of those findings and recommendations;

(D) a concise summary of the results of any independent evaluation conducted by a dual validation team under subsection (c); and

(E) a concise summary of any significant finding investigations initiated or active during the previous year for which the head of the national security laboratory has full or partial responsibility.

(4) In the case of a report submitted by the Commander of the United States Strategic Command—