

“(b) ASSESSMENTS.—The Administrator shall—

“(1) acting through the Defense Programs Advisory Committee, conduct biennial reviews during the period beginning not later than one year after the date of the enactment of this Act [Dec. 23, 2022] and ending December 31, 2030, regarding the progress achieved toward completing the milestones described in subsection (a); and

“(2) seek to enter into an arrangement with the private scientific advisory group known as JASON to conduct, not later than 2030, an assessment of plutonium pit aging.

“(c) BRIEFINGS.—During the period beginning not later than one year after the date of the enactment of this Act and ending December 31, 2030, the Administrator shall provide to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] biennial briefings on—

“(1) the progress achieved toward completing the milestones described in subsection (a); and

“(2) the results of the assessments described in subsection (b).

“(d) CERTIFICATION OF COMPLETION OF MILESTONES.—Not later than October 1, 2031, the Administrator shall—

“(1) certify to the congressional defense committees whether the milestones described in subsection (a) have been achieved; and

“(2) if the milestones have not been achieved, submit to such committees a report—

“(A) describing the reasons such milestones have not been achieved;

“(B) including, if the Administrator determines the Administration will not be able to meet one of such milestones, an explanation for that determination; and

“(C) specifying new dates for the completion of the milestones the Administrator anticipates the Administration will meet.”

AUTHORIZATION OF WORKFORCE DEVELOPMENT AND TRAINING PARTNERSHIP PROGRAMS WITHIN NATIONAL NUCLEAR SECURITY ADMINISTRATION

Pub. L. 117-263, div. C, title XXXI, §3126, Dec. 23, 2022, 136 Stat. 3058, provided that:

“(a) AUTHORITY.—The Administrator for Nuclear Security may authorize management and operating contractors at covered facilities to develop and implement workforce development and training partnership programs to further the education and training of employees or prospective employees of such management and operating contractors to meet the requirements of section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a).

“(b) CAPACITY.—To carry out subsection (a), a management and operating contractor at a covered facility may provide funding through grants or other means to cover the costs of the development and implementation of a workforce development and training partnership program authorized under such subsection, including costs relating to curriculum development, hiring of teachers, procurement of equipment and machinery, use of facilities or other properties, and provision of scholarships and fellowships.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘covered facility’ means—

“(A) Los Alamos National Laboratory, Los Alamos, New Mexico; or

“(B) the Savannah River Site, Aiken, South Carolina.

“(2) The term ‘prospective employee’ means an individual who has applied (or who, based on their field of study and experience, is likely to apply) for a position of employment with a management and oper-

ating contractor to support plutonium pit production at a covered facility.”

SENSE OF CONGRESS RELATED TO MODIFICATION TO CERTAIN REQUIREMENTS RELATING TO PLUTONIUM PIT PRODUCTION CAPACITY

Pub. L. 116-92, div. C, title XXXI, §3116(a), Dec. 20, 2019, 133 Stat. 1951, provided that: “It is the sense of Congress that—

“(1) rebuilding a robust plutonium pit production infrastructure with a capacity of up to 80 pits per year is critical to maintaining the viability of the nuclear weapons stockpile;

“(2) that effort will require cooperation from experts across the nuclear security enterprise; and

“(3) any further delay to achieving a plutonium sustainment capability to support the planned stockpile life extension programs will result in an unacceptable capability gap to our deterrent posture.”

§ 2538b. Stockpile responsiveness program

(a) Statement of policy

It is the policy of the United States to identify, sustain, enhance, integrate, and continually exercise all capabilities required to conceptualize, study, design, develop, engineer, certify, produce, and deploy nuclear weapons to ensure the nuclear deterrent of the United States remains safe, secure, reliable, credible, and responsive.

(b) Program required

The Secretary of Energy, acting through the Administrator and in consultation with the Secretary of Defense, shall carry out a stockpile responsiveness program, along with the stockpile stewardship program under section 2521 of this title and the stockpile management program under section 2524 of this title, to identify, sustain, enhance, integrate, and continually exercise all capabilities required to conceptualize, study, design, develop, engineer, certify, produce, and deploy nuclear weapons.

(c) Objectives

The program under subsection (b) shall have the following objectives:

(1) Identify, sustain, enhance, integrate, and continually exercise all of the capabilities, infrastructure, tools, and technologies across the science, engineering, design, certification, and manufacturing cycle required to carry out all phases of the joint nuclear weapons life cycle process, with respect to both the nuclear security enterprise and relevant elements of the Department of Defense.

(2) Identify, enhance, and transfer knowledge, skills, and direct experience with respect to all phases of the joint nuclear weapons life cycle process from one generation of nuclear weapon designers and engineers to the following generation.

(3) Periodically demonstrate stockpile responsiveness throughout the range of capabilities as required, such as through the use of prototypes, flight testing, and development of plans for certification without the need for nuclear explosive testing.

(4) Shorten design, certification, and manufacturing cycles and timelines to minimize the amount of time and costs leading to an engineering prototype and production.

(5) Continually exercise processes for the integration and coordination of all relevant ele-

ments and processes of the Administration and the Department of Defense required to ensure stockpile responsiveness.

(6) The retention of the ability, in coordination with the Director of National Intelligence, to assess and develop prototype nuclear weapons of foreign countries if needed to meet intelligence requirements and, if necessary, to conduct no-yield testing of those prototypes.

(d) Joint nuclear weapons life cycle process defined

In this section, the term “joint nuclear weapons life cycle process” means the process developed and maintained by the Secretary of Defense and the Secretary of Energy for the development, production, maintenance, and retirement of nuclear weapons.

(Pub. L. 107–314, div. D, title XLII, §4220, as added Pub. L. 114–92, div. C, title XXXI, §3112(b)(1), Nov. 25, 2015, 129 Stat. 1189; amended Pub. L. 115–91, div. C, title XXXI, §3135(b), Dec. 12, 2017, 131 Stat. 1898; Pub. L. 116–92, div. C, title XXXI, §3114, Dec. 20, 2019, 133 Stat. 1951.)

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2019—Subsec. (c)(3). Pub. L. 116–92, §3114(1), substituted “capabilities as required, such as through the use of prototypes” for “capabilities required, including prototypes”.

Subsec. (c)(6). Pub. L. 116–92, §3114(2), substituted “in coordination with the Director of National Intelligence” for “in consultation with the Director of National Intelligence” and inserted “if needed to meet intelligence requirements” after “foreign countries”.

2017—Subsec. (c)(6). Pub. L. 115–91 added par. (6).

§ 2538c. Long-term plan for meeting national security requirements for unencumbered uranium

(a) In general

Not later than December 31 of each odd-numbered year through 2031, the Secretary of Energy shall submit to the congressional defense committees a plan for meeting national security requirements for unencumbered uranium through 2070.

(b) Plan requirements

The plan required by subsection (a) shall include the following:

(1) An inventory of unencumbered uranium (other than depleted uranium), by program source and enrichment level, that, as of the date of the plan, is allocated to national security requirements.

(2) An inventory of unencumbered uranium (other than depleted uranium), by program source and enrichment level, that, as of the date of the plan, is not allocated to national security requirements but could be allocated to such requirements.

(3) An identification of national security requirements for unencumbered uranium through 2070, by program source and enrichment level.

(4) An assessment of current and projected unencumbered uranium production by private industry in the United States that could support future defense requirements.

(5) A description of any shortfall in obtaining unencumbered uranium to meet national security requirements and an assessment of whether that shortfall could be mitigated through the blending down of uranium that is of a higher enrichment level.

(6) An inventory of unencumbered depleted uranium, an assessment of the portion of that uranium that could be allocated to national security requirements through re-enrichment, and an estimate of the costs of re-enriching that uranium.

(7) A description of the swap and barter agreements involving unencumbered uranium needed to meet national security requirements that are in effect on the date of the plan.

(8) An assessment of—

(A) when additional enrichment of uranium will be required to meet national security requirements; and

(B) the options the Secretary is considering to meet such requirements, including an estimated cost and timeline for each option and a description of any changes to policy or law that the Secretary determines would be required for each option.

(9) An assessment of how options to provide additional enriched uranium to meet national security requirements could, as an additional benefit, contribute to the establishment of a sustained domestic enrichment capacity and allow the commercial sector of the United States to reduce reliance on importing uranium from adversary countries.

(c) Form of plan

The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) Comptroller General briefing

Not later than 180 days after the date on which the congressional defense committees receive each plan under subsection (a), the Comptroller General of the United States shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing that includes an assessment of the plan.

(e) Definitions

In this section:

(1) The term “depleted”, with respect to uranium, means that the uranium is depleted in uranium-235 compared with natural uranium.

(2) The term “unencumbered”, with respect to uranium, means that the United States has no obligation to foreign governments to use the uranium for only peaceful purposes.

(Pub. L. 107–314, div. D, title XLII, §4221, as added Pub. L. 114–92, div. C, title XXXI, §3131(a), Nov. 25, 2015, 129 Stat. 1201; amended Pub. L. 115–91, div. C, title XXXI, §3133(e), Dec. 12, 2017, 131 Stat. 1897; Pub. L. 117–263, div. C, title XXXI, §3112, Dec. 23, 2022, 136 Stat. 3051.)

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AMENDMENTS

2022—Subsec. (a). Pub. L. 117–263, §3112(a), substituted “each odd-numbered year through 2031” for “each even-numbered year through 2026” and “2070” for “2065”.