(C) An initial assessment of the requirements a W93 nuclear weapon program is likely to generate for the nuclear security enterprise, including—

(i) adjustments to the size and composition of the workforce;

(ii) additions to existing weapon design and production capabilities; or

(iii) additional facility recapitalization or new construction.

(D) A preliminary description of other significant requirements for a W93 nuclear weapon program, including—

(i) first production unit date;

(ii) initial operational capability date;

(iii) full operational capability date; and

(iv) any unique safety and surety requirements that could increase design complexity or cost estimate uncertainty.

(2) Phase 2

(A) In general

Not later than 15 days after the date on which the Nuclear Weapons Council approves phase 2 of the joint nuclear weapons life cycle for the W93 nuclear weapon, the Administrator shall provide to the congressional defense committees a briefing on a plan to implement a process of independent peer review or review by a board of experts, or both, with respect to—

(i) the nonnuclear components of the weapon;

(ii) subsystem design; and

(iii) engineering aspects of the weapon.

(B) Requirements for process

The Administrator shall ensure that the process required by subparagraph (A)—

(i) uses—

(I) all relevant capabilities of the Federal Government, the defense industrial base, and institutions of higher education; and

(II) other capabilities that the Administrator determines necessary; and

(ii) informs the entire development life cycle of the W93 nuclear weapon.

(b) Certifications and reports at phase 3

Not later than 15 days after the date on which the Nuclear Weapons Council approves phase 3 of the joint nuclear weapons life cycle for the W93 nuclear weapon—

(1) the Administrator shall provide to the congressional defense committees a briefing that includes certifications that——[1]

(A) phases 1 through 5 of the joint nuclear weapons life cycle for the weapon will employ, at a minimum, the same best practices and will provide Congress with the same level of programmatic insight as exists under the phase 6.X process for life extension programs; and

(B) the proposed design for the weapon can be carried out within estimated schedule and cost objectives; and

(2) the Commander of the United States Strategic Command shall submit to the congressional defense committees a report containing, or provide to such committees a briefing on, the requirements for weapon quantity and composition by type for the sub-surface ballistic nuclear (SSBN) force, including such requirements planned for the 15-year period following the date of the report or briefing, as the case may be, including any planned life extensions, retirements, or alterations.

(c) Waivers

Subsections (a) and (b) may be waived during a period of war declared by Congress after January 1, 2021.

(d) Joint nuclear weapons life cycle defined

In this section, the term ''joint nuclear weapons life cycle'' has the meaning given that term in section 2538b of this title.

(Pub. L. 107–314, div. D, title XLII, § 4223, as added Pub. L. 116–283, div. C, title XXXI, § 3111(a)(1), Jan. 1, 2021, 134 Stat. 4375; amended Pub. L. 117–263, div. C, title XXXI, § 3131(a), Dec. 23, 2022, 136 Stat. 3059.)

Editorial Notes

AMENDMENTS

2022—Subsec. (a)(2)(A). Pub. L. 117–263, § 3131(a)(1), substituted ''provide to the congressional defense committees a briefing on a plan'' for ''submit to the congressional defense committees a plan'' in introductory provisions.

Subsec. (b)(1). Pub. L. 117–263, § 3131(a)(2)(A), substituted ''provide to the congressional defense committees a briefing that includes certifications that—'' for ''certify to the congressional defense committees that'' in introductory provisions.

Subsec. (b)(2). Pub. L. 117–263, § 3131(a)(2)(B), inserted '', or provide to such committees a briefing on,'' after ''a report containing'' and ''or briefing, as the case may be'' after ''date of the report''.

§ 2538f. Earned value management and technology readiness levels for life extension programs

(a) Review of contractor earned value management systems

The Administrator shall enter into an arrangement with an independent entity under which that entity shall—

(1) review and validate whether the earned value management systems of contractors of the Administration for life extension programs meet the earned value management national standard; and

(2) conduct periodic surveillance reviews of such systems to ensure that such systems maintain compliance with that standard through program completion.

(b) Benchmarks for technology readiness levels

The Administrator shall—

(1) establish specific benchmarks for technology readiness levels of critical technologies for life extension programs at key decision points; and

(2) ensure that critical technologies meet such benchmarks at such decision points.

(c) Applicability

This section shall apply to programs that, as of January 1, 2021, have not entered phase 3 of

[1] So in original.

the nuclear weapons acquisition process or phase 6.3 of a nuclear weapons life extension program.

(d) Definition

In this section, the term ''earned value management national standard'' means the most recent version of the EIA-748 Earned Value Management System Standard published by the National Defense Industrial Association.

(Pub. L. 107–314, div. D, title XLII, § 4224, as added Pub. L. 116–283, div. C, title XXXI, § 3112(a), Jan. 1, 2021, 134 Stat. 4377.)

PART B—TRITIUM

§ 2541. Tritium production program

(a) Establishment of program

The Secretary of Energy shall establish a tritium production program that is capable of meeting the tritium requirements of the United States for nuclear weapons.

(b) Location of tritium production facility

The Secretary shall locate any new tritium production facility of the Department of Energy at the Savannah River Site, South Carolina.

(c) In-reactor tests

The Secretary may perform in-reactor tests of tritium target rods as part of the activities carried out under the commercial light water reactor program.

(Pub. L. 107–314, div. D, title XLII, § 4231, formerly Pub. L. 104–106, div. C, title XXXI, § 3133, Feb. 10, 1996, 110 Stat. 618; renumbered Pub. L. 107–314, div. D, title XLII, § 4231, and amended Pub. L. 108–136, div. C, title XXXI, § 3141(e)(16), Nov. 24, 2003, 117 Stat. 1761; Pub. L. 112–239, div. C, title XXXI, § 3131(h), Jan. 2, 2013, 126 Stat. 2182; Pub. L. 113–66, div. C, title XXXI, § 3146(c)(11)(A), Dec. 26, 2013, 127 Stat. 1075.)

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.

Subsec. (b) of section 2543 of this title, which was transferred to the end of this section and redesignated subsec. (c) by Pub. L. 113–66, § 3146(c)(11)(A), was based on Pub. L. 107–314, div. D, title XLII, § 4233, formerly Pub. L. 104–201, div. C, title XXXI, § 3133(c), (d), Sept. 23, 1996, 110 Stat. 2830; renumbered Pub. L. 107–314, div. D, title XLII, § 4233, and amended Pub. L. 108–136, div. C, title XXXI, § 3141(e)(18), Nov. 24, 2003, 117 Stat. 1761.

AMENDMENTS

2013—Pub. L. 112–239 amended section generally. Prior to amendment, section related to tritium production program.

Subsec. (c). Pub. L. 113–66 transferred subsec. (b) of section 2543 of this title to the end of this section and redesignated it subsec. (c). See Codification note above.

2003—Subsec. (a)(1). Pub. L. 108–136, § 3141(e)(16)(D)(i), substituted ''February 10, 1996'' for ''the date of the enactment of this Act''.

Subsec. (b). Pub. L. 108–136, § 3141(e)(16)(D)(ii), inserted ''of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106)'' after ''section 3101''.

Subsecs. (d)(2)(B), (e). Pub. L. 108–136, § 3141(e)(16)(D)(i), substituted ''February 10, 1996'' for ''the date of the enactment of this Act''.

§ 2542. Tritium recycling

(a) In general

Except as provided in subsection (b), the following activities shall be carried out at the Savannah River Site, South Carolina:

(1) All tritium recycling for weapons, including tritium refitting.

(2) All activities regarding tritium formerly carried out at the Mound Plant, Ohio.

(b) Exception

The following activities may be carried out at the Los Alamos National Laboratory, New Mexico:

(1) Research on tritium.

(2) Work on tritium in support of the defense inertial confinement fusion program.

(3) Provision of technical assistance to the Savannah River Site regarding the weapons surveillance program.

(Pub. L. 107–314, div. D, title XLII, § 4232, formerly Pub. L. 104–106, div. C, title XXXI, § 3136, Feb. 10, 1996, 110 Stat. 620; renumbered Pub. L. 107–314, div. D, title XLII, § 4232, by Pub. L. 108–136, div. C, title XXXI, § 3141(e)(17), Nov. 24, 2003, 117 Stat. 1761.)

§ 2543. Repealed. Pub. L. 113–66, div. C, title XXXI, § 3146(c)(11)(B), Dec. 26, 2013, 127 Stat. 1075

Section, Pub. L. 107–314, div. D, title XLII, § 4233, formerly Pub. L. 104–201, div. C, title XXXI, § 3133(c), (d), Sept. 23, 1996, 110 Stat. 2830; renumbered Pub. L. 107–314, div. D, title XLII, § 4233, and amended Pub. L. 108–136, div. C, title XXXI, § 3141(e)(18), Nov. 24, 2003, 117 Stat. 1761; Pub. L. 113–66, div. C, title XXXI, § 3146(c)(11)(A), Dec. 26, 2013, 127 Stat. 1075, related to tritium production.

§ 2544. Modernization and consolidation of tritium recycling facilities

The Secretary of Energy shall carry out activities at the Savannah River Site, South Carolina, to—

(1) modernize and consolidate the facilities for recycling tritium from weapons; and

(2) provide a modern tritium extraction facility so as to ensure that such facilities have a capacity to recycle tritium from weapons that is adequate to meet the requirements for tritium for weapons specified in the Nuclear Weapons Stockpile Memorandum.

(Pub. L. 107–314, div. D, title XLII, § 4234, formerly Pub. L. 104–201, div. C, title XXXI, § 3134, Sept. 23, 1996, 110 Stat. 2830; renumbered Pub. L. 107–314, div. D, title XLII, § 4234, and amended Pub. L. 108–136, div. C, title XXXI, § 3141(e)(19), Nov. 24, 2003, 117 Stat. 1762; Pub. L. 112–239, div. C, title XXXI, § 3131(i), Jan. 2, 2013, 126 Stat. 2182.)

Editorial Notes

AMENDMENTS

2013—Pub. L. 112–239 struck out subsec. (a) designation and heading ''In general'' and struck out subsec. (b), which limited funding to $9,000,000 for activities under subsec. (a).

2003—Subsec. (b). Pub. L. 108–136, § 3141(e)(19)(D), inserted ''of the National Defense Authorization Act for