

shall report directly to the Chief of Naval Operations. The director shall have direct access to the Secretary of the Navy and other senior officials in the Department of the Navy concerning naval nuclear propulsion matters, and to all other Government personnel who supervise, operate, or maintain naval nuclear propulsion plants and support facilities.

SEC. 10. This Order is effective on February 1, 1982.

RONALD REAGAN.

**§ 2512. Management structure for nuclear security enterprise**

**(a) In general**

The Administrator shall establish a management structure for the nuclear security enterprise in accordance with the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.).

**(b) National Nuclear Security Administration Council**

(1) The Administrator shall establish a council to be known as the “National Nuclear Security Administration Council”. The Council may advise the Administrator on—

- (A) scientific and technical issues relating to policy matters;
- (B) operational concerns;
- (C) strategic planning;
- (D) the development of priorities relating to the mission and operations of the Administration and the nuclear security enterprise; and
- (E) such other matters as the Administrator determines appropriate.

(2) The Council shall be composed of the directors of the national security laboratories and the nuclear weapons production facilities.

(3) The Council may provide the Administrator or the Secretary of Energy recommendations for improving the—

- (A) governance, management, effectiveness, and efficiency of the Administration; and
- (B) any other matter in accordance with paragraph (1).

(4) Not later than 60 days after the date on which any recommendation under paragraph (3) is received, the Administrator or the Secretary, as the case may be, shall respond to the Council with respect to whether such recommendation will be implemented and the reasoning for implementing or not implementing such recommendation.

(Pub. L. 107-314, div. D, title XLI, § 4102, formerly Pub. L. 104-201, div. C, title XXXI, § 3140, Sept. 23, 1996, 110 Stat. 2833; renumbered Pub. L. 107-314, div. D, title XLI, § 4102, and amended Pub. L. 108-136, div. C, title XXXI, § 3141(d)(3), Nov. 24, 2003, 117 Stat. 1757; Pub. L. 112-239, div. C, title XXXI, § 3113(a), Jan. 2, 2013, 126 Stat. 2169.)

REFERENCES IN TEXT

The National Nuclear Security Administration Act, referred to in subsec. (a), is Pub. L. 106-65, div. C, title XXXII, Oct. 5, 1999, 113 Stat. 953, which is classified principally to chapter 41 (§ 2401 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2401 of this title and Tables.

CODIFICATION

Section was formerly set out as a note under section 7252 of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

AMENDMENTS

2013—Pub. L. 112-239 amended section generally. Prior to amendment, section related to reorganization of field activities and management of national security functions.

2003—Subsec. (d)(2). Pub. L. 108-136, § 3141(d)(3)(D), substituted “January 21, 1997,” for “120 days after the date of the enactment of this Act.”.

**§ 2513. Restriction on licensing requirement for certain defense activities and facilities**

None of the funds authorized to be appropriated by the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1981 (Public Law 96-540) or any other Act may be used for any purpose related to licensing of any defense activity or facility of the Department of Energy by the Nuclear Regulatory Commission.

(Pub. L. 107-314, div. D, title XLI, § 4103, formerly Pub. L. 96-540, title II, § 210, Dec. 17, 1980, 94 Stat. 3202; renumbered Pub. L. 107-314, div. D, title XLI, § 4103, and amended Pub. L. 108-136, div. C, title XXXI, § 3141(d)(4), Nov. 24, 2003, 117 Stat. 1757.)

REFERENCES IN TEXT

The Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1981, referred to in text, is Pub. L. 96-540, Dec. 17, 1980, 94 Stat. 3197, which enacted this section and section 2762 of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 7272 of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following appropriations act:

Pub. L. 96-164, title II, § 210, Dec. 29, 1979, 93 Stat. 1264.

AMENDMENTS

2003—Pub. L. 108-136, § 3131(d)(4)(C)(iii), substituted “the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1981 (Public Law 96-540) or any other Act” for “this or any other Act”.

TRANSFER OF FUNCTIONS

For transfer of certain functions from Nuclear Regulatory Commission to Chairman thereof, see Reorg. Plan No. 1 of 1980, 45 F.R. 40561, 94 Stat. 3585, set out as a note under section 5841 of Title 42, The Public Health and Welfare.

**§ 2514. Transferred**

CODIFICATION

Section, Pub. L. 112-81, div. A, title X, § 1077, Dec. 31, 2011, 125 Stat. 1596, which related to reports to Congress on the modification of the force structure for the strategic nuclear weapons delivery systems of the United States, was transferred to section 493 of Title 10, Armed Forces, by Pub. L. 112-239, div. A, title X, § 1031(b)(3)(B)(i)–(iii), Jan. 2, 2013, 126 Stat. 1918.

SUBCHAPTER II—NUCLEAR WEAPONS  
STOCKPILE MATTERS

PART A—STOCKPILE STEWARDSHIP AND WEAPONS  
PRODUCTION

**§ 2521. Stockpile stewardship program**

**(a) Establishment**

The Secretary of Energy, acting through the Administrator for Nuclear Security, shall establish a stewardship program to ensure—

(1) the preservation of the core intellectual and technical competencies of the United States in nuclear weapons, including weapons design, system integration, manufacturing, security, use control, reliability assessment, and certification; and

(2) that the nuclear weapons stockpile is safe, secure, and reliable without the use of underground nuclear weapons testing.

**(b) Program elements**

The program shall include the following:

(1) An increased level of effort for advanced computational capabilities to enhance the simulation and modeling capabilities of the United States with respect to the performance over time of nuclear weapons.

(2) An increased level of effort for above-ground experimental programs, such as hydrotesting, high-energy lasers, inertial confinement fusion, plasma physics, and materials research.

(3) Support for new facilities construction projects that contribute to the experimental capabilities of the United States, such as an advanced hydrodynamics facility, the National Ignition Facility, and other facilities for above-ground experiments to assess nuclear weapons effects.

(4) Support for the use of, and experiments facilitated by, the advanced experimental facilities of the United States, including—

(A) the National Ignition Facility at Lawrence Livermore National Laboratory;

(B) the Dual Axis Radiographic Hydrodynamic Test Facility at Los Alamos National Laboratory;

(C) the Z Machine at Sandia National Laboratories; and

(D) the experimental facilities at the Nevada National Security Site.

(5) Support for the sustainment and modernization of facilities with production and manufacturing capabilities that are necessary to ensure the safety, security, and reliability of the nuclear weapons stockpile, including—

(A) the Pantex Plant;

(B) the Y-12 National Security Complex;

(C) the Kansas City Plant;

(D) the Savannah River Site; and

(E) production and manufacturing capabilities resident in the national security laboratories.

(Pub. L. 107-314, div. D, title XLII, § 4201, formerly Pub. L. 103-160, div. C, title XXXI, § 3138, Nov. 30, 1993, 107 Stat. 1946; Pub. L. 105-85, div. C, title XXXI, § 3152(e), Nov. 18, 1997, 111 Stat. 2042; renumbered Pub. L. 107-314, div. D, title XLII, § 4201, by Pub. L. 108-136, div. C, title XXXI,

§ 3141(e)(2), Nov. 24, 2003, 117 Stat. 1758; Pub. L. 111-84, div. C, title XXXI, § 3111, Oct. 28, 2009, 123 Stat. 2702; Pub. L. 112-239, div. C, title XXXI, § 3131(b), (bb)(1)(C), Jan. 2, 2013, 126 Stat. 2180, 2185.)

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

2013—Subsec. (b)(4)(D). Pub. L. 112-239, § 3131(bb)(1)(C), which directed substitution of “Nevada National Security Site” for “Nevada Test Site”, was executed by making the substitution for “Nevada test site”, to reflect the probable intent of Congress.

Subsec. (b)(5)(E). Pub. L. 112-239, § 3131(b), struck out “(as defined in section 2471 of this title)” after “laboratories”.

2009—Subsec. (a). Pub. L. 111-84, § 3111(a), amended subsec. (a) generally. Prior to amendment, text read as follows: “The Secretary of Energy shall establish a stewardship program to ensure the preservation of the core intellectual and technical competencies of the United States in nuclear weapons, including weapons design, system integration, manufacturing, security, use control, reliability assessment, and certification.”

Subsec. (b)(1). Pub. L. 111-84, § 3111(b)(1), substituted “performance over time” for “detonation”.

Subsec. (b)(4), (5). Pub. L. 111-84, § 3111(b)(2), added pars. (4) and (5).

Subsec. (c). Pub. L. 111-84, § 3111(c), struck out subsec. (c). Text read as follows: “Of funds authorized to be appropriated to the Secretary of Energy for fiscal year 1994 for weapons activities, \$157,400,000 shall be available for the stewardship program established under subsection (a).”

1997—Subsec. (d). Pub. L. 105-85, which directed amendment of this section by striking out subssecs. (d) and (e), redesignating subssecs. (f) to (h) as (d) to (f), respectively, and striking out “and the 60-day period referred to in subsection (e)(2)(A)(ii)” in subsec. (e), as so redesignated, was executed by striking out subsec. (d) which directed President to report to Congress, because this section did not contain subssecs. (e) to (g).

**§ 2522. Stockpile stewardship criteria**

**(a) Requirement for criteria**

The Secretary of Energy shall develop clear and specific criteria for judging whether the science-based tools being used by the Department of Energy for determining the safety and reliability of the nuclear weapons stockpile are performing in a manner that will provide an adequate degree of certainty that the stockpile is safe and reliable.

**(b) Coordination with Secretary of Defense**

The Secretary of Energy, in developing the criteria required by subsection (a), shall coordinate with the Secretary of Defense.

(Pub. L. 107-314, div. D, title XLII, § 4202, formerly Pub. L. 105-261, div. C, title XXXI, § 3158, Oct. 17, 1998, 112 Stat. 2257; Pub. L. 106-65, div. A, title X, § 1067(3), Oct. 5, 1999, 113 Stat. 774; renumbered Pub. L. 107-314, div. D, title XLII, § 4202, by Pub. L. 108-136, div. C, title XXXI, § 3141(e)(3), Nov. 24, 2003, 117 Stat. 1758; Pub. L. 111-84, div. C, title XXXI, § 3112, Oct. 28, 2009, 123 Stat. 2703; Pub. L. 112-239, div. C, title XXXI, § 3133(b)(1), (2), Jan. 2, 2013, 126 Stat. 2192.)

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.