

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 subsecs. (d) and (e), redesignating subsecs. (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 subsecs. (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.

## AMENDMENTS

2013—Pub. L. 112-239, §3133(b)(2), substituted “Stockpile stewardship criteria” for “Report on stockpile stewardship criteria” in section catchline.

Subsecs. (c), (d). Pub. L. 112-239, §3133(b)(1), struck out subsecs. (c) and (d), which related, respectively, to report and definitions.

2009—Subsec. (c). Pub. L. 111-84, §3112(a), amended subsec. (c) generally. Prior to amendment, subsec. (c) required submission of report not later than Mar. 1, 2000, to Congressional committees on Department of Energy efforts to develop subsec. (a) criteria.

Subsec. (d). Pub. L. 111-84, §3112(b), added subsec. (d).  
1999—Subsec. (c). Pub. L. 106-65 substituted “Committee on Armed Services” for “Committee on National Security” before “of the House of Representatives”.

### § 2523. Nuclear weapons stockpile stewardship, management, and infrastructure plan

#### (a) Plan requirement

The Administrator, in consultation with the Secretary of Defense and other appropriate officials of the departments and agencies of the Federal Government, shall develop and annually update a plan for sustaining the nuclear weapons stockpile. The plan shall cover, at a minimum, stockpile stewardship, stockpile management, stockpile surveillance, program direction, infrastructure modernization, human capital, and nuclear test readiness. The plan shall be consistent with the programmatic and technical requirements of the most recent annual Nuclear Weapons Stockpile Memorandum.

#### (b) Submissions to Congress

(1) In accordance with subsection (c), not later than March 15 of each even-numbered year, the Administrator shall submit to the congressional defense committees a summary of the plan developed under subsection (a).

(2) In accordance with subsection (d), not later than March 15 of each odd-numbered year, the Administrator shall submit to the congressional defense committees a detailed report on the plan developed under subsection (a).

(3) The summaries and reports required by this subsection shall be submitted in unclassified form, but may include a classified annex.

#### (c) Elements of biennial plan summary

Each summary of the plan submitted under subsection (b)(1) shall include, at a minimum, the following:

(1) A summary of the status of the nuclear weapons stockpile, including the number and age of warheads (including both active and inactive) for each warhead type.

(2) A summary of the status, plans, budgets, and schedules for warhead life extension programs and any other programs to modify, update, or replace warhead types.

(3) A summary of the methods and information used to determine that the nuclear weapons stockpile is safe and reliable, as well as the relationship of science-based tools to the collection and interpretation of such information.

(4) A summary of the status of the nuclear security enterprise, including programs and plans for infrastructure modernization and retention of human capital, as well as associated budgets and schedules.

(5) Identification of any modifications or updates to the plan since the previous summary or detailed report was submitted under subsection (b).

(6) Such other information as the Administrator considers appropriate.

#### (d) Elements of biennial detailed report

Each detailed report on the plan submitted under subsection (b)(2) shall include, at a minimum, the following:

(1) With respect to stockpile stewardship and management—

(A) the status of the nuclear weapons stockpile, including the number and age of warheads (including both active and inactive) for each warhead type;

(B) for each five-year period occurring during the period beginning on the date of the report and ending on the date that is 20 years after the date of the report—

(i) the planned number of nuclear warheads (including active and inactive) for each warhead type in the nuclear weapons stockpile; and

(ii) the past and projected future total lifecycle cost of each type of nuclear weapon;

(C) the status, plans, budgets, and schedules for warhead life extension programs and any other programs to modify, update, or replace warhead types;

(D) a description of the process by which the Administrator assesses the lifetimes, and requirements for life extension or replacement, of the nuclear and non-nuclear components of the warheads (including active and inactive warheads) in the nuclear weapons stockpile;

(E) a description of the process used in recertifying the safety, security, and reliability of each warhead type in the nuclear weapons stockpile;

(F) any concerns of the Administrator that would affect the ability of the Administrator to recertify the safety, security, or reliability of warheads in the nuclear weapons stockpile (including active and inactive warheads);

(G) mechanisms to provide for the manufacture, maintenance, and modernization of each warhead type in the nuclear weapons stockpile, as needed;

(H) mechanisms to expedite the collection of information necessary for carrying out the stockpile management program required by section 2524 of this title, including information relating to the aging of materials and components, new manufacturing techniques, and the replacement or substitution of materials;

(I) mechanisms to ensure the appropriate assignment of roles and missions for each national security laboratory and nuclear weapons production facility, including mechanisms for allocation of workload, mechanisms to ensure the carrying out of appropriate modernization activities, and mechanisms to ensure the retention of skilled personnel;

(J) mechanisms to ensure that each national security laboratory has full and com-