

(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 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;

(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; and

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

(4) In the case of a report submitted by the Commander of the United States Strategic Command, a discussion of the relative merits of other nuclear weapon types (if any), or compensatory measures (if any) that could be taken, that could enable accomplishment of the missions of the nuclear weapon types to which the assessments relate, should such assessments identify any deficiency with respect to such nuclear weapon types.

(5) An identification and discussion of any matter having an adverse effect on the capability of the official submitting the report to accurately determine the matters covered by the assessments.

**(f) Submittals to the President and Congress**

(1) Not later than March 1 of each year, the Secretary of Defense and the Secretary of Energy shall submit to the President—

(A) each report, without change, submitted to either Secretary under subsection (e) during the preceding year;

(B) any comments that the Secretaries individually or jointly consider appropriate with respect to each such report;

(C) the conclusions that the Secretaries individually or jointly reach as to the safety, reliability, performance, and military effectiveness of the nuclear weapons stockpile of the United States; and

(D) any other information that the Secretaries individually or jointly consider appropriate.

(2) Not later than March 15 of each year, the President shall forward to Congress the matters received by the President under paragraph (1) for that year, together with any comments the President considers appropriate.

**(g) Classified form**

Each submittal under subsection (f) shall be in classified form only, with the classification level required for each portion of such submittal marked appropriately.

**(h) Definitions**

In this section:

(1) The term “national security laboratory” has the meaning given such term in section 2471 of this title.

(2) The term “Secretary concerned” means—

(A) the Secretary of Energy, with respect to matters concerning the Department of Energy; and

(B) the Secretary of Defense, with respect to matters concerning the Department of Defense.

(Pub. L. 107-314, div. D, title XLII, §4205, formerly div. C, title XXXI, §3141, Dec. 2, 2002, 116 Stat. 2730; renumbered div. D, title XLII, §4205, and amended Pub. L. 108-136, div. C, title XXXI, §3141(e)(6), Nov. 24, 2003, 117 Stat. 1759; Pub. L. 111-84, div. C, title XXXI, §3114(a)(2)-(d), Oct. 28, 2009, 123 Stat. 2706, 2707; Pub. L. 112-239, div. C, title XXXI, §3131(c), Jan. 2, 2013, 126 Stat. 2180.)

**CODIFICATION**

Section was formerly classified to section 7274s of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

**AMENDMENTS**

2013—Subsec. (i). Pub. L. 112-239 struck out subsec. (i) which related to first submissions under subsecs. (e) and (f).

2009—Subsec. (c). Pub. L. 111-84, §3114(a)(2)(B), added subsec. (c). Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 111-84, §3114(a)(2)(A), redesignated subsec. (c) as (d). Former subsec. (d) redesignated (e).

Subsec. (d)(1). Pub. L. 111-84, §3114(b), inserted “both” after “review” and “and any independent evaluations conducted by a dual validation team under subsection (c)” after “that laboratory”.

Subsec. (e). Pub. L. 111-84, §3114(a)(2)(A), redesignated subsec. (d) as (e). Former subsec. (e) redesignated (f).

Subsec. (e)(3)(C). Pub. L. 111-84, §3114(d)(1), substituted “subsection (d)” for “subsection (c)”.

Subsec. (e)(3)(D). Pub. L. 111-84, §3114(c), added subpar. (D).

Subsec. (f). Pub. L. 111-84, §3114(a)(2)(A), redesignated subsec. (e) as (f). Former subsec. (f) redesignated (g).

Subsec. (f)(1)(A). Pub. L. 111-84, §3114(d)(2), substituted “subsection (e)” for “subsection (d)”.

Subsec. (g). Pub. L. 111-84, §3114(d)(3), substituted “subsection (f)” for “subsection (e)”.

Pub. L. 111-84, §3114(a)(2)(A), redesignated subsec. (f) as (g). Former subsec. (g) redesignated (h).

Subsec. (h). Pub. L. 111-84, §3114(a)(2)(A), redesignated subsec. (g) as (h). Former subsec. (h) redesignated (i).

Subsec. (i). Pub. L. 111-84, §3114(a)(2)(A), redesignated subsec. (h) as (i).

Subsec. (i)(1). Pub. L. 111-84, §3114(d)(4)(A), substituted “subsection (e)” for “subsection (d)”.

Subsec. (i)(2). Pub. L. 111-84, §3114(d)(4)(B), substituted “subsection (f)” for “subsection (e)”.

2003—Subsec. (d)(3)(B). Pub. L. 108-136, §3141(e)(6)(D), substituted “section 2532 of this title” for “section 3137 of the National Defense Authorization Act for Fiscal Year 1996 (42 U.S.C. 2121 note)”.

**§ 2526. Form of certifications regarding the safety or reliability of the nuclear weapons stockpile**

Any certification submitted to the President by the Secretary of Defense or the Secretary of Energy regarding confidence in the safety or reliability of a nuclear weapon type in the United States nuclear weapons stockpile shall be submitted in classified form only.

(Pub. L. 107-314, div. D, title XLII, §4206, formerly Pub. L. 106-398, §1 [div. C, title XXXI, §3194], Oct. 30, 2000, 114 Stat. 1654, 1654A-481; renumbered Pub. L. 107-314, div. D, title XLII, §4206, by Pub. L. 108-136, div. C, title XXXI, §3141(e)(7), Nov. 24, 2003, 117 Stat. 1759.)

## 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.

**§ 2527. Nuclear test ban readiness program****(a) Findings**

The Congress makes the following findings:

(1) On September 17, 1987, the United States and the Soviet Union announced that they would resume full-scale, stage-by-stage negotiations on issues relating to nuclear testing, including further intermediate limitations on nuclear testing leading to the ultimate objective of a comprehensive nuclear test ban.

(2) It was agreed that the first step in these negotiations would be to reach agreement on verification measures that will make possible the ratification of the Threshold Test Ban Treaty of 1974 and the Peaceful Nuclear Explosions Treaty of 1976.

(3) To achieve the agreement on verification measures, the United States and the Soviet Union have agreed to design and conduct a Joint Verification Experiment at the test sites of each country during the summer of 1988.

(4) At the Moscow summit in May 1988, President Reagan and General Secretary Gorbachev reaffirmed their commitment to negotiations on “effective verification measures which will make it possible to ratify the Threshold Test Ban Treaty of 1974 and Peaceful Nuclear Explosions Treaty of 1976, and proceed to negotiating further intermediate limitations on nuclear testing leading to the ultimate objective of the complete cessation of nuclear testing as part of an effective disarmament process”.

**(b) Establishment of program**

The Secretary of Energy shall establish and support a program to assure that the United States is in a position to maintain the reliability, safety, and continued deterrent effect of its stockpile of existing nuclear weapons designs in the event that a low-threshold or comprehensive ban on nuclear explosives testing is negotiated and ratified within the framework agreed to by the United States and the Soviet Union.

**(c) Purposes of program**

The purposes of the program under subsection (b) shall be the following:

(1) To assure that the United States maintains a vigorous program of stockpile inspection and non-explosive testing so that, if a low-threshold or comprehensive test ban is entered into, the United States remains able to detect and identify potential problems in stockpile reliability and safety in existing designs of nuclear weapons.

(2) To assure that the specific materials, components, processes, and personnel needed for the remanufacture of existing nuclear weapons or the substitution of alternative nuclear warheads are available to support such remanufacture or substitution if such action becomes necessary in order to satisfy reliability and safety requirements under a low-threshold or comprehensive test ban agreement.

(3) To assure that a vigorous program of research in areas related to nuclear weapons science and engineering is supported so that, if a low-threshold or comprehensive test ban agreement is entered into, the United States is able to maintain a base of technical knowledge about nuclear weapons design and nuclear weapons effects.

**(d) Conduct of program**

The Secretary of Energy shall carry out the program provided for in subsection (b). The program shall be carried out with the participation of representatives of the Department of Defense, the nuclear weapons production facilities, and the national nuclear weapons laboratories.

(Pub. L. 107-314, div. D, title XLII, §4207, formerly Pub. L. 100-456, div. A, title XIV, §1436, Sept. 29, 1988, 102 Stat. 2075; Pub. L. 105-85, div. C, title XXXI, §3152(i), Nov. 18, 1997, 111 Stat. 2042; renumbered Pub. L. 107-314, div. D, title XLII, §4207, and amended Pub. L. 108-136, div. C, title XXXI, §3141(e)(8), Nov. 24, 2003, 117 Stat. 1759.)

## 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

2003—Pub. L. 108-136, §3141(e)(8)(D), made technical amendment to section catchline.

1997—Subsec. (e). Pub. L. 105-85 struck out heading and text of subsec. (e). Text read as follows: “The Secretary of Energy shall submit to Congress each year an unclassified report (with a classified annex as necessary) that describes the progress made to the date of the report in achieving the purposes of the program required to be established under subsection (b).”

**§ 2528. Repealed. Pub. L. 112-239, div. C, title XXXI, § 3133(e)(1)(A), (2), Jan. 2, 2013, 126 Stat. 2192, 2193**

Section, Pub. L. 107-314, div. D, title XLII, §4208, formerly Pub. L. 104-106, div. C, title XXXI, §3152, Feb. 10, 1996, 110 Stat. 623; Pub. L. 106-398, §1 [div. C, title XXXI, §3192], Oct. 30, 2000, 114 Stat. 1654, 1654A-480; renumbered Pub. L. 107-314, div. D, title XLII, §4208, by Pub. L. 108-136, div. C, title XXXI, §3141(e)(9), Nov. 24, 2003, 117 Stat. 1759; Pub. L. 110-181, div. C, title XXXI, §3112(b)(1), Jan. 28, 2008, 122 Stat. 577, required the Secretary of Energy to submit to Congress in odd-numbered years reports on the nuclear test readiness of the United States.

## CODIFICATION

Section 3133(e)(1)(A) of Pub. L. 112-239 repealed section 4208 of Pub. L. 107-314, which was classified to this section. Section 3133(e)(2) of Pub. L. 112-239 repealed section 3152 of Pub. L. 104-106, which was transferred and redesignated as section 4208 of Pub. L. 107-314, and section 3133(e)(2) is treated as also repealing this section, to reflect the probable intent of Congress.

**§ 2528a. Repealed. Pub. L. 110-181, div. C, title XXXI, § 3112(a), Jan. 28, 2008, 122 Stat. 577**

Section, Pub. L. 108-136, div. C, title XXXI, §3113, Nov. 24, 2003, 117 Stat. 1743, related to readiness posture for resumption by the United States of underground nuclear weapons tests.