

of title 31, in each even-numbered year beginning in 2016 and ending in 2026, the Secretary of Energy shall submit to the congressional defense committees a plan for meeting national security requirements for unencumbered uranium through 2065.

(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, by program source and enrichment level.

(4) 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.

(5) 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.

(6) 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.

(7) An assessment of whether additional enrichment of uranium will be required to meet national security requirements and an estimate of the time for production operations and the cost for each type of enrichment being considered.

(8) A description of changes in policy that would mitigate any shortfall in obtaining unencumbered uranium to meet national security requirements and the implications of those changes.

(c) Form of plan

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

(d) 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.)

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.)

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.)

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 Fiscal Year 1997 (Public Law 104-201)” after “section 3101”.

§ 2545. Procedures for meeting tritium production requirements

(a) Production of new tritium

The Secretary of Energy shall produce new tritium to meet the requirements of the Nuclear Weapons Stockpile Memorandum at the Tennessee Valley Authority Watts Bar or Sequoyah nuclear power plants consistent with the Secretary’s December 22, 1998, decision document designating the Secretary’s preferred tritium production technology.

(b) Support

To support the method of tritium production set forth in subsection (a), the Secretary shall

design and construct a new tritium extraction facility in the H-Area of the Savannah River Site, Aiken, South Carolina.

(c) Design and engineering development

The Secretary shall—

(1) complete preliminary design and engineering development of the Accelerator Production of Tritium technology design as a backup source of tritium to the source set forth in subsection (a) and consistent with the Secretary’s December 22, 1998, decision document; and

(2) make available those funds necessary to complete engineering development and demonstration, preliminary design, and detailed design of key elements of the system consistent with the Secretary’s decision document of December 22, 1998.

(Pub. L. 107-314, div. D, title XLII, §4235, formerly Pub. L. 106-65, div. C, title XXXI, §3134, Oct. 5, 1999, 113 Stat. 927; renumbered Pub. L. 107-314, div. D, title XLII, §4235, by Pub. L. 108-136, div. C, title XXXI, §3141(e)(20), Nov. 24, 2003, 117 Stat. 1762.)

SUBCHAPTER III—PROLIFERATION MATTERS

§ 2561. Repealed. Pub. L. 111-84, div. C, title XXXI, § 3117(a), Oct. 28, 2009, 123 Stat. 2709

Section, Pub. L. 107-314, div. D, title XLIII, §4301, formerly Pub. L. 105-85, div. C, title XXXI, §3133, Nov. 18, 1997, 111 Stat. 2036; Pub. L. 105-261, div. A, title X, §1069(b)(3), div. C, title XXXI, §3131, Oct. 17, 1998, 112 Stat. 2136, 2246; renumbered Pub. L. 107-314, div. D, title XLIII, §4301, and amended Pub. L. 108-136, div. C, title XXXI, §3141(f)(2), Nov. 24, 2003, 117 Stat. 1762, related to international cooperative stockpile stewardship.

§ 2562. Repealed. Pub. L. 113-66, div. C, title XXXI, § 3146(d)(1)(A), Dec. 26, 2013, 127 Stat. 1075

Section, Pub. L. 107-314, div. D, title XLIII, §4302, formerly Pub. L. 106-65, div. C, title XXXI, §3136, Oct. 5, 1999, 113 Stat. 927; renumbered Pub. L. 107-314, div. D, title XLIII, §4302, and amended Pub. L. 108-136, div. C, title XXXI, §3141(f)(3), Nov. 24, 2003, 117 Stat. 1762; Pub. L. 112-81, div. C, title XXXI, §3121(b), Dec. 31, 2011, 125 Stat. 1709; Pub. L. 112-239, div. C, title XXXI, §3131(bb)(1)(D), Jan. 2, 2013, 126 Stat. 2185, related to nonproliferation initiatives and activities.

§ 2563. Annual report on status of Nuclear Materials Protection, Control, and Accounting Program

(a) Report required

Not later than January 1 of each year, the Secretary of Energy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the status of efforts during the preceding fiscal year under the Nuclear Materials Protection, Control, and Accounting Program of the Department of Energy to secure weapons-usable nuclear materials in countries where such materials have been identified as being at risk for theft or diversion.

(b) Contents

Each report under subsection (a) shall include the following: