

Posture Review to the congressional defense committees prior to implementing any change in the nuclear weapons stockpile by more than 25 percent.

(d) CONSTRUCTION.—This section shall not apply to changes to the nuclear weapons stockpile resulting from treaty obligations.

(e) FORM.—A Nuclear Posture Review under this section shall be submitted in unclassified form, but may include a classified annex.

(Added Pub. L. 112-239, div. A, title X, §1038(a), Jan. 2, 2013, 126 Stat. 1927; amended Pub. L. 113-66, div. A, title X, §1091(a)(6), Dec. 26, 2013, 127 Stat. 875.)

AMENDMENTS

2013—Pub. L. 113-66 inserted a period after the enumerator in section catchline.

§ 499. Annual assessment of cyber resiliency of nuclear command and control system

(a) IN GENERAL.—Not less frequently than annually, the Commander of the United States Strategic Command and the Commander of the United States Cyber Command (in this section referred to collectively as the “Commanders”) shall jointly conduct an assessment of the cyber resiliency of the nuclear command and control system.

(b) ELEMENTS.—In conducting the assessment required by subsection (a), the Commanders shall—

(1) conduct an assessment of the sufficiency and resiliency of the nuclear command and control system to operate through a cyber attack from the Russian Federation, the People’s Republic of China, or any other country or entity the Commanders identify as a potential threat; and

(2) develop recommendations for mitigating any concerns of the Commanders resulting from the assessment.

(c) REPORT REQUIRED.—(1) The Commanders shall jointly submit to the Chairman of the Joint Chiefs of Staff, for submission to the Council on Oversight of the National Leadership Command, Control, and Communications System established under section 171a of this title, a report on the assessment required by subsection (a) that includes the following:

(A) The recommendations developed under subsection (b)(2).

(B) A statement of the degree of confidence of each of the Commanders in the mission assurance of the nuclear deterrent against a top tier cyber threat.

(C) A detailed description of the approach used to conduct the assessment required by subsection (a) and the technical basis of conclusions reached in conducting that assessment.

(D) Any other comments of the Commanders.

(2) The Council shall submit to the Secretary of Defense the report required by paragraph (1) and any comments of the Council on the report.

(3) The Secretary of Defense shall submit to the congressional defense committees the report required by paragraph (1), any comments of the Council on the report under paragraph (2), and any comments of the Secretary on the report.

(d) QUARTERLY BRIEFINGS.—Not less than once every quarter, the Deputy Secretary of Defense and the Vice Chairman of the Joint Chiefs of Staff shall jointly provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on any known or suspected critical intelligence parameter breaches that were identified during the previous quarter, including an assessment of any known or suspected impacts of such breaches to the mission effectiveness of military capabilities as of the date of the briefing or thereafter.

(e) TERMINATION.—The requirements of this section shall terminate on December 31, 2027.

(Added Pub. L. 115-91, div. A, title XVI, §1651(a), Dec. 12, 2017, 131 Stat. 1756.)

§ 499a. Collection, storage, and sharing of data relating to nuclear security enterprise and nuclear forces

(a) IN GENERAL.—The Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation, and the Administrator for Nuclear Security, acting through the Director for Cost Estimating and Program Evaluation, shall collect and store cost, programmatic, and technical data relating to programs and projects of the nuclear security enterprise and nuclear forces.

(b) SHARING OF DATA.—If the Director of Cost Assessment and Program Evaluation or the Director for Cost Estimating and Program Evaluation requests data relating to programs or projects from any element of the Department of Defense or from any element of the nuclear security enterprise of the National Nuclear Security Administration, that element shall provide that data in a timely manner.

(c) STORAGE OF DATA.—(1) Data collected by the Director of Cost Assessment and Program Evaluation and the Director for Cost Estimating and Program Evaluation under this section shall be—

(A) stored in the data storage system of the Defense Cost and Resource Center, or successor center, or in a data storage system of the National Nuclear Security Administration that is comparable to the data storage system of the Defense Cost and Resource Center; and

(B) made accessible to other Federal agencies as such Directors consider appropriate.

(2) The Secretary and the Administrator shall ensure that the Director of Cost Assessment and Program Evaluation and the Director for Cost Estimating and Program Evaluation have sufficient information system support, as determined by such Directors, to facilitate the timely hosting, handling, and sharing of data relating to programs and projects of the nuclear security enterprise under this section at the appropriate level of classification.

(3) The Deputy Administrator for Naval Reactors of the National Nuclear Security Administration may coordinate with the Director of Cost Assessment and Program Evaluation and the Director for Cost Estimating and Program Evaluation to ensure that, at the discretion of the Deputy Administrator, data relating to programs and projects of the Office of Naval Reactors are correctly represented in the data storage system pursuant to paragraph (1)(A).

(d) CONTRACT REQUIREMENTS.—The Secretary and the Administrator shall ensure that any relevant contract relating to a program or project of the nuclear security enterprise and nuclear forces that is entered into after December 11, 2017, appropriately includes—

(1) requirements and standards for data collection; and

(2) requirements for reporting on cost, programmatic, and technical data using procedures, standards, and formats approved by the Director of Cost Assessment and Program Evaluation and the Director for Cost Estimating and Program Evaluation.

(e) NUCLEAR SECURITY ENTERPRISE DEFINED.—In this section, the term “nuclear security enterprise” has the meaning given that term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

(Added Pub. L. 115–91, div. A, title XVI, §1652(a), Dec. 12, 2017, 131 Stat. 1757; amended Pub. L. 115–232, div. A, title X, §1081(a)(7), Aug. 13, 2018, 132 Stat. 1983.)

AMENDMENTS

2018—Subsec. (d). Pub. L. 115–232 substituted “after December 11, 2017,” for “on or after the date of the enactment of this section” in introductory provisions.

PART II—PERSONNEL

Table with 3 columns: Chap., Description, Sec.
31. Enlistments 501
32. Officer Strength and Distribution in Grade 521
33. Original Appointments of Regular Officers in Grades Above Warrant Officer Grades 531
33A. Appointment, Promotion, and Involuntary Separation and Retirement for Members on the Warrant Officer Active-Duty List 571
34. Appointments as Reserve Officers 591
35. Temporary Appointments in Officer Grades 601
36. Promotion, Separation, and Involuntary Retirement of Officers on the Active-Duty List 611
37. General Service Requirements 651
38. Joint Officer Management 661
39. Active Duty 671
40. Leave 701
41. Special Appointments, Assignments, Details, and Duties 711
43. Rank and Command 741
45. The Uniform 771
47. Uniform Code of Military Justice 801
47A. Military Commissions 948a
48. Military Correctional Facilities 951
49. Miscellaneous Prohibitions and Penalties 971
50. Miscellaneous Command Responsibilities 991
51. Reserve Components: Standards and Procedures for Retention and Promotion 1001
53. Miscellaneous Rights and Benefits 1030
54. Commissary and Exchange Benefits 1061
55. Medical and Dental Care 1071
56. Department of Defense Medicare-Eligible Retiree Health Care Fund 1111
57. Decorations and Awards 1121
58. Benefits and Services for Members Being Separated or Recently Separated 1141

Table with 3 columns: Chap., Description, Sec.
59. Separation 1161
60. Separation of Regular Officers for Substandard Performance of Duty or for Certain Other Reasons 1181
61. Retirement or Separation for Physical Disability 1201
63. Retirement for Age 1251
65. Retirement of Warrant Officers for Length of Service 1293
67. Retired Pay for Non-Regular Service 1331
69. Retired Grade 1370
71. Computation of Retired Pay 1401
73. Annuities Based on Retired or Retainer Pay 1431
74. Department of Defense Military Retirement Fund 1461
75. Deceased Personnel 1471
76. Missing Persons 1501
77. Posthumous Commissions and Warrants 1521
79. Correction of Military Records 1551
80. Miscellaneous Investigation Requirements and Other Duties 1561
81. Civilian Employees 1580
83. Civilian Defense Intelligence Employees 1601
[85. Repealed.]
87. Defense Acquisition Workforce 1701
88. Military Family Programs and Military Child Care 1781
[89. Repealed.]

AMENDMENTS

2011—Pub. L. 111–383, div. A, title X, §1075(b)(1), Jan. 7, 2011, 124 Stat. 4368, substituted “1030” for “1031” in item for chapter 53.
2009—Pub. L. 111–84, div. A, title X, §1073(a)(7), Oct. 28, 2009, 123 Stat. 2472, substituted “1580” for “1581” in item for chapter 81.
2006—Pub. L. 109–366, §3(a)(2), Oct. 17, 2006, 120 Stat. 2630, added item for chapter 47A.
2001—Pub. L. 107–107, div. A, title X, §1048(a)(1), Dec. 28, 2001, 115 Stat. 1222, struck out period after “1111” in item for chapter 56.
2000—Pub. L. 106–398, §1 [[div. A], title VII, §713(a)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A–184, added item for chapter 56.
1999—Pub. L. 106–65, div. A, title V, §586(c)(1), title VII, §721(c)(2), Oct. 5, 1999, 113 Stat. 638, 694, added item for chapter 50 and substituted “Deceased Personnel” for “Death Benefits” and “1471” for “1475” in item for chapter 75.
1997—Pub. L. 105–85, div. A, title V, §591(a)(2), Nov. 18, 1997, 111 Stat. 1762, added item for chapter 80.
1996—Pub. L. 104–201, div. A, title XVI, §1633(c)(3), Sept. 23, 1996, 110 Stat. 2751, substituted “Civilian Defense Intelligence Employees” for “Defense Intelligence Agency and Central Imagery Office Civilian Personnel” in item for chapter 83.
Pub. L. 104–106, div. A, title V, §§568(a)(2), 569(b)(2), title X, §1061(a)(2), Feb. 10, 1996, 110 Stat. 335, 351, 442, added items for chapters 76 and 88 and struck out item for chapter 89 “Volunteers Investing in Peace and Security”.
1994—Pub. L. 103–359, title V, §501(b)(2), Oct. 14, 1994, 108 Stat. 3429, substituted “Defense Intelligence Agency and Central Imagery Office Civilian Personnel” for “Defense Intelligence Agency Civilian Personnel” in item for chapter 83.
1992—Pub. L. 102–484, div. A, title XIII, §1322(a)(2), Oct. 23, 1992, 106 Stat. 2553, added item for chapter 89.
1991—Pub. L. 102–190, div. A, title X, §1061(a)(26)(C)(ii), Dec. 5, 1991, 105 Stat. 1474, effective Oct. 1, 1993, struck out item for chapter 85 “Procurement Management Personnel”.
Pub. L. 102–190, div. A, title XI, §1112(b)(2), Dec. 5, 1991, 105 Stat. 1501, substituted “Original Appointments of Regular Officers in Grades Above Warrant Officer Grades” for “Appointments in Regular Components” in item for chapter 33 and added item for chapter 33A.