

“(1) IMPLEMENTATION ACTION TEAM.—(A) The Secretary and the Administrator shall jointly establish a team of senior officials from the Department of Energy and the National Nuclear Security Administration to develop and carry out an implementation plan to reform the governance and management of the nuclear security enterprise to improve the effectiveness and efficiency of the nuclear security enterprise. Such plan shall be developed and implemented in accordance with the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.), the Atomic Energy Defense Act (50 U.S.C. 2501 et seq.), and any other provision of law.

“(B) The team established under paragraph (1) shall be co-chaired by the Deputy Secretary of Energy and the Administrator.

“(C) In developing and carrying out the implementation plan, the team shall consult with the implementation assessment panel established under subsection (c)(1).

“(2) ELEMENTS.—The implementation plan developed under paragraph (1)(A) shall address all recommendations contained in the covered study (except such recommendations that require legislative action to carry out) by identifying specific actions, milestones, timelines, and responsible personnel to implement such plan.

“(3) SUBMISSION.—Not later than March 31, 2016, the Secretary and the Administrator shall jointly submit to the appropriate congressional committees the implementation plan developed under paragraph (1)(A).

“(c) IMPLEMENTATION ASSESSMENT PANEL.—

“(1) AGREEMENT.—Not later than 60 days after the date of the enactment of this Act [Nov. 25, 2015], the Administrator shall seek to enter into a joint agreement with the National Academy of Sciences and the National Academy of Public Administration to establish a panel of external, independent experts to evaluate the implementation plan developed under subsection (b)(1)(A) and the implementation of such plan.

“(2) DUTIES.—The panel established under paragraph (1) shall—

“(A) provide guidance to the Secretary and the Administrator with respect to the implementation plan developed under subsection (b)(1)(A), including how such plan compares or contrasts with the covered study;

“(B) track the implementation of such plan; and

“(C) assess the effectiveness of such plan.

“(3) REPORTS.—(A) Not later than July 1, 2016, the panel established under paragraph (1) shall submit to the appropriate congressional committees, the Secretary, and the Administrator an initial assessment of the implementation plan developed under subsection (b)(1)(A), including with respect to the completeness of the plan, how the plan aligns with the intent and recommendations made by the covered study, and the prospects for success for the plan.

“(B) Beginning February 28, 2017, and semiannually thereafter through 2020, the panel established under paragraph (1) shall brief the appropriate congressional committees, the Secretary, and the Administrator on the efforts of the Secretary and the Administrator to implement the implementation plan developed under subsection (b)(1)(A).

“(C) Not later than September 30, 2020, the panel established under paragraph (1) shall submit to the appropriate congressional committees, the Secretary, and the Administrator a final report on the efforts of the Secretary and the Administrator to implement the implementation plan developed under subsection (b)(1)(A), including an assessment of the effectiveness of the reform efforts under such plan and whether further action is needed.

“(4) COOPERATION.—The Secretary and the Administrator shall provide to the panel established under paragraph (1) full and timely access to all information, personnel, and systems of the Department of Energy and the National Nuclear Security Adminis-

tration that the panel determines necessary to carry out this subsection.

“(d) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Energy and Natural Resources of the Senate; and

“(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Energy and Commerce of the House of Representatives.

“(2) COVERED STUDY.—The term ‘covered study’ means the following:

“(A) The final report of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise established by section 3166 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2208).

“(B) Any other study not conducted by the Secretary or the Administrator that the Secretary determines appropriate for purposes of this section.

“(3) NUCLEAR SECURITY ENTERPRISE.—The term ‘nuclear security enterprise’ has the meaning given that term in section 4002(6) of the Atomic Energy Defense Act (50 U.S.C. 2501(6)).

“(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to authorize any action—

“(1) in contravention of section 3220 of the National Nuclear Security Administration Act (50 U.S.C. 2410); or

“(2) that would undermine or weaken health, safety, or security.”

CLARIFICATION OF ROLE OF SECRETARY OF ENERGY

Pub. L. 113-66, div. C, title XXXI, §3141, Dec. 26, 2013, 127 Stat. 1069, provided that: “The amendment made by section 3113 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2169) to section 4102 of the Atomic Energy Defense Act (50 U.S.C. 2512) may not be construed as affecting the authority of the Secretary of Energy, in carrying out national security programs, with respect to the management, planning, and oversight of the National Nuclear Security Administration or as affecting the delegation by the Secretary of authority to carry out such activities, as set forth under subsection (a) of such section 4102 as it existed before the amendment made by such section 3113.”

§ 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; 94 Stat. 3197) 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; Pub. L. 113-66, div. C, title XXXI, §3146(b), Dec. 26, 2013, 127 Stat. 1073.)

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

2013—Pub. L. 113-66 inserted “; 94 Stat. 3197” after “Public Law 96-540”.

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.

§ 2515. Establishment of Center for Security Technology, Analysis, Response, and Testing

(a) Establishment

The Administrator for Nuclear Security shall establish within the nuclear security enterprise (as defined in section 2501 of this title) a Center for Security Technology, Analysis, Response, and Testing.

(b) Duties

The center established under subsection (a) shall carry out the following:

- (1) Provide to the Administrator, the Chief of Defense Nuclear Security, and the management and operating contractors of the nuclear security enterprise a wide range of objective expertise on security technologies, systems, analysis, testing, and response forces.
- (2) Assist the Administrator in developing standards, requirements, analysis methods, and testing criteria with respect to security.
- (3) Collect, analyze, and distribute lessons learned with respect to security.
- (4) Support inspections and oversight activities with respect to security.
- (5) Promote professional development and training for security professionals.
- (6) Provide for advance and bulk procurement for security-related acquisitions that affect multiple facilities of the nuclear security enterprise.
- (7) Advocate for continual improvement and security excellence throughout the nuclear security enterprise.
- (8) Such other duties as the Administrator may assign.

(Pub. L. 113-66, div. C, title XXXI, § 3116, Dec. 26, 2013, 127 Stat. 1058.)

CODIFICATION

Section was enacted as part of the National Defense Authorization Act for Fiscal Year 2014, and not as part of the Atomic Energy Defense Act which comprises this chapter.

SUBCHAPTER II—NUCLEAR WEAPONS
STOCKPILE MATTERSPART A—STOCKPILE STEWARDSHIP AND WEAPONS
PRODUCTION

§ 2521. Stockpile stewardship program

(a) Establishment

The Secretary of Energy, acting through the Administrator, 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 nuclear weapons production facilities; and
 - (B) production and manufacturing capabilities resident in the national security laboratories.