AMENDMENT TO RULES COMMITTEE PRINT 115–70

OFFERED BY MR. BEN RAY LUJÁN OF NEW MEXICO

At the end of subtitle B of title XXXI, add the following new section:

SEC. 31. INDEPENDENT ASSESSMENT OF PLUTONIUM STRATEGY.

(a) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) Los Alamos National Laboratory is the Plutonium Science and Production Center of Excellence for the United States; and

(2) Los Alamos National Laboratory will produce a minimum of 30 pits per year for the national pit production mission and will implement surge efforts to exceed 30 pits per year to meet Nuclear Posture Review and national policy.

(b) INDEPENDENT ASSESSMENT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center
to conduct an assessment of the plutonium strategy of the National Nuclear Security Administration. The assessment shall include—

(A) an analysis of the engineering assessment and an analysis of alternatives;

(B) an assessment of the science and strategy of retrofitting the facility for plutonium production, including the cost, schedule, and feasibility of licensing; and

(C) an assessment of the strategy considered for manufacturing up to 80 pits per year at Los Alamos through the use of multiple labor shifts and additional equipment at PF-4 until modular facilities are completed to provide a long-term, single-labor shift capacity.

(2) SELECTION.—The Secretary may not enter into the contract under paragraph (1) with a federally funded research and development center for which the Department of Energy or the National Nuclear Security Administration is the primary sponsor.

(3) SUBMISSION.—Not later than April 1, 2019, the federally funded research and development center shall submit to the Secretary of Defense, the Administrator for Nuclear Security, and the Nuclear
Weapons Council a report containing the assessment
conducted under paragraph (1).

(4) SUBMISSION TO CONGRESS.—Not later than
April 15, 2019, the Administrator shall submit to
the congressional defense committees the report
under paragraph (3), without change.

(c) REPORT ON PIT PRODUCTION.—Not later than
180 days after the date of the enactment of this Act, the
Secretary of Energy shall submit to the congressional de-
defense committees a report on the plan for producing pluto-
nium pits 31–80 at Los Alamos, in case the MOX facility
is not operational and producing pits by 2030.

(d) CAPITAL DEVELOPMENT.—The Secretary of En-
ergy shall complete—

(1) by December 2020 a plan, including cost
and impact to on-going activities and operations, to
reach 30 pits per year at Los Alamos National Lab-
oratory; and

(2) by September 2020 an updated CD-0
(Statement of Mission Need) on the final plan for
the national pit production.

(e) BRIEFING.—Not later than March 1, 2019, the
Chairman of the Nuclear Weapons Council and the Ad-
ministrator for Nuclear Security shall jointly provide to
the Committees on Armed Services of the House of Rep-
resentatives and the Senate, and to any other congressional defense committee upon request, a briefing detailing
the implementation plan for the plutonium strategy of the
National Nuclear Security Administration, including milestones, accountable personnel for such milestones, and
mechanisms for ensuring transparency into the progress
of such strategy for the Department of Defense and the
congressional defense committees.

(f) **ANNUAL CERTIFICATION.**—Not later than April
1, 2019, and each year thereafter through 2025, the
Chairman of the Nuclear Weapons Council shall submit
to the Secretary of Defense, the Administrator for Nuclear
Security, and the congressional defense committees a written certification that the plutonium pit production plan
of the National Nuclear Security Administration is on
track to meet—

(1) the military requirement of 80 pits per year
by 2030;

(2) the statutory requirements for pit production timelines under section 4219 of the Atomic Energy
Defense Act (50 U.S.C. 2538a); and

(3) all milestones and deliverables described in
the plan under subsection (e).

(g) **FAILURE TO CERTIFY.**—
(1) NWC Notification.—If in any year the Chairman is unable to submit the certification under subsection (f), the Chairman shall submit to the congressional defense committees, the Secretary of Defense, and the Administrator written notification describing why the Chairman is unable to make such certification.

(2) NNSA Response.—Not later than 180 days after the date on which the Chairman makes a notification under paragraph (1), the Administrator shall submit to the congressional defense committees, the Secretary, and the Chairman a report that—

(A) addresses the reasons identified in the notification with respect to the failure to make the certification under subsection (f); and

(B) includes presentation of either a concurrent backup plan or a recovery plan, and the associated implementation schedules for such plan.