

**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:

1 **SEC. 31\_\_\_ . INDEPENDENT ASSESSMENT OF PLUTONIUM**  
2 **STRATEGY.**

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

5 (1) Los Alamos National Laboratory is the Plu-  
6 tonium Science and Production Center of Excellence  
7 for the United States; and

8 (2) Los Alamos National Laboratory will  
9 produce a minimum of 30 pits per year for the na-  
10 tional pit production mission and will implement  
11 surge efforts to exceed 30 pits per year to meet Nu-  
12 clear Posture Review and national policy.

13 (b) INDEPENDENT ASSESSMENT.—

14 (1) IN GENERAL.—Not later than 30 days after  
15 the date of the enactment of this Act, the Secretary  
16 of Defense shall seek to enter into a contract with  
17 a federally funded research and development center

1 to conduct an assessment of the plutonium strategy  
2 of the National Nuclear Security Administration.

3 The assessment shall include—

4 (A) an analysis of the engineering assess-  
5 ment and an analysis of alternatives;

6 (B) an assessment of the science and strat-  
7 egy of retrofitting the facility for plutonium  
8 production, including the cost, schedule, and  
9 feasibility of licensing; and

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

16 (2) SELECTION.—The Secretary may not enter  
17 into the contract under paragraph (1) with a feder-  
18 ally funded research and development center for  
19 which the Department of Energy or the National  
20 Nuclear Security Administration is the primary  
21 sponsor.

22 (3) SUBMISSION.—Not later than April 1,  
23 2019, the federally funded research and development  
24 center shall submit to the Secretary of Defense, the  
25 Administrator for Nuclear Security, and the Nuclear

1 Weapons Council a report containing the assessment  
2 conducted under paragraph (1).

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

7 (c) REPORT ON PIT PRODUCTION.—Not later than  
8 180 days after the date of the enactment of this Act, the  
9 Secretary of Energy shall submit to the congressional de-  
10 fense committees a report on the plan for producing pluto-  
11 nium pits 31–80 at Los Alamos, in case the MOX facility  
12 is not operational and producing pits by 2030.

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

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

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

22 (e) BRIEFING.—Not later than March 1, 2019, the  
23 Chairman of the Nuclear Weapons Council and the Ad-  
24 ministrator for Nuclear Security shall jointly provide to  
25 the Committees on Armed Services of the House of Rep-

1 representatives and the Senate, and to any other congres-  
2 sional defense committee upon request, a briefing detailing  
3 the implementation plan for the plutonium strategy of the  
4 National Nuclear Security Administration, including mile-  
5 stones, accountable personnel for such milestones, and  
6 mechanisms for ensuring transparency into the progress  
7 of such strategy for the Department of Defense and the  
8 congressional defense committees.

9 (f) ANNUAL CERTIFICATION.—Not later than April  
10 1, 2019, and each year thereafter through 2025, the  
11 Chairman of the Nuclear Weapons Council shall submit  
12 to the Secretary of Defense, the Administrator for Nuclear  
13 Security, and the congressional defense committees a writ-  
14 ten certification that the plutonium pit production plan  
15 of the National Nuclear Security Administration is on  
16 track to meet—

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

19 (2) the statutory requirements for pit produc-  
20 tion timelines under section 4219 of the Atomic En-  
21 ergy Defense Act (50 U.S.C. 2538a); and

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

24 (g) FAILURE TO CERTIFY.—

1           (1) NWC NOTIFICATION.—If in any year the  
2           Chairman is unable to submit the certification under  
3           subsection (f), the Chairman shall submit to the con-  
4           gressional defense committees, the Secretary of De-  
5           fense, and the Administrator written notification de-  
6           scribing why the Chairman is unable to make such  
7           certification.

8           (2) NNSA RESPONSE.—Not later than 180  
9           days after the date on which the Chairman makes  
10          a notification under paragraph (1), the Adminis-  
11          trator shall submit to the congressional defense com-  
12          mittees, the Secretary, and the Chairman a report  
13          that—

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

17                 (B) includes presentation of either a con-  
18                 current backup plan or a recovery plan, and the  
19                 associated implementation schedules for such  
20                 plan.

