



Appendix **A**

Nuclear Weapons Council and Annual Reports

A.1 Overview

The Nuclear Weapons Council (NWC) serves as the focal point for interagency activities to maintain the U.S. nuclear weapons stockpile. The NWC is a joint DoD-DOE activity responsible for facilitating cooperation and coordination, reaching consensus, and establishing priorities between the two Departments as they fulfill their dual-agency responsibilities for U.S. nuclear weapons stockpile management.

The NWC provides policy guidance and oversight of the nuclear weapons stockpile management process to ensure high confidence in the safety, security, reliability, and performance of U.S. nuclear weapons. The NWC meets regularly to discuss status, path forward, and resolve issues between the DoD and the DOE/NNSA regarding strategies for stockpile management.

The NWC is responsible for a number of annual and biennial reports that garner senior-level attention on important nuclear weapons matters. Through the annual authorization and appropriations processes, Congress typically requires multiple, one-time reports

on issues of current congressional interest. The NWC is required to report regularly to the President regarding the safety and reliability of the U.S. stockpile and to provide an annual recommendation on the need to resume underground nuclear testing to preserve the credibility of the U.S. nuclear deterrent. The NWC also ensures any significant threats to the continued credibility of the U.S. nuclear capability will be identified quickly and resolved.

A.2 Background

Following World War II, Congress wanted to ensure civilian control over the uses of nuclear energy. Consequently, the *Atomic Energy Act* of 1946 created the Atomic Energy Commission (AEC), which evolved into what is now the DOE/NNSA.¹

A.2.1 Military Liaison Committee

The *Atomic Energy Act* also established the Military Liaison Committee (MLC), the predecessor of the NWC. The MLC was created to coordinate nuclear defense activities between the War and Navy Departments (hereafter referred to as the DoD, the present day organization) and the AEC (hereafter referred to as the DOE, the present day organization).

The MLC was an executive- or flag-level (one-, two-star) military organization that served as the authorized channel of communication between the DoD and the DOE on all atomic energy matters related to the military application of atomic weapons or atomic energy, as determined by the DoD. The MLC addressed substantive matters involving policy, programming, and the commitment of significant funds associated with the military application of atomic energy. The MLC formulated the official DoD position on all matters related to joint nuclear weapons issues for transmittal to the DOE.

The MLC was composed of seven members and three official observers. The Assistant to the Secretary of Defense for Atomic Energy (ATSD(AE)) served as MLC chairman and members included two flag-level representatives from each of the three Military Departments. The MLC was the DoD forum for the coordination of policy and the development of unified DoD positions on nuclear weapons-related issues. The DOE, the Joint Staff (JS), and the Defense Nuclear Agency (DNA) participated as observers. An

¹ In 1974, an administrative reorganization transformed the AEC into the Energy Research and Development Agency (ERDA). A subsequent reorganization in 1977 created the DOE. In 2001, the NNSA was established as a semi-autonomous agency within the DOE.

action officers (AO) group, which was composed of AOs representing each of the seven members and each of the three official observers, supported the MLC. Other organizations with a direct interest in nuclear weapons, such as the national laboratories, frequently participated in AO-level meetings and discussions.

In the early 1980s, some members of Congress expressed concern about the high cost of funding the U.S. nuclear weapons program. In 1984, a majority of the Senate Armed Services Committee members proposed the transfer of funding responsibility for DOE nuclear weapons activities from the DOE to the DoD. Under this proposal, the DOE would then execute its nuclear weapons-related activities, using funds provided by the DoD. The goal was to encourage DoD nuclear weapons system acquisition decisions to account for total costs.

Other senators, who endorsed the proposal's general purpose, expressed reservations about the proposed transfer of funding responsibility and argued the transfer might undermine the principle of civilian control over nuclear weapons research and development. Although opposed to the proposed transfer, the Secretaries of Defense and Energy supported a study of the issue. As a result of these developments, the *National Defense Authorization Act (NDAA) for Fiscal Year (FY) 1985*, Public Law (Pub. L.) 98-525, directed the President to establish a Blue Ribbon Task Group to examine the issue.

A.2.2 Blue Ribbon Task Group on Nuclear Weapons Program Management

On January 18, 1985, President Ronald Reagan established the *Blue Ribbon Task Group on Nuclear Weapons Program Management* to examine the procedures used by the DoD and the DOE to establish requirements and provide resources for the research, development, testing, production, surveillance, and retirement of nuclear weapons. The task group issued its final report in July 1985. While the task group found the relationship between the DoD and the DOE regarding the management of the nuclear weapons program to be generally sound, it also identified areas for improvement. Specifically, the task group suggested introducing administrative and procedural changes to enhance interdepartmental cooperation and achieve potential cost savings. These changes were intended to result in closer integration between nuclear weapons programs and national security planning without sacrificing the healthy autonomy of the two Departments in the performance of their respective nuclear weapons missions.

The task group noted the absence of a high-level, joint DoD-DOE body charged with coordinating nuclear weapons program activities. The MLC had no such mandate. The original purpose of the MLC was to provide a voice for the military in the atomic energy program, which was controlled by the then-powerful AEC. By the time of this task group, the AEC had evolved into the DOE, and the original purpose of the MLC had become obsolete.

The MLC was an *intra-agency* DoD group, not an *interagency* organization. Also, the staff and stature of the MLC had diminished to a point at which it could no longer effectively analyze nuclear weapons cost trade-offs, establish program priorities, or address budget and resource allocation issues. Consequently, the task group recommended forming a senior-level, joint DoD-DOE group to coordinate nuclear weapons acquisition issues and related matters and oversee joint nuclear activities. The task group suggested the new group be named the *Nuclear Weapons Council*.

The task group recommended certain responsibilities for this new organization pertaining to U.S. nuclear weapons which included:

- preparing the annual Nuclear Weapons Stockpile Memorandum (NWSM);
- developing stockpile options and their costs;
- coordinating programming and budget matters;
- identifying cost-effective production schedules;
- considering safety, security, and control issues; and
- monitoring the activities of the Project Officers Groups (POGs)² to ensure attention to cost as well as performance and scheduling issues.

The task group believed a dedicated staff drawn from both Departments and reporting to a full-time staff director was necessary to fulfill these new responsibilities. The task group also argued that, regardless of how the MLC was altered, it was important for the Secretary of Defense to maintain a high-level office within the DoD dedicated primarily to nuclear weapons matters. This office was the ATSD(AE) until 1996 and has since transitioned to the multi-mission office of the Assistant Secretary of Defense for

² The POGs are joint DoD-DOE/NNSA groups associated with each warhead-type. POGs are created at the beginning of a weapon development program and charged with the responsibility to coordinate the development and ensure the compatibility of a warhead-type with its designated delivery system(s). The POG remains active throughout the lifetime of the nuclear warhead-type.

Nuclear, Chemical, and Biological Defense Programs (ASD(NCB)). The successor position to the ATSD(AE) is the Deputy Assistant Secretary of Defense for Nuclear Matters (DASD(NM)).

A.3 Nuclear Weapons Council Today

Acting on the recommendations of President Reagan’s Blue Ribbon Task Group, Congress established the NWC in the FY 1987 NDAA (Pub. L. 99-661). A letter signed by Secretary of Defense Caspar Weinberger formalized the establishment of the NWC.

Congress established the NWC as a means of enhancing coordination between the DoD and the DOE with respect to nuclear weapons production. The NWC was created when the U.S. plans for continued nuclear weapons production were indefinite and U.S. production capability was relatively robust. Congress was concerned about the expense of the U.S. nuclear weapons program and wanted to realize possible cost savings without jeopardizing the safety, security, or reliability of the stockpile.

As nuclear weapons stockpile management has evolved over time, particularly since the end of the Cold War and the demise of the Soviet Union, so have the responsibilities and administrative procedures of the NWC.

A.4 Organization and Members

As dictated by *Title 10, Section 179 of the United States Code* (10 USC 179), the NWC has five voting members as illustrated in **Figure A.1**, the Under Secretary of Defense for Acquisition, Technology and Logistics (USD(AT&L)); the Vice Chairman of the Joint Chiefs of Staff (VCJCS); the Under Secretary for Nuclear Security of the DOE and NNSA Administrator; the Under Secretary of

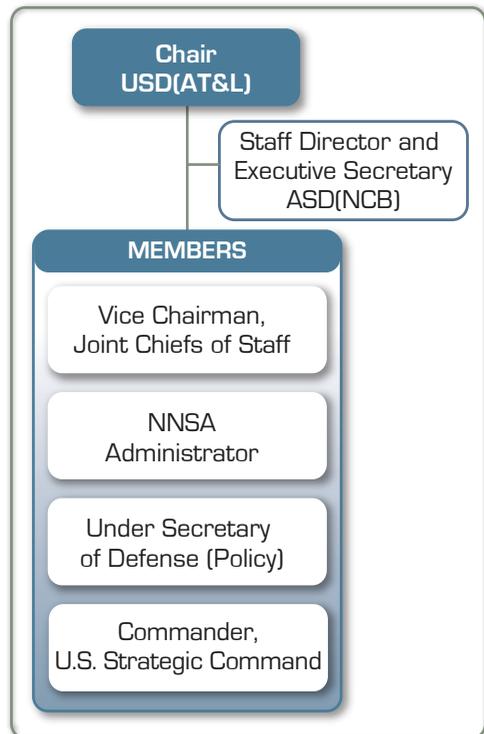


Figure A.1 NWC Membership per 10 USC 179

Defense for Policy (USD(P)); and the Commander of the U.S. Strategic Command (CDRUSSTRATCOM). The USD(AT&L) serves as the chairman of the NWC. The ASD(NCB) is designated as the NWC staff director.

The law directs the DoD and the DOE/NNSA to provide personnel to serve as the NWC staff. From the beginning, the ASD(NCB) performed the role of NWC executive secretary, in addition to the legally mandated staff director function. Now, as the executive secretary, the ASD(NCB) manages the agendas and facilitates the activities of the NWC. As NWC staff director, the ASD(NCB) also has oversight responsibilities for the NWC staff and the other subordinate organizations of the NWC.

NWC membership includes several advisor organizations, in addition to its official members. Though not voting members, these organizations make valuable technical contributions to NWC deliberations. NWC advisors include:

- Chief of Staff, U.S. Air Force;
- Chief of Naval Operations, U.S. Navy;
- Director, Cost Assessment and Program Evaluation (CAPE);
- Under Secretary of Defense, Comptroller (USD(C));
- U.S. Navy (Strategic Systems Programs (SSP));
- U.S. Air Force (Strategic Deterrence and Nuclear Integration (AF/A10));
- Office of the Assistant Secretary of Defense for Acquisition (OASD(A));
- Office of the Assistant Secretary of Defense for Legislative Affairs (OASD(LA));
- Department of State (DOS); and
- National Security Council (NSC).

A.5 Responsibilities and Activities

10 USC 179 gives the NWC specific responsibilities, including evaluating, maintaining, and ensuring the safety, security, and control of the nuclear weapons stockpile, as well as developing nuclear weapons stockpile options. Pub. L. 112-239 amended the NWC responsibilities to include an annual certification of the sufficiency of the DOE/NNSA budget request to meet the NWC stockpile requirements. The NWC currently fulfills four annual reporting requirements: the NWSM and Requirements and Planning Document

(RPD), the NWC Report on Stockpile Assessments (ROSA), the NWC Joint Surety Report (JSR), and the NWC Budget Certification Letter. The NWC also has a biennial requirement to assess the DOE/NNSA long-range Stockpile Stewardship and Management Plan (SSMP). Additionally, the DoD members of the NWC prepare the Annual Report on Nuclear Weapons Stockpile of the United States and the biennial Report on Platform Assessments (ROPA). These DoD-only requirements fall within the overarching responsibilities of the NWC and the NWC staff serves as the coordination point for these reports.

Presidential direction, congressional legislation, and agreements between the Secretaries of Defense and Energy create additional requirements for the NWC. Many of these are coordinated at the subordinate level and then finalized and approved by the NWC.

NWC activities to support its statutory responsibilities were refined in a 1997 joint DoD-DOE memorandum of agreement (MOA). These activities include:

- establishing subordinate committees to coordinate senior-level staff support to the NWC and perform such duties as the NWC may assign within the limits of the NWC responsibilities;
- providing guidance to these support committees as well as reviewing and acting on recommendations from the committees relating to the nuclear weapons stockpile;
- providing a senior-level focal point for joint DoD-DOE/NNSA consideration of nuclear weapons safety, security, and control;
- authorizing analyses and studies of issues affecting the nuclear weapons stockpile;
- reviewing, approving, and providing recommendations on these analyses and studies to the appropriate authority within the DoD and the DOE/NNSA;
- receiving information and recommendations from advisory committees on nuclear weapons issues and recommending appropriate actions to the DoD and the DOE/NNSA;
- providing broad guidance to the DoD and the DOE/NNSA on nuclear weapons matters regarding the life-cycle of U.S. nuclear weapons;
- reviewing other nuclear weapons program matters as jointly directed by the Secretaries of Defense and Energy; and
- fulfilling annual reporting requirements as provided in 10 USC 179.

A.6 Procedures and Processes

The statute establishing the NWC did not specify any associated procedures or processes for fulfilling the mandates of the law. As a result, the NWC administrative procedures continue to evolve. These procedures ensure the information and data necessary to make informed decisions and recommendations concerning nuclear weapons stockpile management issues reach the members of the NWC efficiently and effectively. To achieve this, the NWC has delegated certain responsibilities and authorities to its subordinate organizations. The NWC usually makes decisions or provides final approval only after thorough review and coordination at the subordinate levels. This assures all views are sufficiently considered and reflected.

NWC review and/or approval is usually achieved through an established voting process in which members' positions and views are recorded. The flexibility of NWC administrative processes allows for the chairman and members to determine how they wish to document decisions on a case-by-case basis, which may be time- or situation-driven. This may be a combination of voice vote, memoranda for the record, or documentation in the NWC meeting minutes.

In theory, each member of the NWC could veto any action or decision. In practice, however, the NWC works to achieve consensus among members before it issues official decisions or recommendations. Documents reflecting NWC findings and decisions, including NWC reports, memoranda, and letters, are coordinated until all NWC members concur.

NWC administrative processes and procedures are designed to ensure consideration of all relevant factors in making decisions and recommendations. The NWC receives information and data from a variety of sources, including the POGs associated with each warhead-type in the stockpile; advisory groups; subject matter experts from the DoD, the DOE/NNSA, and the national laboratories; and programmatic specialists from various government offices. Information and data are communicated to the NWC and its subordinate bodies through correspondence, memoranda, reports, and briefings.

Generally, when a decision is required, representatives from the appropriate organizations brief the NWC, and/or its subordinate groups, in person to provide an opportunity for members, advisors, and observers to solicit additional information as required for clarity or completeness.

Decisions and recommendations made at the subordinate levels are always communicated to the NWC through items such as meeting minutes and memoranda.

These decisions and recommendations are theoretically subject to modification or repeal by the NWC itself. However, in practice this does not usually occur.

A.7 Subordinate Organizations

The NWC conducts day-to-day operations and coordinates issues through its subordinate organizations. NWC subordinate organizations are not codified in 10 USC 179. This affords the NWC the necessary flexibility to create, merge, or abolish organizations as needed.

The Nuclear Weapons Council Standing Committee (NWCSC), commonly called the “Standing Committee,” and the Nuclear Weapons Council Weapons Safety Committee (NWCWSC), known as the “Safety Committee” were two committees established shortly after the creation of the NWC. The Standing Committee was established in 1987 and served as a joint DoD-DOE senior executive or flag-level committee. The Standing Committee performed the routine activities of the NWC, including coordinating all actions going to the NWC as well as providing advice and assistance to the NWC. Established in 1989, the Safety Committee was a joint DoD-DOE senior executive or flag-level committee dedicated to nuclear weapons safety issues. The Safety Committee provided advice and assistance to the NWC staff director, the NWCSC, and to the NWC concerning nuclear weapons safety.

In 1994, the Standing and Safety Committees were combined to form the Nuclear Weapons Council Standing and Safety Committee (NWCSSC). Currently, an AO group and a staff team support the NWC and its subordinate bodies.

In 1996, the chairman of the NWC established an additional organization, subordinate to the NWCSSC, called the Nuclear Weapons Requirements Working Group (NWRWG). The NWRWG was created to review and prioritize high-level nuclear weapons requirements and define them more precisely, as necessary. While it was active, several NWRWG functions duplicated those of the NWCSSC. Also, both the DoD and the DOE developed nuclear weapons requirements processes within their own Departments. For these reasons, the NWRWG members voted to abolish the group and to transfer all NWRWG responsibilities to the NWCSSC in November 2000. The NWC never ratified the decision to disband the NWRWG but the NWRWG has not met since the vote.

Also in November 2000, the Compartmented Advisory Committee (CAC) was formed as an additional subordinate body to the NWC, one tier below the NWCSSC.

While it was active, the CAC provided information and recommendations to the NWC concerning technical requirements for nuclear weapons surety upgrades. In 2005, the Transformation Coordinating Committee (TCC) was created by the NWC to coordinate the development and execution of a joint strategy for the transformation of the nuclear security enterprise. New committees are created, as needed, by the NWC to respond to issues of the day. **Figure A.2** provides a timeline of their establishment.

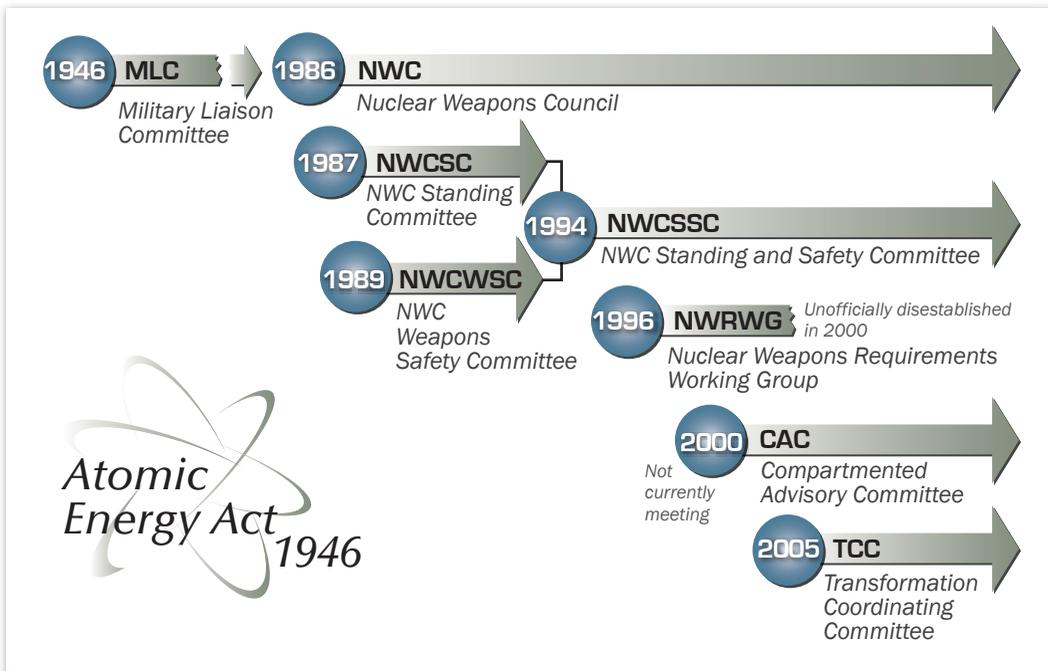


Figure A.2 Overview of the Establishment of the NWC and Its Subordinate Bodies

A.7.1 NWC Standing and Safety Committee

The primary mission of the NWCSSC, is to advise and assist the NWC and to provide preliminary approval for many NWC activities. The NWCSSC conducts transactions between the DoD and the DOE/NNSA on behalf of the NWC.

NWCSSC Organization and Members

The ASD(NCB) serves as chair of the NWCSSC and represents the USD(AT&L) as well as the OSD. A DOE/NNSA senior official in the Defense Programs (DP) office is the NWCSSC

co-chair and represents the NNSA Administrator. **Figure A.3** is a representation of NWCSSC membership.

The NWCSSC is composed of one flag-level representative or the civilian equivalent from the DOE/NNSA, Office of the USD(P), Joint Staff, U.S. Strategic Command, Navy, Air Force, U.S. Army Nuclear and Combating Weapons of Mass Destruction Agency (USANCA), DoD Chief Information Officer (CIO), and Defense Threat Reduction Agency (DTRA).

Given the disparate nature of the Committee’s responsibilities and other important demands on members’ schedules, each member organization may appoint one or more alternates to attend meetings when the principal is unavailable or when the alternate’s skills are appropriate to the topic of discussion.

The NWCSSC is also supported by a group of technical advisors from both within the DoD and the interagency, as shown in **Figure A.3**.

NWCSSC Responsibilities and Activities

The NWC uses the NWCSSC to develop, coordinate, and approve most actions before NWC review and final approval, including the annual NWC reports to the President and Congress.

The NWCSSC also actively participates in POG oversight activities. For example, the POGs regularly report to the NWCSSC and seek approval for specific weapons program activities. The NWCSSC can authorize the establishment of POG study groups for activities including NWC-directed studies or reviews, review of Military Department-approved POG charters, and review of POG study proposals and reports.

In addition to its responsibilities relating to POG oversight, the NWCSSC reviews proposed and ongoing refurbishments for existing weapon systems and production activities for new systems. As recommended by the POGs, the NWCSSC reviews and

Figure A.3 NWCSSC Membership and Advisors

NWCSSC MEMBERS	
Chair	DOE/NNSA
ASD(NCB)	OUUSD(P)
	JS
Co-Chair	USSTRATCOM
NNSA DP	USN
	USAF
	USANCA
	DTRA
	DoD CIO

NWCSSC ADVISORS	
ODASD(NM)	DoD CAPE
LANL	NSC
LLNL	USEUCOM
SNL	USN-SSP
NSA	NCCS SPT STAFF
OUUSD(C)	OASD(LA)
	OASD(A)

approves the military characteristics (MCs) and stockpile-to-target sequence (STS) for major modifications of existing weapons and new systems. The NWCSSC is informed on a wide variety of issues related to nuclear weapons stockpile management through informational briefings and other channels of communication. **Figure A.4** depicts the summary of NWCSSC responsibilities.

NWCSSC Procedures and Processes

The NWCSSC generally meets once per month. The majority of the work performed by the NWCSSC involves issues related to DoD military requirements in relation to DOE/NNSA support plans and capacity, as well as issues regarding consideration and monitoring of all nuclear surety issues and nuclear weapons refurbishments.

During meetings, NWCSSC members usually hear briefings from various organizations involved with nuclear stockpile management issues. These organizations include the nuclear weapons POGs, the national laboratories, as well as individual components within the DoD and the DOE/NNSA.

The NWC staff is responsible for coordinating meeting times and places as well as developing meeting agendas, drafting briefings the DASD(NM) may provide, and drafting the minutes of each meeting. The minutes describe briefings and record NWCSSC key points and actions assigned. NWCSSC minutes are then formally coordinated with AOs and signed by the NWCSSC chairman, co-chairman, and executive secretary.

A.7.2 NWC Action Officers Group

The NWCSSC is supported by an AO group, which operates in a frank and informal meeting environment to discuss issues, receives pre-briefings in preparation for NWCSSC or NWC meetings, and coordinates actions for consideration by their principals at the NWCSSC and NWC levels.

AO Group Organization and Members

The AO group is composed of action officers representing NWCSSC member organizations, observer organizations, NWC advisor organizations, and other stakeholders within the nuclear enterprise. Though most organizations have specific focal points for AO activities, membership is open to those who must keep apprised of NWC activities. The NWC staff supports the AO group. When responsible for NWC actions in progress, other agencies and

SUMMARY OF NWCSSC RESPONSIBILITIES

Approve nuclear weapons stockpile quantity adjustments within the authority delegated by the President and NWC.

Review the stockpile, when required, and provide recommended stockpile improvements to the NWC for its endorsement.

Authorize the establishment of POGs for NWC-directed studies or reviews, review Military Department-approved POG charters, provide tasking and guidance to the POGs, review POG study plans and reports, and resolve outstanding issues.

Review and approve the original and/or amended MCs proposed by the Military Departments through their respective POGs. (Safety-related MCs must be approved by the Secretaries of Defense and Energy.)

Review the STS requirements for each nuclear warhead-type and consider proposed changes to the STS that may have a significant impact on cost or weapons performance.

Advise the NWC on weapons safety design criteria, safety standards and processes, safety rules, and the safety aspects of MCs and STSs as well as weapons transportation, storage, and handling.

Review information from the DoD and the DOE/NNSA on nuclear weapons-related issues under the NWC purview.

Review the status and results of nuclear weapons safety studies performed either by the Military Departments or jointly by the DoD and the DOE/NNSA.

Request weapon program status information from the DoD and DOE/NNSA.

Conduct studies, reviews, and other activities as directed by the NWC, one of its members, or as required by a Joint Memorandum of Understanding (MOU) between the departments.

Coordinate or take action on other matters, as appropriate.

Figure A.4 Summary of NWCSSC Responsibilities

organizations, such as the POGs and the national laboratories, send AOs to participate as observers or invited guests.

AO Group Responsibilities and Activities

The responsibilities of the AO group have been established through practice as well as direction from the NWC and NWCSSC principals. The AO group is responsible for reviewing nuclear weapons stockpile management issues, ensuring consistent progress, facilitating information dissemination, and preparing nuclear weapons issues for their NWCSSC principals. AOs are responsible for keeping their principals fully informed regarding all NWC-related activities and preparing their principals for NWC, NWCSSC, or related meetings.

AO Group Procedures & Processes

The NWCSSC executive secretary, who also serves as the NWC assistant staff director, chairs the AO meetings. The NWC staff is responsible for coordinating meeting times and locations as well as developing meeting agendas. Additionally, the NWC staff serves as the focal point for tracking and coordinating NWC reports and provides a status update at each AO meeting. Frequency of meetings is adaptable to the workload and is flexible to the needs of the NWCSSC executive secretary and AOs.

During the coordination of official reports, documents, or correspondence, the AO group may comment on initial drafts. This input is considered in the development of subsequent drafts. This process is repeated until a final draft is completed. Generally, the AOs complete an action when the AO group reaches consensus on an issue and forwards it to the NWCSSC. If consensus cannot be reached, the issue may move to the NWCSSC for resolution.

A.7.3 NWC Staff

The NWC staff provides analytical and administrative support to the NWC and its subordinate organizations. As codified in the 1997 NWC MOA signed by the Secretaries of Defense and Energy, both the DoD and the DOE/NNSA assign personnel to provide necessary support services to the entire NWC organization.

NWC Staff Organization and Members

The NWC staff is located within the ODASD(NM) at the Pentagon. The NWC staff is comprised of the DOE/NNSA representative (NWCSSC executive secretary, who serves

as the lead), national laboratory personnel, plant personnel, DoD employees, and government contractors. The NWC staff reports through the DASD(NM) to the NWC staff director.

NWC Staff Responsibilities and Activities

The NWC staff has a variety of responsibilities to ensure the NWC and its subordinate bodies operate as efficiently and effectively as possible. The primary responsibilities of the NWC staff are divided into meetings for planning and follow-up activities and the NWC annual reports and decision memoranda for development, drafting, coordination, and execution.

The NWC staff plans and schedules all meetings of the NWC, the NWCSSC, and the NWC AO group, which includes preparing meeting agendas, tasking requests for information or briefings from organizations within the nuclear weapons community, and preparing briefings, as needed, for all levels of the NWC structure. The NWC staff works with AOs to develop an annual NWC work plan that identifies the topics for each fiscal year. Agenda items derived from this work plan may include decision and informational briefings as well as issues for group discussion.

The NWC staff is also responsible for technical activities, including preparing technical content for briefings to the NWC and NWCSSC, developing reports and letters, guiding documents through coordination, and resolving issues within the interagency. Additionally, the staff works administrative issues for the NWC, including preparing and coordinating meeting minutes, developing vote packages for NWC or NWCSSC paper votes, scheduling of supplementary briefings, and developing responses to members' questions or requests. The NWC staff maintains the official records of the NWC and NWCSSC proceedings and other official documents.

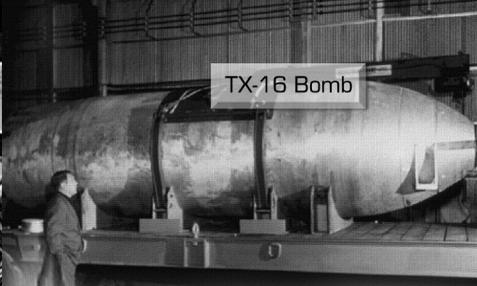
The NWC staff facilitates the timely development of the five annual and biennial reports for which the NWC is responsible and the two DoD-only reports. The NWC staff manages the coordination of these reports with the many different representatives from the DoD and the DOE/NNSA. NWC staff activities include publishing report trackers, developing first and subsequent drafts of each annual report, consolidating and reconciling input from various participants, and guiding the reports through the progressive approval channels.



MKI "Little Boy"



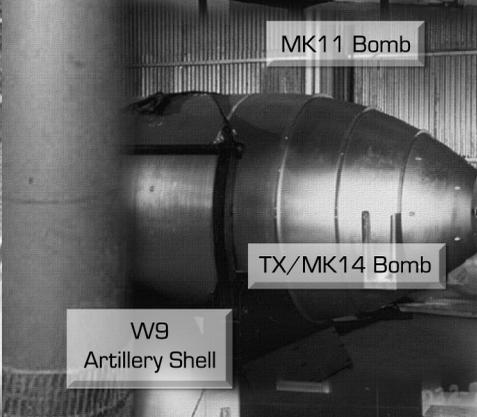
MKIII "Fat Man"



TX-16 Bomb



MK8 Bomb



MK11 Bomb



TX/MK14 Bomb



MK12 Bomb



MK6 Bomb



MK15 Bomb



W25 Warhead



W23
Artillery Shell



MK27 Bomb

1940s

1950s

1960s



MK41 Bomb



W71 Warhead



W30 Warhead



W28 Warhead



W62 Warhead



W84 Warhead



W80 Warhead



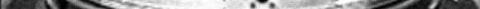
B83 Bomb



W76 Warhead



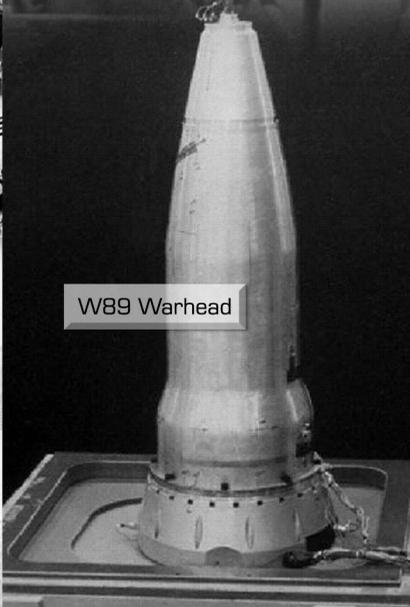
W79 Artillery Shell



W78 Warhead



W87 Warhead



W89 Warhead



W88 Warhead

1970s

1980s

1990s

A.8 Annual Reports

Each of the NWC-responsible reports focuses senior-level attention on important nuclear weapons issues. Each report has a specific purpose and responds to a separate executive or congressional requirement and communicates unique information. NWC reports are a year-round responsibility, with October to March of each year marking the busiest time.³

A.8.1 Nuclear Weapons Stockpile Memorandum and Requirements and Planning Document

NWSM

<i>Requirement:</i>	10 USC 179
<i>Reporting period:</i>	Fiscal Year
<i>Annual due date:</i>	September 30, or as specified by Presidential Directive
<i>Drafted by:</i>	NWC Staff
<i>Coordinated through:</i>	NWCSSC and NWC
<i>Signed by:</i>	Secretaries of Defense and Energy
<i>Submitted/Transmitted to:</i>	President

The NWSM is an annual memorandum to the President from the Secretaries of Defense and Energy. The NWSM transmits a proposed presidential directive, which includes the proposed Nuclear Weapons Stockpile Plan (NWSP). The NWSP specifies the size and composition of the stockpile for a projected multi-year period, generally the Future Years Defense Program (FYDP) period. The NWSM is the transmittal vehicle for the proposed presidential directive and communicates the positions and recommendations of the two Secretaries. It is the directive signed by the President that guides U.S. nuclear stockpile activities, as mandated by the *Atomic Energy Act*. For ease of reference, the NWSM (pronounced ‘new sum’) and the proposed directive containing the NWSP are collectively called the “NWSM package” or “NWSM.”

The coordination process for these documents serves as the key forum in which the DoD and the DOE/NNSA resolve issues concerning DoD military requirements for nuclear weapons in relation to the DOE/NNSA capacity and capability to support these requirements. Resolving these issues is a complex, iterative, and time-consuming endeavor. Once the President signs the directive, the NWC is authorized to approve

³ The FY 1995 amendment to 10 USC 179 required the NWC chairman to submit a report, the NWC *Chairman’s Annual Report to Congress* (CARC), to Congress each fiscal year evaluating the “effectiveness and efficiency of the NWC and the deliberative and decision-making processes used.” The CARC was submitted through the Secretary of Energy. The FY 2016 NDAA did not require the CARC.

nuclear weapons stockpile changes within the percentage limits specified by the President, generally 10 percent.

Historically, the NWSM has been the legal vehicle for the President's formal annual approval of the production plans of the U.S. nuclear weapons complex.⁴ Since the early 1990s, however, the NWSM has evolved to reflect the shift away from new warhead production and toward the sustainment of the existing nuclear weapons stockpile. The RPD was developed to facilitate this shift in emphasis and identifies long-term planning considerations that affect the future of the nuclear weapons stockpile. It provides detailed technical information and analyses that support the development of the NWSM and the proposed presidential directive containing the NWSP. The RPD is now linked with the NWSM to form a single NWC vote package for coordination and approval through the NWC chairman. The chairman forwards the NWSM to the Secretaries of Defense and Energy for signatures and distributes the RPD to NWC and NWCSSC members (as the RPD is an internal NWC document not required by legislation or the President).

The NWSM, which was formerly coordinated to satisfy a statutory requirement, has evolved into an instrument for programmatic authorization. This is particularly true for the DOE/NNSA, which relies on the current NWSM/RPD to direct and authorize its planning decisions and to serve as the basis for workload scheduling in the field. This workload planning is done by assigning nuclear weapons with specific warhead readiness states.

Warhead Readiness States

Warhead readiness states (RS) refer to the configuration of the weapons in the active and inactive stockpiles. Because not all weapons are maintained in an Active Ready (AR) configuration, there are lead times associated with reactivating weapons not in the active stockpile or designated as augmentation warheads. However, the RS of any particular warhead should be transparent to the force provider (the DoD) insofar as the DOE/NNSA is able to meet requirements for maintenance and reactivation on schedules previously agreed to by both Departments. RS are determined by stockpile category, location, and maintenance requirements. **Figure A.5** depicts the RS and categorizes them as part of the active or inactive stockpile. Currently there are six different readiness states, divided into active and inactive stockpiles, defined below.

⁴ *The Atomic Energy Act of 1954* requires that the President provide annual authorization for all U.S. nuclear weapons production.

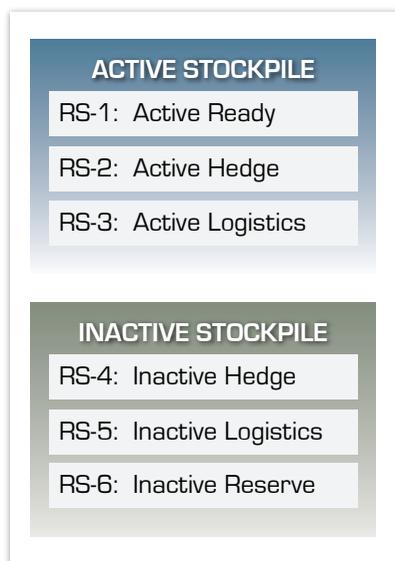


Figure A.5 Warhead Readiness States

Active Stockpile: Strategic and non-strategic warheads maintained to ensure Combatant Command (CCMD) requirements for operational warheads are met and are updated to incorporate the latest warhead refurbishment—modifications (Mods) or alterations (Alts). CCMD orders specify the allocation of strategic operational warheads and readiness timelines. Operational warheads are fully assembled warheads that have Gas Transfer Systems and other limited life components (LLCs) installed.

Active Ready (AR) (RS 1): Warheads designated available for wartime employment planning. AR warheads are loaded onto missiles or available for generation on aircraft within required timelines.

Active Hedge (RS 2): Warheads retained for deployment to manage technological risks in the AR stockpile or to augment the AR stockpile in response to geopolitical developments. These warheads are not loaded onto missiles or aircraft. Warheads are available to deploy or upload per prescribed USSTRATCOM activation timelines.

Active Logistics (RS 3): Warheads used to facilitate workflow and sustain the operational status of AR or Active Hedge quantities. These warheads may be in various stages of assembly in preparation for deployment. However, Gas Transfer Systems are installed or co-located on the operational base in sufficient quantities to meet the readiness timelines specified in CCMD operational orders. Ballistic missile submarine surveillance warheads are currently allowed to remain in this category.

Inactive Stockpile: Warheads retained in a nonoperational status for augmentation or replacement of warheads in the active stockpile. Gas Transfer Systems, if installed, are removed and returned to the DOE/NNSA prior to their projected limited life. Hedge and logistics warheads are updated to incorporate the latest warhead refurbishment Mods or Alts.

Inactive Hedge (RS 4): Warheads retained for deployment to manage technological risks in the AR stockpile or to augment the AR stockpile in response to geopolitical

developments. These warheads are available to deploy or upload per prescribed USSTRATCOM activation timelines.

Inactive Logistics (RS 5): Warheads used for logistical and surveillance purposes. Warheads may be in various stages of disassembly.

Inactive Reserve (RS 6): Warheads retained to provide a long-term response for risk mitigation of technical failings in current and future life extension programs. Warheads in this category are exempt from future refurbishment Mods or Alts.

NWSM/RPD Development

When the military requirements are received from the Joint Staff in March of each year, the NWC staff develops and coordinates the NWSM/RPD package for review and comment from the NWCSSC. After coordination and approval, the NWCSSC forwards the NWSM/RPD package to the NWC for review and approval. Following NWC approval, the NWSM package is transmitted to the Secretaries of Defense and Energy for signatures and the RPD is signed out by the NWC chairman.

After it is signed by the two Secretaries, the NWSM is forwarded to the President with the proposed presidential directive and associated NWSP. The NWSM package is due annually to the President no later than September 30, unless otherwise specified by a previous presidential directive.

A.8.2 NWC Report on Stockpile Assessments

ROSA

<i>Requirement:</i>	FY 2003 NDAA and FY 2013 NDAA
<i>Reporting period:</i>	Fiscal Year
<i>Annual due date:</i>	February 1
<i>Drafted by:</i>	DOE/NNSA and NWC Staff
<i>Coordinated through:</i>	NWCSSC and NWC
<i>Signed by:</i>	Secretaries of Defense and Energy
<i>Submitted/Transmitted to:</i>	President and Congress

In August 1995, President William J. Clinton announced the establishment of a “new annual reporting and certification requirement that will ensure that our nuclear weapons remain safe and reliable under a comprehensive test ban.” In this speech, the President announced the decision to pursue a “true zero-yield Comprehensive Nuclear-Test-Ban Treaty.” As a central part of this decision, President Clinton established a number of

safeguards designed to define the conditions under which the United States would enter into such a treaty.

Among these safeguards was Safeguard F, which specified the exact conditions under which the United States would invoke the standard “supreme national interest clause” and withdraw from a comprehensive test ban treaty.⁵ The annual assessment process of which the NWC ROSA, formerly the Annual Certification Report, is one element, was originally developed to correspond with Safeguard F.

Although the United States did not ratify the *Comprehensive Nuclear-Test-Ban Treaty* (CTBT) and the treaty has not entered into force, the United States continues to observe a self-imposed moratorium on underground nuclear testing. The annual assessment process, originally associated with the CTBT, has evolved independently of the CTBT. As long as the United States continues to observe a self-imposed underground nuclear testing moratorium, or until the CTBT receives U.S. ratification and enters into force, the annual assessment process serves to ensure the safety and reliability of the stockpile is regularly evaluated in the absence of underground nuclear testing.

The annual assessment process itself was originally modeled on the structure of Safeguard F, and the structure remains valid at the present time. Safeguard F specified that if the President were informed by the Secretaries of Defense and Energy that “a high level of confidence in the safety or reliability of a nuclear weapon-type that the two secretaries consider to be critical to the U.S. nuclear deterrent can no longer be certified,” the President, in consultation with Congress, would be prepared to conduct whatever testing might be required.

The FY 2003 NDAA legally codified the requirement for an annual stockpile assessment process. Specifically, section 3141 of the FY 2003 NDAA required the Secretaries of Defense and Energy submit a package of reports on the results of their annual assessment to the President by March 1 of each year. However, section 3122 of the FY 2013 NDAA amended the annual due date to February 1 of each year. This same language requires the individual assessments to be provided to Congress by March 15, if the President has not forwarded the jointly signed report.

⁵ This clause is written into almost all international treaties. It states the signatory reserves the right to withdraw from the treaty to protect supreme national interests. Most treaties define a specific withdrawal process that normally involves, among other things, advance notification to all states party to the treaty.

These reports are prepared individually by the directors of the three DOE/NNSA national laboratories (Lawrence Livermore National Laboratory (LLNL), Los Alamos National Laboratory (LANL), and Sandia National Laboratories (SNL)) and by the CDRUSSTRATCOM, who is responsible for nuclear weapons targeting within the DoD. The reports provide each official's assessment of the safety, reliability, and performance of each warhead-type in the nuclear stockpile. In particular, the reports include a recommendation on whether there is a need to conduct an underground nuclear test to resolve any identified issues. In addition, the CDRUSSTRATCOM assesses the military effectiveness of the weapons. The Secretaries of Defense and Energy are required to submit these reports, unaltered, to the President, along with the conclusions the Secretaries have reached as to the safety, reliability, performance, and military effectiveness of the U.S. nuclear deterrent. The NWC supports the two Secretaries in fulfilling their responsibility to inform the President if a return to underground nuclear testing is recommended to address any issues associated with the stockpile.

While the principal purpose of annual assessment is to provide analyses of and judgments about the safety, reliability, performance, and military effectiveness of the nuclear stockpile, the process would not be used as a vehicle for notifying decision makers about an immediate need to conduct nuclear test. If an issue with a weapon were to arise that required a nuclear test, the Secretaries of Defense and Energy, the President, and Congress would be notified immediately outside of the context of the annual assessment process.

A.8.3 Joint Surety Report

JSR	
<i>Requirement:</i>	NSPD-28
<i>Reporting period:</i>	Fiscal Year
<i>Annual due date:</i>	March 31
<i>Drafted by:</i>	DOE/NNSA and NWC Staff
<i>Coordinated through:</i>	NWC and NWCSSC
<i>Signed by:</i>	Secretaries of Defense and Energy
<i>Submitted/Transmitted to:</i>	House and Senate Committees on Armed Services and Appropriations

National Security Presidential Directive 28 (NSPD-28), *United States Nuclear Weapons Command and Control, Safety, and Security*, dated June 20, 2003, requires the DoD and the DOE/NNSA to prepare and submit to the President the annual JSR that assesses, at

a minimum, nuclear weapon safety, security, control, emergency response, inspection and evaluation programs, and the impact of budget constraints on required improvement programs. This report also addresses the current status of each of these subject areas as well as the impact of trends affecting capabilities and the nature of the threat. The security assessment also includes separate DoD and DOE/NNSA descriptions of the current state of protection of their respective nuclear weapons facilities in the United States, its territories, and overseas. The report primarily covers activities of the preceding fiscal year.

Currently, the DOE/NNSA prepares the preliminary inputs to the JSR. The NWC staff is then responsible for further drafting and coordinating the JSR with additional input from the DoD and the DOE/NNSA. When all preliminary comments are received and incorporated, the JSR is then reviewed by the NWCSSC. This is followed by an NWC vote to approve the report before it is forwarded to the Secretaries of Defense and Energy for signatures. The NSC staff requires joint transmittal of the JSR along with the *U.S. Nuclear Command and Control System (NCCS) Annual Report*, as developed by the NCCS Support Staff (NSS) and signed out by the director, NSS (CDRUSSTRATCOM). The reports are due to the President by March 31 each year.

A.8.4 NWC Budget Certification Letter

<i>Budget Certification</i>	
<i>Requirement:</i>	FY 2013 NDAA
<i>Reporting period:</i>	Fiscal Year
<i>Annual due date:</i>	First Tuesday of February (with President's Budget Request)
<i>Drafted by:</i>	NWC Staff
<i>Coordinated through:</i>	NWC
<i>Signed by:</i>	NWC Chairman
<i>Submitted/Transmitted to:</i>	House and Senate Committees on Armed Services and Appropriations, President of the Senate, and Speaker of the House

Section 1039 of the FY 2013 NDAA amended 10 USC 179 by incorporating a new responsibility for the NWC to certify the funding request for the upcoming fiscal year and that which is anticipated for the following four fiscal years, sufficiently meet the NWC

stockpile requirements. This certification is sent to Congress in the form of a short letter from the NWC chairman that represents the opinion of each NWC member.

The DoD and the DOE/NNSA function on different budget request cycles, with the DOE/NNSA preparing its budget later in the calendar year than the DoD. The budget certification is an NWC agenda topic, usually beginning in November, and the members discuss how the DOE/NNSA is forming its request to meet DoD needs, as laid out in the current endorsed stockpile profile. Annually the DOE/NNSA provides a line-by-line breakout of its budget for the members to review while the DoD-CAPE typically provides the final review before the draft certification letter is coordinated with the NWC members. While this letter is largely pro forma, it is an opportunity to continue a dialogue with Congress on funding the nuclear enterprise.

A.8.5 Stockpile Stewardship and Management Plan Assessment

SSMP Assessment

<i>Requirement:</i>	FY 2013 NDAA
<i>Reporting period:</i>	Fiscal Year
<i>Annual due date:</i>	180 days after submission of the SSMP in odd-numbered fiscal years
<i>Drafted by:</i>	NWC Staff
<i>Coordinated through:</i>	NWC and NWCSSC
<i>Signed by:</i>	NWC Chairman
<i>Submitted/Transmitted to:</i>	House and Senate Committees on Armed Services and Appropriations

Each year, the NNSA Administrator submits the SSMP to Congress. In odd-numbered fiscal years, the SSMP is a detailed report on the DOE/NNSA plan that covers stockpile stewardship, stockpile management, stockpile surveillance, program direction, infrastructure modernization, human capital, nuclear test readiness, and other areas as necessary. The plan is required to be consistent with the programmatic and technical requirements outlined in the NWSM. In even-numbered fiscal years, the DOE/NNSA submits a summary of this plan in a much shorter report.

A requirement for the NWC to conduct an assessment on the SSMP in odd-numbered years was codified in section 3133(a)(1) of the FY 2013 NDAA. The assessment includes

an analysis of whether the SSMP supports the requirements of the national security strategy of the United States; whether the modernization and refurbishment measures and schedules support those requirements; whether the plan adequately addresses the requirements for infrastructure recapitalization of enterprise facilities; and the risk to stockpile certification and to maintaining the long-term safety, security, and reliability of the stockpile; and whether the plan adequately meets DoD requirements. The NWC staff reviews the SSMP then drafts and coordinates the SSMP Assessment in consultation with AOs, representing NWC members. The report is coordinated at the NWCSSC level and forwarded to the NWC for final review and approval. After NWC approval, the assessment is signed by the NWC chairman and transmitted to Congress.

A.8.6 Annual Report on the Nuclear Weapons Stockpile of the United States

Stockpile Report

<i>Requirement:</i>	FY 2012 NDAA
<i>Reporting period:</i>	Fiscal Year
<i>Annual due date:</i>	March 1
<i>Drafted by:</i>	NWC Staff
<i>Coordinated through:</i>	DoD
<i>Signed by:</i>	Secretary of Defense
<i>Submitted/Transmitted to:</i>	House and Senate Committees on Armed Services and Appropriations

Section 1045 of the FY 2012 NDAA expressed concern from Congress that sustained investments in the nuclear enterprise could allow for greater reductions in the U.S. hedge stockpile. By March 1 of every year, the Secretary of Defense submits to Congress an accounting of the weapons in the stockpile, as of the end of the fiscal year preceding submission of the report, and the planned levels for each nuclear weapon category over the FYDP. The stockpile number projections for this report are derived from the NWSM/RPD.

The Annual Stockpile Report is a DoD-only report, meaning it is not coordinated through the NWC process. However, the ODASD(NM) is the responsible office for the DoD and, therefore, the NWC staff assists in drafting and coordinating the report. The DoD members of the NWC coordinate on the report, as well as the Secretaries of the Navy and the Air Force.

A.8.7 Biennial Report on Platform Assessments

ROPA

<i>Requirement:</i>	FY 2012 NDAA
<i>Reporting period:</i>	Two fiscal years
<i>Annual due date:</i>	Biennial (FY); March 1
<i>Drafted by:</i>	Director Navy SSP, Commander Air Force Global Strike Command, and CRDUSSTRATCOM
<i>Coordinated through:</i>	ODASD(NM) and NWC
<i>Signed by:</i>	Secretary of Defense
<i>Submitted/Transmitted to:</i>	President and Congress

Section 1041 of the FY 2012 NDAA created a new DoD-only, biennial reporting requirement similar to the construct of ROSA. The ROPA comprises assessments from the Director of Navy SSP, the Commander of the Air Force Global Strike Command, and CDRUSSTRATCOM, also known as the “covered officials.” The Navy and Air Force assessments report on the health of their respective nuclear delivery platforms. The CDRUSSTRATCOM assesses whether the platforms meet military requirements and also assesses the health of the NCCS. The “covered officials” coordinate through the ODASD(NM) and submit these assessments to the NWC and the Secretary of Defense by December 1 of each even-numbered fiscal year. The NWC staff prepares a cover memorandum from the Secretary of Defense that addresses, at a high level, each platform’s sustainment and modernization plans. The Secretary of Defense submits the cover memorandum and the unaltered assessments to the President by March 1 of each odd-numbered fiscal year and the President is required to submit the entire report to Congress by March 15.

The ROPA is a DoD-only report, therefore not coordinated through the NWC process. However the ODASD(NM) is the responsible coordinating office for the DoD. The DoD members of the NWC coordinate on the report, as well as the Secretaries of the Navy and the Air Force.

