

Appendix

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 Department of Defense (DoD) and Department of Energy (DOE) organization 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 stockpile management process to ensure high confidence in the safety, security, reliability, and performance of U.S. nuclear weapons. The NWC meets regularly to raise and resolve issues between the DoD and the DOE regarding concerns and strategies for stockpile management.

The NWC is also responsible for a number of annual reports that focus senior-level attention on important nuclear weapons issues. The NWC is required to report regularly to the president regarding the safety and reliability of the U.S. stockpile as well as to provide an annual recommendation on the need to resume underground nuclear

testing (UGT) to preserve the credibility of the U.S. nuclear deterrent. The NWC is obligated to evaluate the surety of the stockpile and to report its findings to the president each year. The NWC, through its oversight and reporting functions, also ensures that any significant threats to the continued credibility of the U.S. nuclear capability will be identified quickly and resolved effectively.

A.2 History

Following World War II, Congress wanted to ensure civilian control over the uses of nuclear energy. Consequently, the *1946 Atomic Energy Act* created the Atomic Energy Commission (AEC), which has evolved into what is now the National Nuclear Security Administration (NNSA).¹ The act also stipulated that the DoD would participate jointly in the oversight of the U.S. nuclear weapons program to ensure the fulfillment of military requirements for atomic weapons.

A.2.1 The Military Liaison Committee

The *1946 Atomic Energy Act* also established the Military Liaison Committee (MLC), the predecessor of the NWC. The MLC was created to coordinate joint DoD-DOE nuclear defense activities.

The MLC was an executive or flag-level (one-/two-star) DoD 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 the MLC chairman, and members included two flag-level representatives from each of the Military Services. 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 Action Officers (AO) Group, which was composed of AOs representing each of the seven members and each of the three

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.

official observers, supported the MLC. Other organizations with a direct interest in nuclear weapons matters, such as the national weapons 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 (SASC) 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 responsibility; they argued that 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 for Fiscal Year (FY) 1985* (Public Law 98-525) directed the president to establish a Blue Ribbon Task Group to examine the issue.

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

On January 18, 1985, the president 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 to 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 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 1985, 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 to oversee joint nuclear activities. The task group suggested that 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. These 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 that a dedicated staff drawn from both departments and reporting to a full-time staff director would be 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 Department of Defense dedicated primarily to nuclear weapons matters. This office was the ATSD(AE) until 1996 and has since transitioned to the office of the Assistant Secretary of Defense for 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(NCB/NM)).

² The POGs are joint DoD-DOE 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.

A.3 The NWC Today

Acting on the recommendations of the president's *Blue Ribbon Task Group*, Congress established the NWC in the *National Defense Authorization Act for FY 1987* (Public Law 99-661). A letter signed by the Secretary of Defense formalized the establishment of the NWC.

The original 1986 statute establishing the NWC and delineating its responsibilities reflected the concerns of the day. 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 U.S. plans for continued nuclear weapons production were indefinite, and the 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.

The statute establishing the NWC has been amended several times. 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 evolved to accommodate changing circumstances. Each additional responsibility assigned to the NWC has reflected emerging concerns as the Cold War ended and the Post-Cold War era began.³

A.4 Organization and Members

By law, the NWC now comprises five members: the Under Secretary of Defense for Acquisition, Technology and Logistics (USD(AT&L)); the Under Secretary of Defense for Policy (USD(P)); the Vice Chairman of the Joint Chiefs of Staff (VCJCS); the Commander of the U.S. Strategic Command (CDRUSSTRATCOM); and the Under Secretary of Energy for Nuclear Security/National Nuclear Security Administration (NNSA) Administrator. The USD(AT&L) serves as the chairman of the NWC. The ASD(NCB) is designated as the NWC staff director. Figure A.1 illustrates NWC membership as stated in Title 10, Section 179 of the United States Code (10 USC 179).

The law also directed the DoD and the DOE 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. As the executive secretary, the

³ In addition, the law has been amended to include a broader membership.

ASD(NCB) manages the agendas and facilitates the activities of the NWC. As the NWC staff director, the ASD(NCB) also has oversight responsibilities for the NWC Staff and the other subordinate organizations of the NWC.

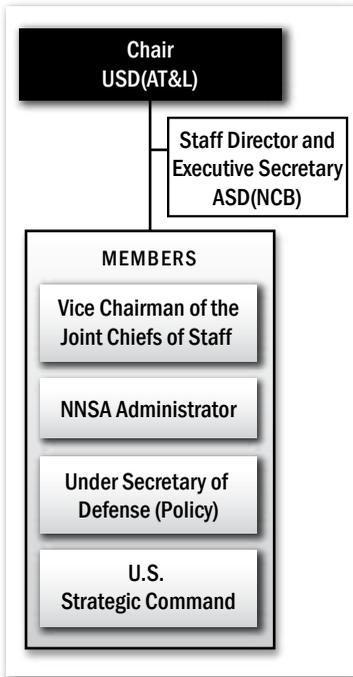


Figure A.1 NWC Membership per 10 USC 179

NWC membership includes several guest and observer organizations in addition to its official members. Though not voting members, these organizations make valuable technical contributions to NWC deliberations. NWC guests 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 for Intelligence (USD(I));
- National Security Staff (NSS)⁴;
- Director, Defense Threat Reduction Agency (DTRA); and
- Under Secretary of Defense, Comptroller (USD(C)).

NWC observer organizations include:

- U.S. Army Nuclear and Combating Weapons of Mass Destruction Agency (USANCA);
- U.S. Navy (Strategic Systems Programs (SSP));
- U.S. Air Force (Strategic Deterrence and Nuclear Integration Office (AF/A10));
- Office of the Deputy Under Secretary of Defense for Acquisition and Technology (ODUSD(A&T)); and
- National Security Agency (NSA).

⁴ The National Security Council and Homeland Security Council merged under the Obama Administration to form the National Security Staff.

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. The NWC currently fulfills four annual reporting requirements: the Nuclear Weapons Stockpile Memorandum/Requirements and Planning Document (NWSM/RPD), the NWC Report on Stockpile Assessments (ROSA), the NWC Joint Surety Report (JSR), and the NWC Chairman's Annual Report to Congress (CARC).

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's 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 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 NNSA;
- receiving information and recommendations from advisory committees on nuclear weapons issues and recommending appropriate actions to the DoD and the NNSA;
- providing broad guidance to the DoD and the 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 & 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 that 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 that 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. Issues that require NWC action, including decisions or recommendations, are recorded through an Action Item tracking process.

For some actions, such as a decision to approve the progress of a warhead-type from one life-cycle phase to the next, a voice vote at the meeting may be recorded in the NWC's meeting minutes. This voice vote, as recorded in the minutes, would serve as the official NWC approval.

In theory, each member of the NWC could veto any action or decision. In practice, however, the NWC works to achieve consensus among its members before it issues official decisions or recommendations. Issues rarely reach the NWC level until they have been thoroughly vetted by NWC subordinate organizations, as appropriate. Documents, including NWC reports, memoranda, and letters, are revised and coordinated until all NWC members concur. The majority of revision and coordination occurs at the subordinate levels.

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 NNSA, and the national weapons 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.

Briefings are generally tailored for the individual audience in terms of length and level of detail. Because the NWC has delegated some responsibilities to its subordinate organizations, the subordinate group may determine that a briefing need not progress to the NWC.

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. 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 Title 10, Section 179 of the U.S. Code. This affords the NWC the necessary flexibility to create, merge, or abolish organizations as needed.

Two committees were established shortly after the creation of the NWC: 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.” 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 NWC Action Officers Group and an NWC Staff 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 to define them more precisely where 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. 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 national nuclear enterprise. New

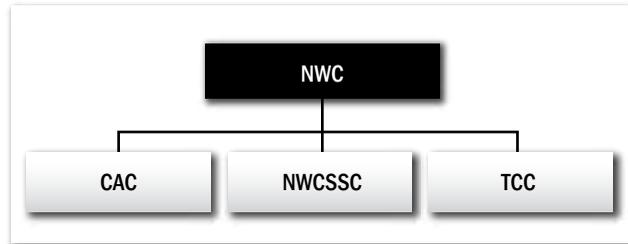


Figure A.2
The NWC and Its Current Subordinate Bodies

committees will be created, as needed, by the NWC to respond to issues of the day. Figure A.2 illustrates the subordinate bodies of the NWC, and Figure A.3 provides a timeline of their establishment.

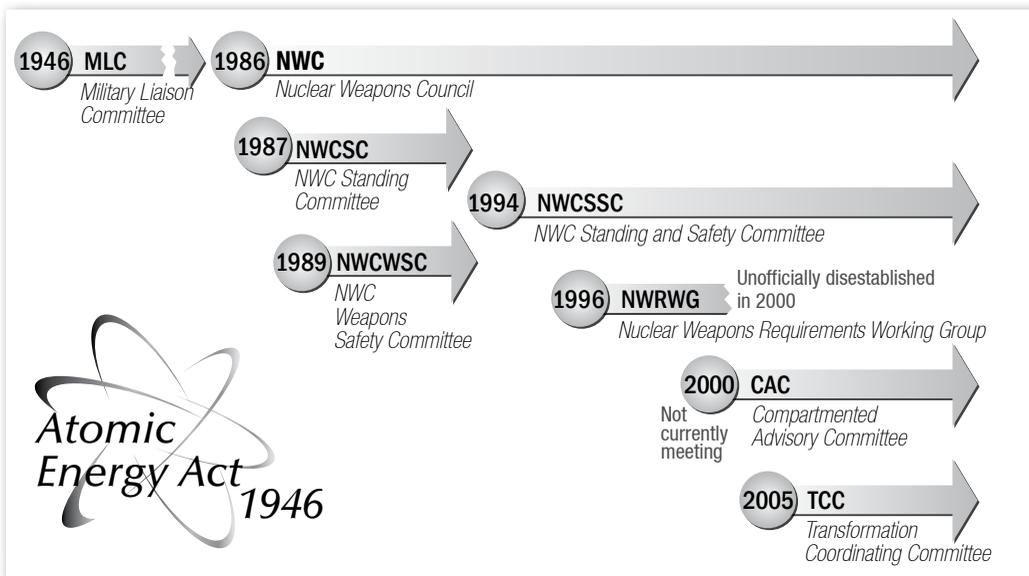


Figure A.3 Timeline of the Establishment of the NWC and Its Subordinate Bodies

A.7.1 The Nuclear Weapons Council Standing and Safety Committee

The NWCSSC is a subordinate body to the NWC. The primary mission of the NWCSSC is to advise and assist the NWC and to provide preliminary approval for many NWC activities. The NWCSSC is a joint DoD-DOE senior executive or flag-level (one-/two-star) committee that conducts transactions between the DoD and the DOE on behalf of the NWC. The NWC has also delegated certain approval authorities to the NWCSSC.

NWCSSC Organization and Members

The NWC staff director is the ASD(NCB). The ASD(NCB) also serves as the chair of the NWCSSC and represents the USD(AT&L) as well as the Office of the Secretary of Defense (OSD). An NNSA senior official is the NWCSSC vice-chair and represents the NNSA Administrator. For an illustration of NWCSSC membership, see Figure A.4.

The NWCSSC is composed of one flag-level representative or the civilian equivalent from each of the following organizations: the NNSA, the Office of the Under Secretary of Defense for Policy, the Office of the Assistant Secretary of Defense (NCB/ Nuclear Matters) (OASD(NCB/NM)), the Joint Staff, the United States Strategic Command, the Navy, the Air Force, USANCA, and the Defense Threat Reduction Agency.

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 not available or when the alternate’s skills are appropriate to the topic of discussion. The NWCSSC executive secretary, who is also the NWC assistant staff director, is the NNSA liaison to the NWC Staff.

The NWCSSC is also supported by official observers and invited guests. When they are responsible for NWC actions in progress, these agencies and organizations send staff to participate as observers or invited guests. Additionally, the NWCSSC benefits from the support of technical advisors. Technical advisors represent the following organizations:

NWCSSC MEMBERS	
<u>Chair</u>	NNSA
ASD(NCB)	OUSD(P)
	OASD(NCB/NM)
<u>Vice-Chair</u>	JS
NNSA	USSTRATCOM
	Navy
	Air Force
	USANCA
	DTRA
NWCSSC TECHNICAL ADVISORS	
	LANL
	LLNL
	SNL
	NSA

Figure A.4 NWCSSC Membership

Los Alamos National Laboratory (LANL), Lawrence Livermore National Laboratory (LLNL), Sandia National Laboratories (SNL), and the National Security Agency.

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 to Congress.

The NWCSSC also actively participates in Project Officers Group 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 Service-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 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. Over the past several years, the NWCSSC has reviewed a number of topics, including: Nevada Test Site (NTS) readiness, warhead dismantlement activities, findings of the Joint Advisory Committee (JAC) on nuclear weapons surety, component and warhead storage, nuclear component production, and nuclear weapons safety standards.

In summary, NWCSSC responsibilities include:

- preparing and coordinating the annual Nuclear Weapons Stockpile Memorandum and Requirements and Planning Document, which are then provided to the NWC for review and approval before being forwarded to the secretaries of defense and energy for signature;
- approving nuclear weapons stockpile quantity adjustments within the authority delegated by the president and the NWC;
- reviewing the stockpile when required, and providing recommended stockpile improvements to the NWC for its endorsement;
- preparing and coordinating the annual NWC Report on Stockpile Assessments for the NWC;

- preparing and coordinating the Joint Surety Report for the DoD-DOE annual report to the president on nuclear weapons surety;
- preparing and coordinating the NWC chairman's Annual Report to Congress;
- reviewing Joint Requirements Oversight Council (JROC) recommendations related to nuclear weapons planning for possible impact on nuclear warhead programs;
- approving Design Review and Acceptance Group (DRAAG) Report findings;
- authorizing the establishment of POGs for NWC-directed studies or reviews, reviewing Military Service-approved POG charters, providing tasking and guidance to these POGs, reviewing POG study plans and reports, and resolving outstanding issues;
- reviewing and approving the original and/or amended military characteristics proposed by the Military Services through their respective POGs. (Safety-related MCs must be approved by the secretaries of defense and energy.);
- reviewing the stockpile-to-target sequence requirements for each nuclear warhead-type and considering proposed changes to the STS that may have a significant impact on cost or weapons performance;
- advising the NWC on weapons safety design criteria, safety standards and processes, safety rules, and the safety aspects of Military Characteristics and STSs as well as weapons transportation, storage, and handling;
- reviewing information from the DoD and the DOE on nuclear weapons-related issues under the NWC purview;
- reviewing the status and results of nuclear weapons safety studies performed either by the Military Services or jointly by the DoD and the DOE;
- requesting weapon program status information from the DoD and the DOE;
- conducting 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; and
- coordinating or taking action on other matters, as appropriate.

NWCSSC Procedures and Processes

The NWCSSC normally meets once each month. On occasion, the NWCSSC will meet in special session to address a specific issue that must be resolved before the next regularly scheduled meeting. The majority of the work performed by the NWCSSC involves issues related to DoD military requirements in relation to 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 weapons laboratories, as well as individual components within the DoD and the DOE. The NWCSSC chairman leads NWCSSC meetings and facilitates discussion among the members.

The NWC Staff is responsible for coordinating meeting times and places as well as developing meeting agendas 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 Action Officers and approved by the members at the next meeting.

A.7.2 The NWC Action Officers Group

The NWCSSC is supported by an Action Officer Group that meets to review nuclear weapons stockpile management issues, to ensure consistent progress, and to facilitate information dissemination. The AOs prepare nuclear weapons issues for their NWCSSC principals. In a frank and informal meeting environment, the AOs discuss issues, receive pre-briefings in preparation for NWCSSC or NWC meetings, and coordinate actions for consideration by their principals at the NWCSSC level.

AO Group Organization and Members

The AO Group is composed of AOs representing NWCSSC member organizations, observer organizations, technical advisors, and agencies involved in nuclear weapons program matters, where appropriate. The NWC Staff supports the AO Group. When they are responsible for NWC actions in progress, other agencies and organizations such as the POGs and the national weapons laboratories send AOs to participate as observers or invited guests. Figure A.5 illustrates NWC AO Group membership.

AO MEMBERS	
Chair	NNSA
NWC	OUSD(P)
Asst. Staff	OASD(NCB/NM)
Director	JS
	USSTRATCOM
	Navy
	Air Force
	USANCA
	DTRA

Figure A.5 NWC AO Group Membership

AO Group Responsibilities and Activities

The responsibilities of the AO Group have been established through practice as well as direction from

the NWCSSC principals. The AOs are responsible for keeping their NWCSSC principals fully informed regarding all NWC-related activities and preparing their principals for NWCSSC or related meetings. Normally, the NWC Staff is responsible for creating and distributing an informal meeting summary as well as tracking any actions that arise from the AO meetings.

AO Group Procedures & Processes

The NWCSSC executive secretary, who is also the NWC assistant staff director, chairs the AO meetings. The NWC Staff is responsible for coordinating meeting times and locations as well as for developing meeting agendas. The AOs normally meet once each week to discuss issues and coordinate actions.

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. Official observers and technical advisors may also provide comments to the assistant staff director for consideration and potential inclusion. 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 The Nuclear Weapons Council Staff

The NWC Staff provides analytical and administrative support to the NWC and its subordinate organizations. As codified in the 1997 NWC Memorandum of Agreement signed by the secretaries of defense and energy, both the DoD and the 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 OASD(NCB/NM) at the Pentagon. The NWC Staff is composed of an NNSA staff member and a DTRA staff member, both of whom have been assigned to the OASD(NCB/NM). The NWC Staff is also supported by government contractors, as required. The NWC Staff reports through the DASD(NCB/NM) to the NWC staff director.

NWC Staff Responsibilities and Activities

The NWC Staff has a variety of responsibilities, all of which ensure that the NWC and its subordinate bodies operate as efficiently and effectively as possible. The primary responsibilities of the NWC Staff can be divided into two areas: meetings, for planning and

follow-up activities; and the NWC annual reports, for development, drafting, coordination, and execution.

The NWC Staff plans and schedules all meetings of the NWC, the NWCSSC, and the NWC AO Group. The responsibilities of the NWC Staff include: preparing meeting agendas; drafting and distributing tasking letters to request information or briefings from organizations within the nuclear weapons community; and preparing the Chair of the AO Group to lead the meeting and facilitate discussion and decision-making, if required. The NWC Staff works with the 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 responsible for a variety of follow-up activities including: preparation of meeting minutes, the development of vote packages for NWC or NWCSSC paper votes, the scheduling of supplementary briefings, and the development of responses to members' questions or requests. The NWC Staff maintains the official records of the NWC, the NWCSSC, and the AO Group proceedings and other official documents.

The NWC Staff facilitates the timely development of the four annual reports for which the NWC is responsible. The NWC Staff manages the coordination of these reports with the many different representatives from the DoD and the DOE. NWC Staff activities include: publishing report milestone completion schedules, developing first and subsequent drafts of each annual report, conducting coordination meetings, consolidating and reconciling input from various participants, and guiding the reports through the progressive approval channels.

A.8 Annual Reports

The Nuclear Weapons Council is responsible for a number of annual reports. These include the Nuclear Weapons Stockpile Memorandum and Requirements and Planning Document, the Report on Stockpile Assessments, the Chairman's Annual Report to Congress, and the Joint Surety Report. Each of the NWC annual reports focuses senior-level attention on important nuclear weapons issues. Each report responds to a separate executive or congressional requirement; each has an individual purpose; and each communicates unique information. Figure A.6 illustrates the NWC Annual Reports schedule and nominal due date.

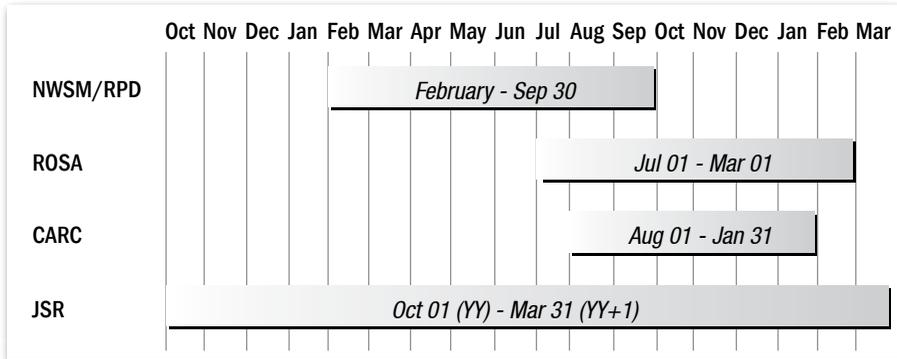


Figure A.6 NWC Annual Reports Schedule

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

The NWSM is an annual memorandum to the president from the secretaries of defense and energy. The NWSM transmits a proposed Presidential Directive, which, if approved, becomes the Nuclear Weapons Stockpile Plan. The NWSP specifies the size and composition of the stockpile for a projected multi-year 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 actually guides U.S. nuclear stockpile activities as mandated by the Atomic Energy Act. For ease of reference, the NWSM and the proposed Directive containing the NWSP are collectively called the “NWSM package” or “the NWSM.”

The coordination process for these documents serves as the key forum in which the DoD and the DOE resolve issues concerning the DoD military requirements for nuclear weapons in relation to the DOE 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 nuclear weapons stockpile changes within the percentage limits specified by the president.

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.⁵ 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 Requirements and

⁵ The *Atomic Energy Act of 1954* requires that the president provide annual authorization for all U.S. nuclear weapons production.

Planning Document, previously known as the Long Range Planning Assessment (LRPA), was developed to facilitate this shift in emphasis. The RPD is now linked with the NWSM to form a single NWC vote package for coordination and approval through the NWC chair. The chair

NWSM/RPD

Requirement: 10 USC 179
Reporting period: Fiscal Year
Annual due date: September 30
Drafted by: NWC Staff
Coordinated through: NWCSSC and NWC
Signed by: The Secretary of Defense and the Secretary of Energy
Submitted/Transmitted to: The President and Congress

forwards the NWSM to the secretaries of defense and energy for signature and distributes the RPD to the NWC and NWCSSC members.

The RPD 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 NWSM, which was formerly coordinated to satisfy a statutory requirement, has evolved into an instrument for programmatic authorization. This is particularly true for the 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

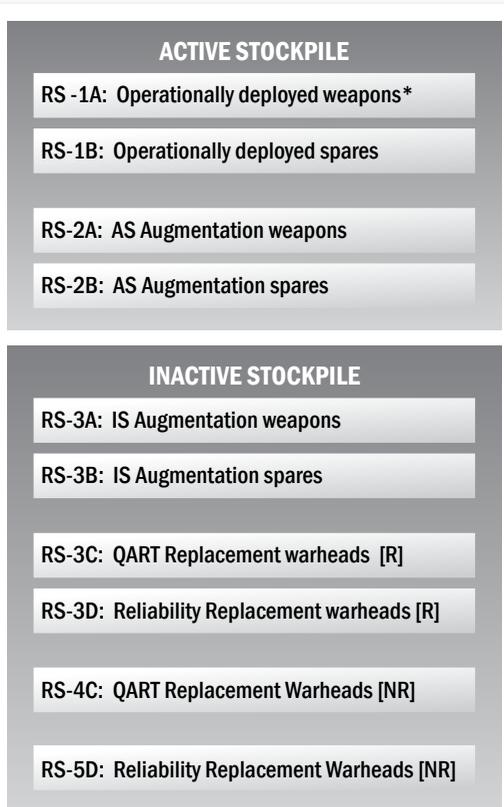
Warhead readiness states (RS) refer to the configuration of the weapons in the active and inactive stockpiles (AS and IS). If resources and throughput capacities were unconstrained, all weapons would be maintained as active ready (AR) warheads. Because resources and throughput capacities are severely constrained, the NNSA has had to develop innovative configuration management techniques to ensure that weapons are available in ready-for-use configuration when they are required by the DoD. Because not all weapons are maintained in an AR configuration, there are lead-times associated with reactivating weapons that are not in the active stockpile or designated as augmentation warheads. However, the readiness state of any particular warhead should be transparent to the force provider (the DoD) insofar as the NNSA is able to meet requirements for maintenance and reactivation on schedules previously agreed to by both departments. Readiness states are determined by stockpile category, location, and maintenance requirements.

Figure A.7 depicts the readiness states and categorizes them as part of the AS or the IS. There are currently ten different readiness states, defined below:

Readiness state 1A (RS-1A): Active ready warheads located on launchers or at an operational base that may be used for possible wartime employment, and must be fully maintained in a ready-to-use status at all times; i.e., all RS-1A warheads must have all of their limited life components (LLCs) installed, undergo life extension, and are assessed for reliability and safety.

Readiness state 1B (RS-1B): Logistics warheads positioned at various locations and used for logistical purposes to support upload quantities and that are intended to be maintained in a ready-to-use status; i.e., RS-1B warheads must have their LLCs installed, undergo life extension, and are assessed for safety and reliability, but may be in various states of disassembly to serve logistical requirements.

Readiness state 2A (RS-2A): AS augmentation warheads located either at an operational base or at a depot that may serve as active ready weapons (within a timeframe that does not exceed six months), and must be fully maintained in a ready-to-use status at all times; i.e., they have their LLCs installed, undergo life extension, and are assessed for reliability and safety.



* Weapons in any readiness state can be either strategic or non-strategic.

- 1 = Operationally deployed weapons
- 2 = Operationally deployed logistical spares
- 3 = Weapons that are planned for Life Extension when that warhead-type undergoes LEP
- 4 = Weapons that are not planned for LEP even when the rest of that warhead-type undergoes LEP
- 5 = Weapons that are only assessed for safety and reliability if no weapons of that type exist in RS 1-4

- A = Wartime employment warheads
- B = Logistics spares
- C = QART warheads
- D = Reliability Replacement warheads

[R] refurbished
 [NR] not refurbished

Figure A.7 Warhead Readiness States

These warheads are included as part of the nuclear weapons stockpile hedge against unexpected reversals in the geopolitical security environment.

Readiness state 2B (RS-2B): AS Logistics warheads positioned at various locations, used for logistical purposes, and maintain in a ready-for-use status; RS-1B warheads must have their LLCs installed, undergo life extension, and are assessed for safety and reliability, but may be in various states of disassembly to serve logistical requirements.

Readiness state 3A (RS-3A): IS augmentation warheads located either at an operational base or at a depot that may serve as active ready weapons (within a timeframe that does not exceed six months), that have tritium components removed prior to their projected limited-life or stockpile-life dates, undergo life extension, and are assessed for reliability and safety. These warheads are included as part of the nuclear weapons stockpile hedge against unexpected reversals in the geopolitical security environment.

Readiness state 3B (RS-3B): IS logistics warheads positioned at various locations and used for logistical purposes that have the tritium components removed prior to their projected limited-life or stockpile-life dates, undergo life extension, and are assessed for reliability and safety, but may be in various states of disassembly to serve logistical requirements.

Readiness state 3C (RS-3C): IS quality assurance and reliability testing (QART) replacement warheads are located at either an operational base or a depot and used for QART replacement (i.e., to replace warheads consumed primarily in destructive testing during surveillance), that have the tritium components removed prior to their projected limited-life or stockpile-life date, undergo life extension, and are assessed for reliability and safety.

Readiness state 3D (RS-3D): IS reliability replacement warheads located either at an operational base or at a depot and used for reliability replacement (i.e., to replace warheads that have a safety, reliability, or yield problem; these weapons are part of the U.S. nuclear weapons stockpile hedge against unexpected technical failures and technological breakthroughs that threaten U.S. nuclear forces' survivability), that have the tritium components removed prior to their projected limited-life or stockpile-life date, undergo life extension, and are assessed for reliability and safety.

Readiness state 4C (RS-4C): IS QART replacement warheads are located at either an operational base or a depot and used for QART replacement (i.e., to replace warheads consumed primarily in destructive testing during surveillance), that have the tritium components removed prior to their projected limited-life or stockpile-life date, do not undergo life extension, but are assessed for reliability and safety.

Readiness state 5D (RS-5D): IS reliability replacement warheads located either at an operational base or at a depot and used for reliability replacement (i.e., to replace warheads that have a safety, reliability, or yield problem; these weapons are part of the U.S. nuclear weapons stockpile hedge against unexpected technical failures and technological breakthroughs that threaten U.S. nuclear forces' survivability), that have the tritium components removed prior to their projected limited-life or stockpile-life date, but do not undergo life extension, and are assessed for safety, but not for reliability. If these warheads needed to be reactivated for the technical hedge, the time period required for a reliability estimate for RD-5D warheads is approximately two years.

NWSM/RPD Development

When the military requirements are received from the Joint Staff in March, the NWC Staff develops and coordinates the NWSM/RPD package for review and comments 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 package is transmitted to the secretaries of defense and energy for signature.

After it is signed by the two secretaries, the NWSM is forwarded to the president with the proposed NWSM. The approved RPD is distributed to the NWC and NWCSSC members and is provided to the National Security Staff, if requested. The NWSM package is due annually to the president no later than September 30.

A.8.2 NWC Report on Stockpile Assessments

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 Test Ban Treaty.” As a central part of this decision, the president 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.⁶ The annual assessment process, of

⁶ This clause is written into almost all international treaties. It states that 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 that are party to the treaty.

which the NWC Report on Stockpile Assessments (formerly called the “Annual Certification Report”) is but one element, was originally developed to correspond with Safeguard F.

ROSA		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 UGT. The annual assessment process, originally associated with
<i>Requirement:</i>	<i>Statute</i>	
<i>Reporting period:</i>	<i>Fiscal Year</i>	
<i>Annual due date:</i>	<i>March 1</i>	
<i>Drafted by:</i>	<i>NNSA/NWC Staff</i>	
<i>Coordinated through:</i>	<i>NWCSSC and NWC</i>	
<i>Signed by:</i>	<i>NWC Members</i>	
<i>Submitted/Transmitted to:</i>	<i>The Secretary of Defense and the Secretary of Energy</i>	

the CTBT, has evolved independently of the CTBT. As long as the United States continues to observe a self-imposed underground testing moratorium, or until the CTBT receives U.S. ratification and enters into force, the annual assessment process serves to ensure that the safety and reliability of the stockpile is regularly evaluated in the absence of UGT.

The annual assessment process itself was originally modeled on the structure of Safeguard F, and that 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 FY03 National Defense Authorization Act (FY03 NDAA) legally codified the requirement for an annual stockpile assessment process. Specifically, Section 3141 of the FY03 NDAA requires that 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. The president must forward the reports to Congress by March 15.

These reports are prepared individually by the directors of the three DOE national security laboratories—Los Alamos National Laboratory, Lawrence Livermore National Laboratory, and Sandia National Laboratories—and by the Commander of USSTRATCOM, 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 addition, the Commander of USSTRATCOM assesses the military effectiveness

of the weapons. In particular, the reports include a recommendation on whether there is a need to conduct an underground nuclear test to resolve any identified issues. 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 a nuclear test. If an issue with a weapon were to arise that required a nuclear test to resolve, 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 NWC Chairman’s Annual Report to Congress

An FY95 amendment to 10 USC 179 requires the NWC chairman to submit a report to Congress each fiscal year evaluating the “effectiveness and efficiency of the NWC and the deliberative and decision-making processes used.” The CARC is submitted through the secretary of energy. The law requires that the CARC also contain a description of all activities conducted by the NNSA during the reporting period, as well as all nuclear weapons-related activities planned by the NNSA for the following fiscal year that have been approved by the NWC for the study, development, production, or retirement of nuclear warheads. When the president’s budget is

submitted to Congress, the secretary of energy is required to submit the CARC to Congress in a classified form. The report is sent to the House and Senate Committees on Armed Services and Appropriations. The

CARC

<i>Requirement:</i>	<i>FY95 amendment to 10 USC 179</i>
<i>Reporting period:</i>	<i>Fiscal Year</i>
<i>Annual due date:</i>	<i>NLT first Monday in February</i>
<i>Drafted by:</i>	<i>NWC Staff</i>
<i>Coordinated through:</i>	<i>NWC and NWCSSC</i>
<i>Signed by:</i>	<i>Secretary of Energy</i>
<i>Submitted/Transmitted to:</i>	<i>House and Senate Committees on Armed Services and Appropriations</i>

first CARC was submitted to Congress in February 1995.

The NWC Staff drafts and coordinates the CARC in consultation with the AOs representing the NWC members. The report is coordinated at the NWCSSC level and forwarded to the NWC for final review and approval. After NWC approval, the CARC is signed by the NWC chairman and forwarded to the secretary of energy. The DOE prepares the eight letters containing the CARC to the committee chairpersons and ranking members. The secretary signs the letters, and they are then transmitted to Congress.

A.8.4 Joint Surety Report

National Security Presidential Directive 28, *United States Nuclear Weapons Command and Control, Safety, and Security*, dated June 20, 2003, requires the DoD and the DOE to prepare and submit to the president an annual joint surety report 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 descriptions of the current state of protection of their respective nuclear weapons facilities in the United States, its territories, and overseas.

JSR

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

The report primarily covers activities of the preceding fiscal year.

Currently, the NNSA prepares the preliminary draft of the JSR. The NWC Staff is then responsible for further drafting and coordinating the JSR

with input from the DoD and the 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 signature. The National Security Staff requires joint transmittal of the JSR along with the Nuclear Command and Control System Annual Report, as developed by the Nuclear Command and Control System Support Staff and signed out by director, Support Staff/Commander USSTRATCOM. The reports are due to the president by March 31 each year.

As the role of nuclear weapons changes in the United States, so, too, does the NWC change to adapt to the new environment. While the U.S. stockpile exists, however, it remains imperative to maintain a body like the NWC in order to ensure a “whole of government” approach to the coordination of activities associated with this central element of U.S. national security policy.

