



CHAPTER 6

NUCLEAR WEAPONS COUNCIL

OVERVIEW

The Nuclear Weapons Council (NWC) is the focal point for interagency activities to sustain and modernize the U.S. nuclear deterrent. The Council endorses military requirements, approves trade-offs, and ensures alignment between DoD delivery systems and National Nuclear Security Administration (NNSA) weapons. The NWC is charged with cradle-to-grave management of the existing nuclear weapons stockpile and for planning for the future nuclear deterrent. The NWC develops and promulgates a number of important policy documents and provides significant information on nuclear weapons safety, security, and effectiveness to the President and Congress.

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 Council meets regularly to discuss status, paths forward, and resolve issues between DoD and NNSA regarding strategies for stockpile sustainment and modernization.

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 NNSA.

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 DoD, the present day organization) and the AEC (hereafter referred to as the Department of Energy (DOE), the present day organization).

The MLC was an executive- or flag-level military organization that served as the authorized channel of communication between DoD and DOE on all atomic energy matters related to the military application of atomic weapons or atomic energy, as determined by 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 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, Joint Staff (JS), and 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 official observers, supported the MLC. Other organizations with a direct interest in nuclear weapons, such as the national security 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 DOE to DoD. Under this proposal, DOE would then execute its nuclear weapons-related activities using funds provided by 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 1985*, Public Law (Pub. L.) 98-525, directed the President to establish a Blue Ribbon Task Group to examine the issue.

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 DoD and 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 DoD and 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 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)¹ 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 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 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)).

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 DoD and DOE with respect to nuclear weapons production. The NWC was created when the 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.

¹ The POGs are joint DoD-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.

Shortly after the establishment of the NWC, the Soviet Union ceased to exist, the Cold War ended, and the United States terminated nuclear weapons production and explosive testing. Since the inception of the NWC, the United States has only designed weapons that are based on Cold War legacy warheads.

NWC ORGANIZATION AND MEMBERS

The *National Defense Authorization Act for Fiscal Year 2017* reorganized the Under Secretary of Defense for Acquisition, Technology and Logistics (USD(ATL)). This resulted in six voting members of the NWC instead of the original five as illustrated in Figure 6.1: Under Secretary of Defense for Acquisition and Sustainment (USD(A&S)); Vice Chairman of the Joint Chiefs of Staff (VCJCS); Under Secretary for Nuclear Security of the DOE and NNSA Administrator; Under Secretary of Defense for Policy (USD(P)); Under Secretary for Research and Engineering (USD(R&E)), and Commander, U.S. Strategic Command (CDRUSSTRATCOM). The law also directs DoD and NNSA to provide personnel to serve as the NWC staff. The ASD(NCB) is designated as the NWC Staff Director.

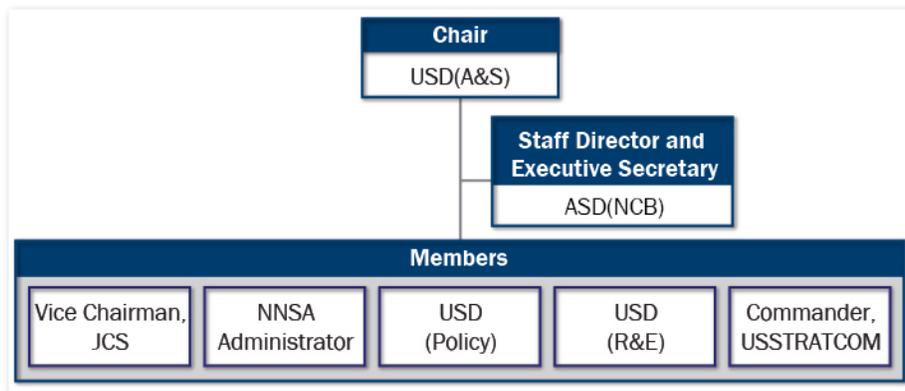


Figure 6.1 NWC Membership

NWC RESPONSIBILITIES AND ACTIVITIES

Title 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 *National Defense Authorization Act for Fiscal Year 2013* (Pub. L.112-239), amended the NWC responsibilities to include an annual certification of the sufficiency of the NNSA budget request to meet the NWC stockpile requirements. The NWC is responsible for a number of annual and biennial reports that garner senior-level attention on important nuclear weapons matters. In addition, 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 explosive testing to preserve the credibility of the U.S. nuclear deterrent. 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) and updated in 2017. 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-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 authorities within DoD and NNSA;
- receiving information and recommendations from advisory committees on nuclear weapons issues and recommending appropriate actions to DoD and NNSA;
- providing broad guidance to DoD and 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 and other reporting requirements as provided in Title 10 USC §179 and other legislation.

NWC PROCESSES AND PROCEDURES

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 the nuclear deterrent 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 coordination process in which Principals' 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.

The NWC works to achieve consensus among Principals before it issues official decisions or recommendations, although this is not always possible. Documents reflecting NWC findings and decisions, including NWC reports, memoranda, and letters, are fully coordinated.

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 DoD, NNSA, and the national security 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) to provide an opportunity for members, advisors, and observers to solicit additional information as required for clarity or completeness.

NWC 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 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. Figure 6.2 depicts the current membership of the NWCSSC.

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 DoD and DOE developed nuclear weapons requirements processes within their own Departments. For these reasons, the NWRWG members decided 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 that time.

NWCSSC MEMBERS	
<i>Chair</i>	DOE/NNSA
ASD(NCB)	OUSD(A&S)
	OUSD(R&E)
<i>Co-Chair</i>	OUSD(P)
NNSA DP	JS
	USSTRATCOM
	USAF
	USN
NWCSSC ADVISORS	
OUSD(C)/CFO	NNSA CEPE
EUCOM	NNSA NAMB
LANL	DoD CAPE
LLNL	OASD(LA)
SNL	NSC
USANCA	NSA
OMB	DTRA

Figure 6.2
NWCSSC Membership

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 NNSA Nuclear Security Enterprise. Neither the CAC nor the TCC are currently active. New committees are created and disbanded, as needed, by the NWC to respond to issues of the day. Figure 6.3 provides a timeline of their establishment.

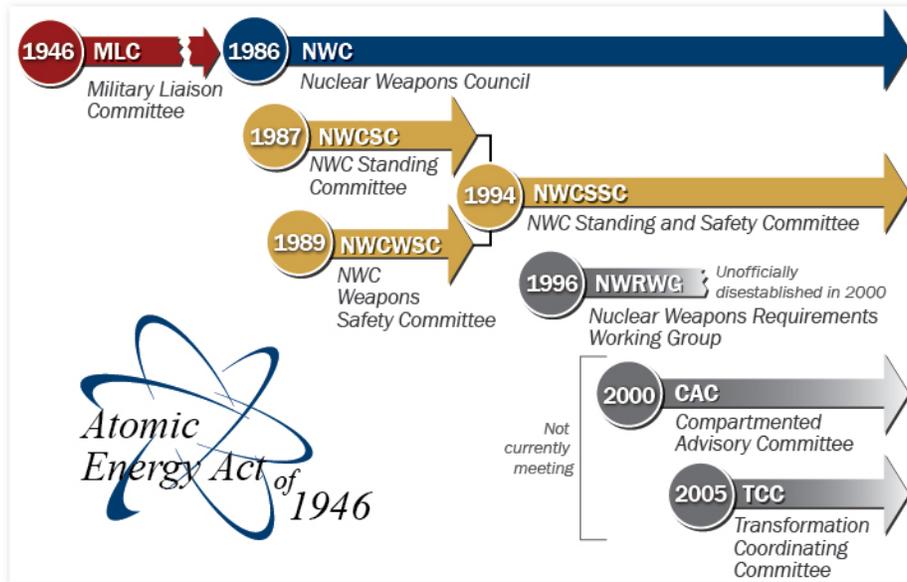


Figure 6.3 Overview of the Establishment of the NWC and Subordinate Bodies

NWC STANDING AND SAFETY COMMITTEE

The primary role of the NWCSSC is to advise and assist the NWC and to furnish executive-level review and recommendations on key nuclear weapons issues. The NWCSSC is responsible for ensuring the NWC and its support committees work together, producing required NWC results within specified timeframes.

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 ASD(NCB) serves as the Chairperson of the NWCSSC, and the Department of Energy (DOE)/Administrator of the National Nuclear Security Administration (NNSA) Deputy Administrator for Defense Programs serves as the Co-Chairperson. DOE/NNSA Deputy Administrator for Defense Programs provides non-reimbursable staff assistance for the NWC activities, including sourcing and staffing of the NWCSSC Executive Secretary position. In addition to the chairperson and Co-Chairperson, NWCSSC will have representation from the Vice Chairman of the Joint Chiefs of Staff, the Under Secretary for Nuclear Security of the DOE/ Administrator of the NNSA, the Under Secretary of Defense of Research and Engineering, the Under Secretary of Defense for Policy, and the Commander of the U.S. Strategic Command. Other subject matter experts (Intelligence, Services, DTRA, etc.) may be invited to the NWCSSC meetings based on discussion topics.

The following describes the functions of the NWCSSC. These functions facilitate the NWC making informed decisions concerning the nuclear weapons stockpile and ensuring information reaches the members of the NWC efficiently and effectively. The NWC chairperson, through coordination with the NWC, provides formal documentation to specific actions or direction. This documentation is primarily, but not limited to, actions or direction prescribed by the Council and documented in Council minutes and NWC memorandums.

- Provides senior-level expertise for the consideration of nuclear weapons safety, security, reliability, and effectiveness;
- Coordinates the analyses and studies of issues affecting the nuclear weapons stockpile;
- Reviews and provides recommendations to the NWC and for direction on these analyses and studies;
- Reviews and acts on recommendations relating to the nuclear weapons stockpile matters from the subordinate committees and ensures appropriate representation in the subordinate committees;
- Recommends to the NWC appropriate actions to DoD and DOE/NNSA based on advice received from subordinate committees;
- Recommends to the NWC appropriate guidance to DoD and DOE/NNSA on nuclear weapons matters under agreements regarding the life cycle of the nuclear weapons stockpile; and
- Reviews other nuclear weapons program matters as directed by the NWC.

NWC ACTION OFFICERS GROUP

The NWCSSC is supported by an AO group, which operates in an open and informal meeting environment to discuss issues, receive pre-briefings in preparation for NWCSSC or NWC meetings, and coordinate actions for consideration by their Principals at the NWCSSC and NWC levels.

The responsibilities of the AO group have been established through practice as well as direction from the NWC and 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.

NWC STAFF

The NWC staff provides technical, 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 DoD and NNSA assign personnel to provide necessary support services to the entire NWC organization.

The NWC staff is located within the office of the DASD(NM) at the Pentagon. The NWC staff is comprised of an NNSA representative, national security laboratory personnel, plant personnel, DoD employees, and government contractors. The NWC staff reports through the DASD(NM) to the NWC Staff Director. 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 drafting, tracking, developing, and coordinating NWC reports and provides a status update at each AO meeting.

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 include meeting preparation and planning, as well as, responsibility for technical activities for development, drafting, coordination, and execution associated with NWC annual reports and decision memoranda.

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 coordination packages for NWC or NWCSSC paper votes, scheduling of supplementary briefings, and developing responses to Principals' 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 annual and biennial reports for which the NWC is responsible as well as DoD-only reports. The NWC staff manages the coordination of these reports with the many different representatives from DoD and 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.

NWC ANNUAL REPORTS

The NWC currently fulfills five annual reporting requirements: the NWSM and Requirements and Planning Document (RPD); the NWC Report on Stockpile Assessments (ROSA); the NWC Joint Surety Report (JSR); the NWC Budget Certification Letter; and, new as of 2019, the NWC Certification of the NNSA Pit Production Strategy. The NWC also has a biennial requirement to assess the NNSA long-range Stockpile Stewardship and Management Plan (SSMP). Additionally, DoD members of the NWC prepare the Annual Report on the 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 coordinates these reports. Figure 6.4 is a visual summary of NWC annual reports.

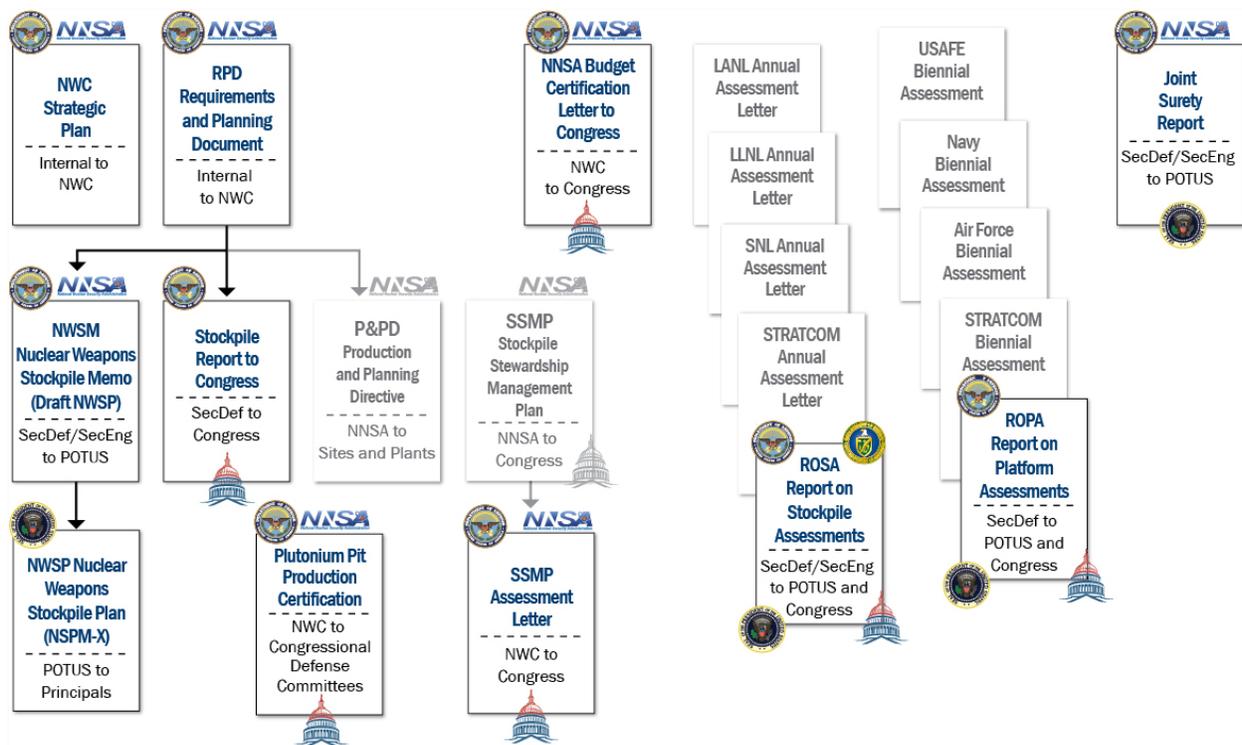


Figure 6.4 Summary of Recurring Nuclear Weapons Council Reports

Each of the NWC 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 April of each year marking the busiest time.

NUCLEAR WEAPONS STOCKPILE MEMORANDUM AND REQUIREMENTS AND PLANNING DOCUMENT

NWSM/RPD	
Requirement:	Title 10 USC §179 Fiscal Year
Reporting Period:	Fiscal Year
Annual due date:	April 1, changed from September 30 by presidential directive
Drafted by:	NWC Staff
Coordinated through:	NWCSSC and NWC
Signed by:	Secretaries of Defense and Energy
Submitted/Transmitted to:	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 recommended NWSP are collectively called the “NWSM package” or “NWSM.”

The coordination process for these documents serves as the key forum in which DoD and NNSA resolve issues concerning DoD military requirements for nuclear weapons in relation to 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 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.² In the early 1990s, however, the NWSM 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 recommended NWSP.

NWC REPORT ON STOCKPILE ASSESSMENTS

ROSA	
Requirement:	FY 2003 NDAA, FY 2013 NDAA, and FY 2015 NDAA
Reporting Period:	Fiscal Year
Annual due date:	February 1
Drafted by:	NNSA and NWC Staff
Coordinated through:	NWCSSC and NWC
Signed by:	Secretaries of Defense and Energy
Submitted/Transmitted to:	President and Congress

In August 1995, President Bill 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 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.³ The annual assessment process of which the NWC ROSA, formerly the Annual Certification Report, is one

² The *Atomic Energy Act of 1954* requires that the President provide annual authorization for all U.S. nuclear weapons production.

³ 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.

element, was originally developed to correspond with Safeguard F, which tasked the director of the U.S. national security laboratories and the CDRUSSTRATCOM to submit a report through the NWC.

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 explosive testing. The annual assessment process, originally associated with the CTBT, has evolved independently of that treaty. 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 in the absence of nuclear explosive 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 nuclear explosive 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.

The reports, prepared individually by the directors of the three NNSA national security laboratories (Los Alamos National Laboratory (LANL), Lawrence Livermore National Laboratory (LLNL), and Sandia National Laboratories (SNL)) and by the CDRUSSTRATCOM, 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 or emergent 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 explosive testing is recommended to address any issues associated with the stockpile.

The principal purpose of the annual assessment is to provide analyses of and judgments about the safety, reliability, performance, and military effectiveness of the nuclear stockpile and the adequacy of the nuclear enterprise to support the 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 urgent 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 outside of the context of the annual assessment process.

JOINT SURETY REPORT

JSR	
Requirement:	PPD-35
Reporting Period:	Fiscal Year
Annual due date:	March 31
Drafted by:	NNSA and NWC Staff
Coordinated through:	NWCSSC and NWC
Signed by:	Secretaries of Defense and Energy
Submitted/Transmitted to:	President

As reiterated in Presidential Policy Directive 35 (PPD-35), *United States Nuclear Weapons Command and Control, Safety, and Security*, DoD and NNSA are required 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 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. The report is due to the President by March 31 each year.

NWC BUDGET CERTIFICATION LETTER

Budget Certification Letter	
Requirement:	FY 2013 NDAA and FY 2014 NDAA
Reporting Period:	Fiscal Year
Annual due date:	With President's Budget Request
Drafted by:	NWC Staff
Coordinated through:	NWC
Signed by:	NWC Chairman
Submitted/Transmitted to:	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 Title 10 USC §179 by incorporating a responsibility for the NWC to certify the NNSA funding request for the upcoming fiscal year, and that which is anticipated for the following four fiscal years, is sufficient to 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 position of the NWC.

DoD and NNSA function on different budget request cycles, with NNSA preparing its budget later in the calendar year than DoD. The budget certification is an NWC agenda topic, usually beginning in September, and the members discuss how NNSA is forming its request to meet DoD needs, as laid out in the current endorsed and future stockpile profile. Annually, NNSA provides a line-by-line breakout of its budget for the members to review.

PLUTONIUM PIT PRODUCTION CERTIFICATION

Plutonium Pit Production Certification	
Requirement:	FY 2019 NDAA
Reporting Period:	Fiscal Year
Annual due date:	April 1, 2019 through 2025
Drafted by:	NWC Staff
Coordinated through:	NWC
Signed by:	NWC Chairman
Submitted/Transmitted to:	House and Senate Committees on Armed Services and Appropriations

Section 3120 of the FY 2019 NDAA stipulates that not later than April 1, 2019, and each year thereafter through 2025, the NWC Chairman shall submit to the Secretary of Defense, the NNSA Administrator, and the Congressional defense committees a written certification that the plutonium pit production plan of NNSA is on track to meet:

- the military requirement of at least 80 pits per year by 2030, or such other military requirement as determined by the Secretary;
- the statutory requirements for pit production timelines under section 4219 of the Atomic Energy Defense Act (Title 50 USC §2538a); and
- all milestones and deliverables described in the plans.

If in any year the NWC Chairman is unable to submit the certification, the Chairman shall submit to the congressional defense committees, the Secretary of Defense, and the NNSA Administrator written notification describing why the Chairman is unable to make such certification.

Not later than 180 days after the date on which the Chairman makes a “failure to certify” notification, the Administrator shall submit to the congressional defense committees, the Secretary, and the Chairman a report that:

- addresses the reasons identified in the notification with respect to the failure to make the certification; and
- includes a presentation of either a concurrent backup plan or a recovery plan, and the associated implementation schedules for the plan.

STOCKPILE STEWARDSHIP AND MANAGEMENT PLAN ASSESSMENT

SSMP Assessment	
Requirement:	FY 2013 NDAA
Reporting Period:	Fiscal Year
Annual due date:	180 days after submission of the SSMP in odd-numbered fiscal years
Drafted by:	NWC Staff
Coordinated through:	NWCSSC and NWC
Signed by:	NWC Chairman
Submitted/Transmitted to:	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 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, 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; 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 Principals. 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.

ANNUAL REPORT ON THE NUCLEAR WEAPONS STOCKPILE OF THE UNITED STATES

Stockpile Report	
Requirement:	FY 2012 NDAA
Reporting Period:	Fiscal Year
Annual due date:	March 1
Drafted by:	NWC Staff
Coordinated through:	DoD
Signed by:	Secretary of Defense
Submitted/Transmitted to:	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.

BIENNIAL REPORT ON PLATFORM ASSESSMENTS

ROPA	
Requirement:	FY 2012 NDAA, FY 2019 NDAA, and 50 USC 2523
Reporting Period:	Two fiscal years
Annual due date:	Biennial (FY); March 1
Drafted by:	Director of the Navy SSP, Commander Air Force Global Strike Command, USAFE, and CDRUSSTRATCOM
Coordinated through:	DASD(NM) and NWC
Signed by:	Secretary of Defense
Submitted/Transmitted to:	President and Congress

Section 1041 of the FY 2012 NDAA (expanded in Title 50 USC §2523, Chapter 42) created a new DoD-only biennial reporting requirement similar to the construct of the ROSA. This was amended in the FY 2019 NDAA to include USAFE. The ROPA comprises assessments from the Director of the Navy Strategic Systems Programs (SSP), Commander of the Air Force Global Strike Command, Commander of the United States Air Forces in Europe (USAFE), and Commander of USSTRATCOM, also known as the “covered officials.” The Navy, Air Force, and USAFE 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 Nuclear Command and Control System (NCCS). The “covered officials” coordinate through the DASD(NM) and submit these assessments to the NWC and the Secretary of Defense by December 1 for the previous 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.