

118TH CONGRESS
1ST SESSION

H. R. 5438

To realign the nuclear forensics and attribution activities of the Federal Government from the Department of Homeland Security to the National Nuclear Security Administration.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2023

Mr. FOSTER (for himself, Mr. MORELLE, Mr. DESJARLAIS, and Mr. LAMBORN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Homeland Security, Armed Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To realign the nuclear forensics and attribution activities of the Federal Government from the Department of Homeland Security to the National Nuclear Security Administration.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nuclear Forensics Au-
5 thority Realignment Act”.

1 **SEC. 2. ESTABLISHMENT OF NATIONAL NUCLEAR**
2 **FORENSICS CENTER.**

3 (a) ESTABLISHMENT.—

4 (1) IN GENERAL.—The National Nuclear Secu-
5 rity Administration Act (50 U.S.C. 2401 et seq.) is
6 amended by inserting after section 3221 the fol-
7 lowing new section:

8 **“SEC. 3222. NATIONAL NUCLEAR FORENSICS CENTER.**

9 “(a) ESTABLISHMENT.—There is within the Admin-
10 istration a National Nuclear Forensics Center (in this sec-
11 tion referred to as the ‘Center’).

12 “(b) MISSION.—The mission of the Center shall be
13 to coordinate stewardship, planning, assessment, gap anal-
14 ysis, exercises, improvement, including operational im-
15 provements and research, development, testing, and eval-
16 uation, and integration for all Federal nuclear forensics
17 and attribution activities to ensure an enduring national
18 technical nuclear forensics capability to strengthen the col-
19 lective response of the United States to nuclear terrorism
20 or other nuclear attacks.”.

21 (2) CLERICAL AMENDMENT.—The table of con-
22 tents at the beginning of such Act is amended by in-
23 serting after the item relating to section 3221 the
24 following new item:

“Sec. 3222. National Nuclear Forensics Center.”.

1 (3) NUCLEAR FORENSICS EXPERTISE.—Not
2 later than one year after the date of the enactment
3 of this Act, the Administrator for Nuclear Security
4 shall develop and implement a plan to modify the
5 university program of the National Nuclear Security
6 Administration established under section 4814 of the
7 Atomic Energy Defense Act (50 U.S.C. 2795) to in-
8 clude the development of expertise in nuclear
9 forensics in supporting scientific and engineering ad-
10 vancement in key Department of Energy defense
11 and national security program areas.

12 (b) CONFORMING REPEALS.—

13 (1) IN GENERAL.—The Nuclear Forensics and
14 Attribution Act (Public Law 111–140) is hereby re-
15 pealed.

16 (2) HOMELAND SECURITY ACT OF 2002.—Title
17 XIX of the Homeland Security Act of 2002 (6
18 U.S.C. 590 et seq.) is amended as follows:

19 (A) In section 1923—

20 (i) in subsection (a)—

21 (I) by striking “(a) MISSION.—”;

22 (II) in paragraph (9), by striking
23 the semicolon and inserting “; and”;

24 (III) by striking paragraphs (10),

25 (11), (12), and (13); and

1 (IV) by redesignating paragraph
2 (14) as paragraph (10); and
3 (ii) by striking subsection (b).

4 (B) In section 1927(a)(1) (6 U.S.C.
5 596a(a)(1))—

6 (i) in subparagraph (A)(ii), by strik-
7 ing the semicolon and inserting “; and”;

8 (ii) in subparagraph (B)(iii), by strik-
9 ing “; and” and inserting a period; and

10 (iii) by striking subparagraph (C).

11 (c) REFERENCES AND CONSTRUCTION.—Any ref-
12 erence in any law, regulation, document, paper, or other
13 record of the United States to the National Technical Nu-
14 clear Forensics Center established within the Countering
15 Weapons of Mass Destruction Office of the Department
16 of Homeland Security, formerly the Domestic Nuclear De-
17 tection Office, shall be deemed to be a reference to the
18 National Nuclear Forensics Center established by section
19 3222 of the National Nuclear Security Administration
20 Act, as added by subsection (a).

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