

118TH CONGRESS
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S. 4177

To implement the recommendations of the final report of the Congressional Commission on the Strategic Posture of the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2024

Mrs. FISCHER (for herself, Mr. WICKER, and Mr. KING) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To implement the recommendations of the final report of the Congressional Commission on the Strategic Posture of the United States, and for other purposes.

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 “Restoring American
5 Deterrence Act of 2024”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) On October 12, 2023, the Congressional
9 Commission on the Strategic Posture of the United

1 States (referred to in this section as the “Commis-
2 sion”) released a final report entitled “America’s
3 Strategic Posture”.

4 (2) The report, the consensus product of a 12-
5 person bipartisan commission led by the Honorable
6 Madelyn Creedon and former Senator Jon Kyl—

7 (A) examined the latest intelligence avail-
8 able on current and projected global strategic
9 threats;

10 (B) assessed the adequacy of existing
11 United States strategies, policies, and capabili-
12 ties for addressing such threats; and

13 (C) provided a series of findings and rec-
14 ommendations, which were subsequently made
15 available to the President, Congress, and the
16 general public.

17 (3) The findings of the Commission reflect a
18 rapidly deteriorating international security situation
19 that is becoming far more dangerous for the United
20 States and its allies and partners.

21 (4) The rapid and unprecedented growth of the
22 nuclear arsenal of the People’s Republic of China
23 and the massive expansion of the armed forces of
24 the People’s Republic of China across all domains
25 have forever altered the global balance of power.

1 (5) The various arms of the People’s Liberation
2 Army can no longer be dismissed as an afterthought,
3 and increasingly aggressive behavior by the People’s
4 Republic of China, particularly with regard to the
5 United States and its allies and partners in the
6 Asia-Pacific region, offers little assurance that the
7 rise of the People’s Republic of China will remain
8 peaceful.

9 (6) The Government of the Russian Federation
10 owns, and will likely maintain for the foreseeable fu-
11 ture, the largest nuclear arsenal on Earth.

12 (7) While the war following the unprovoked in-
13 vasion of Ukraine by the Russian Federation has di-
14 minished the conventional armed forces of the Rus-
15 sian Federation, the Government of the Russian
16 Federation—

17 (A) continues to expand and diversify the
18 nuclear arsenal, air and missile defenses, and
19 space, cyber, biological, and chemical weapons
20 capabilities of the Russian Federation; and

21 (B) regularly flaunts such capabilities as to
22 threaten and intimidate regional neighbors.

23 (8) Continued efforts by the Democratic Peo-
24 ple’s Republic of Korea to expand and diversify its
25 nuclear arsenal, long-range missile systems, and

1 chemical and biological weapons programs and the
2 clear willingness to leverage such systems and pro-
3 grams to threaten and intimidate regional neighbors
4 poses a growing danger to stability in Northeast
5 Asia.

6 (9) The growth of the intercontinental ballistic
7 missile forces of the Democratic People's Republic of
8 Korea presents an acute danger to the people of the
9 United States, considering such systems may soon
10 be capable of overwhelming the mainland missile de-
11 fenses of the United States.

12 (10) The long history of aggression and support
13 for global terrorism by the Islamic Republic of Iran,
14 including through recent use of Hamas proxies to
15 brutally attack Israeli and United States citizens,
16 demonstrates that the Islamic Republic of Iran has
17 no interest in the goals of international stability and
18 peaceful coexistence.

19 (11) The Islamic Republic of Iran is committed
20 to a long-term goal of further developing increas-
21 ingly destabilizing missile technologies and acquiring
22 nuclear weapons to dominate the greater Middle
23 East.

1 (12) Taken together, such findings reflect a
2 global security environment very different from any
3 the United States has ever encountered.

4 (13) While the United States served as a bul-
5 wark against the Soviet Union, enduring the distant
6 existential threat the Government of the Soviet
7 Union posed for decades, and defied the persistent
8 daily threat of terrorism from the earliest days of
9 the 21st century, the United States has never faced
10 a more complex set of global threats than are
11 arrayed before it as of the date of the enactment of
12 this Act.

13 (14) The United States, in order to maintain
14 its position in the international order, or quite pos-
15 sibly its very survival, must recognize this new
16 threat environment, and urgently take prompt, deci-
17 sive action to transform its aging array of defenses,
18 renovate long-neglected industrial capabilities, re-
19 build a strong and vibrant workforce, rebuild allied
20 confidence in the support and leadership of the
21 United States, and craft a common, unifying vision
22 of purpose for all United States citizens.

23 **SEC. 3. STATEMENT OF POLICY.**

24 It is the policy of the United States—

1 (1) that the deterrence of strategic attacks, and
2 in particular nuclear attacks, against the United
3 States and its allies is the highest defense priority
4 of the United States; and

5 (2) to marshal the full weight of statutory and
6 regulatory measures available to the United States
7 Government to ensure that the Secretary of Defense
8 and the Secretary of Energy are provided with all
9 necessary authorities and resources required to en-
10 sure the maintenance of a modern, effective strategic
11 deterrent to meet the emerging suite of unprece-
12 dented strategic threats against the United States.

13 **SEC. 4. ASSESSMENT OF UPDATED FORCE SIZING REQUIRE-**
14 **MENTS.**

15 (a) IN GENERAL.—Not later than 1 year after the
16 date of the enactment of this Act, the Secretary of Defense
17 and the Chairman of the Joint Chiefs of Staff shall submit
18 to the congressional defense committees a strategy that
19 enables the United States to concurrently—

20 (1) achieve the nuclear employment objectives
21 of the President against any adversary that conducts
22 a strategic attack against the United States or its
23 allies;

24 (2) hold at risk all classes of adversary targets
25 described in the nuclear weapons employment guid-

1 ance issued by the President as of the date of the
2 enactment of this Act;

3 (3) defeat the conventional military aggression
4 of a major adversary in one geographic theater,
5 while simultaneously providing a credible conven-
6 tional deterrent to opportunistic aggression in a sep-
7 arate geographic theater;

8 (4) provide a credible defense against limited
9 long-range strikes against the United States home-
10 land;

11 (5) satisfy requirements of the combatant com-
12 mands for the presence of surface and subsurface
13 Navy forces at rates of 80 percent or more; and

14 (6) maintain the capacity to regularly place a
15 portion of the strategic bomber fleets of the United
16 States on alert while not substantially undermining
17 the requirements of the combatant commands for
18 the presence of conventional bombers.

19 (b) ELEMENTS.—The strategy required by subsection
20 (a) shall include the following elements:

21 (1) An assessment of the amount of nuclear
22 and conventional forces necessary to implement such
23 strategy.

24 (2) A description of the classes of targets nec-
25 essary to hold at risk via nuclear forces in order to

1 achieve the requirements of the United States Stra-
2 tegic Command and the deterrence and assurance
3 objectives of the United States.

4 (3) A comparison of the quantity of targets
5 held at risk via the nuclear forces of the United
6 States at the end of each presidential administration
7 since January 21, 1977, and targets that are held
8 at risk as of the date of the submission of the strat-
9 egy.

10 (4) A projection of the planned growth in po-
11 tential target quantities due to the expansion and di-
12 versification of likely adversary capabilities during
13 the period beginning on the date of the enactment
14 of this Act and ending on the date that is 10 years
15 after the date of the enactment of this Act.

16 (5) A comparison of the quantities and various
17 employment options available in the nuclear weapons
18 stockpile of the United States at the end of each
19 presidential administration since January 21, 1977,
20 and options that are available as of the date of the
21 submission of the strategy.

22 (6) A projection of the planned quantities and
23 employment options that will be available in the nu-
24 clear weapons stockpile of the United States during
25 the period beginning on the date of the enactment

1 of this Act and ending on the date that is 10 years
2 after the date of the enactment of this Act.

3 (7) An assessment of the impact of delays in
4 ongoing or planned modernization programs of nu-
5 clear, missile defense, space, or conventional military
6 forces of the United States.

7 (8) Any other factors the Secretary or the
8 Chairman believe pertinent for assessing force sizing
9 requirements.

10 (c) FORM.—The strategy required by subsection (a)
11 shall be submitted in classified form and shall include a
12 unclassified summary.

13 (d) CONGRESSIONAL DEFENSE COMMITTEES DE-
14 FINED.—In this section, the term “congressional defense
15 committees” means—

16 (1) the Committee on Armed Services and the
17 Committee on Appropriations of the Senate; and

18 (2) the Committee on Armed Services and the
19 Committee on Appropriations of the House of Rep-
20 resentatives.

21 **SEC. 5. MODERNIZATION OF THE INTEGRATED TACTICAL**
22 **WARNING AND ATTACK ASSESSMENT SYS-**
23 **TEM.**

24 (a) IN GENERAL.—Not later than 120 days after the
25 date of the enactment of this Act, the Secretary of Defense

1 and the Chairman of the Joint Chiefs of Staff, in coordi-
2 nation with the Commander of United States Strategic
3 Command, the Commander of the United States Space
4 Command, and the Commander of the United States
5 Northern Command, shall develop a plan for the com-
6 prehensive modernization of the United States integrated
7 tactical warning and attack assessment system (referred
8 to in this section as the “system”).

9 (b) INCLUSION OF NONTRADITIONAL SENSORS.—
10 The plan required by subsection (a) shall include a strat-
11 egy for incorporating information from nontraditional
12 data streams of the system, including sensor architectures
13 designed for missile defenses, to provide Federal Govern-
14 ment officials with greater fidelity and improved threat
15 characterization, while minimizing potential degradation
16 in system reliability and integrity.

17 (c) REPORT REQUIRED.—Not later than 30 days
18 after concluding the development of the plan required by
19 subsection (a), the Secretary of Defense shall submit to
20 the congressional defense committees—

- 21 (1) a report summarizing the plan; and
- 22 (2) initial acquisition cost estimates and
- 23 timelines necessary to implement the plan.

1 (d) **FORMAT.**—The report required by subsection (c)
2 shall be submitted in a classified form and shall include
3 an unclassified summary.

4 (e) **CONGRESSIONAL DEFENSE COMMITTEES DE-**
5 **FINED.**—In this section, the term “congressional defense
6 committees” means—

7 (1) the Committee on Armed Services and the
8 Committee on Appropriations of the Senate; and

9 (2) the Committee on Armed Services and the
10 Committee on Appropriations of the House of Rep-
11 resentatives.

12 **SEC. 6. NATIONAL WORKFORCE DEVELOPMENT STRATEGY.**

13 (a) **IN GENERAL.**—Not later than 90 days after the
14 date of the enactment of this Act, the Secretary of De-
15 fense, in coordination with the Secretary of Energy, the
16 Secretary of the Treasury, the Secretary of Labor, the
17 Secretary of Education, and the Secretary of Commerce,
18 shall develop a strategy for collaborating with State and
19 local governments to promote the development of a skilled
20 manufacturing and high-demand vocational trade work-
21 force to support the expansion of the national technology
22 and industrial base and nuclear security enterprise.

23 (b) **REPORTS REQUIRED.**—

24 (1) **STRATEGY IMPLEMENTATION.**—Not later
25 than 120 days after the development of the strategy

1 described in subsection (a), the Secretary of Defense
2 shall submit to Congress a report that outlines the
3 strategy and includes a detailed description of meas-
4 ures to implement the strategy, including planned
5 schedules and progress milestones.

6 (2) ANNUAL IMPLEMENTATION PROGRESS.—
7 Not later than November 15, 2024, and annually
8 thereafter, the Secretary of Defense shall submit to
9 Congress a report on any progress made in imple-
10 menting the strategy.

11 (c) DEFINITIONS.—In this section:

12 (1) NATIONAL TECHNOLOGY AND INDUSTRIAL
13 BASE.—The term “national technology and indus-
14 trial base” has the meaning given that term in sec-
15 tion 4801 of title 10, United States Code.

16 (2) NUCLEAR SECURITY ENTERPRISE.—The
17 term “nuclear security enterprise” has the meaning
18 given that term in section 4002 of the Atomic En-
19 ergy Defense Act (50 U.S.C. 2501).

20 **SEC. 7. ESTABLISHMENT OF A NATIONAL INTEGRATED AIR**
21 **AND MISSILE DEFENSE ARCHITECTURE FOR**
22 **THE UNITED STATES.**

23 (a) IN GENERAL.—Not later than 180 days after the
24 date of the enactment of this Act, the Secretary of Defense
25 and the Chairman of the Joint Chiefs of Staff, in consulta-

1 tion with the Commander of the United States Northern
2 Command, the Commander of the United States Space
3 Command, and the Director of the Missile Defense Agen-
4 cy, shall develop a comprehensive integrated architecture
5 for defending the United States against all forms of mis-
6 sile attacks.

7 (b) ELEMENTS.—The architecture required by sub-
8 section (a) shall include the following elements:

9 (1) An identification of terrestrial, maritime,
10 orbital, and cyber technological capabilities to ad-
11 dress nonballistic and ballistic missile threats to the
12 United States, including the sensor, command and
13 control, and missile defeat systems that the Sec-
14 retary and Chairman determine are required for the
15 operation of an integrated missile defense architec-
16 ture for the United States during the 10-year period
17 beginning on the date of the enactment of this Act.

18 (2) The technological requirements to ensure
19 compatibility with the integrated air and missile de-
20 fense capabilities of the North Atlantic Treaty Orga-
21 nization and integrated air and missile defense ar-
22 chitecture in the Indo-Pacific region that is under
23 development as of the date of the enactment of this
24 Act.

1 (3) An integrated, time-phased development,
2 procurement, and deployment schedule for the sys-
3 tems comprising the specified architecture.

4 (4) The development and integration risk of the
5 proposed architecture.

6 (5) The personnel required to operate the pro-
7 posed architecture, including opportunities for reduc-
8 ing the anticipated personnel requirements through
9 increased use of automation.

10 (6) Any other matters the Secretary of Defense
11 and the Chairman of the Joint Chiefs of Staff con-
12 sider appropriate.

13 (c) DESIGNATION OF OFFICIAL RESPONSIBLE FOR
14 ARCHITECTURE DEVELOPMENT.—

15 (1) DESIGNATION.—Not later than 90 days
16 after the date of the enactment of this Act, the Sec-
17 retary of Defense shall designate a senior official of
18 the Department of Defense who shall be responsible
19 for the architecture specified in subsection (a).

20 (2) DUTIES.—The duties of the official des-
21 ignated under paragraph (1) shall include the fol-
22 lowing:

23 (A) Designing the defensive architecture
24 for the United States.

1 (B) Overseeing development of an inte-
2 grated missile defense acquisition strategy for
3 the United States.

4 (C) Ensuring the budgets of each military
5 department and defense agency are appropriate
6 for the architecture required by subsection (a).

7 (D) Siting the integrated missile defense
8 systems comprising the architecture described
9 in subsection (a).

10 (E) Overseeing long-term acquisition and
11 sustainment of the architecture.

12 (F) Such other duties as the Secretary de-
13 termines appropriate.

14 (3) REPORT REQUIRED.—Concurrent with the
15 submission of each budget of the President under
16 section 1105(a) of title 31, United States Code, until
17 the end of the period specified in paragraph (4), the
18 official designated under paragraph (1) shall submit
19 to the congressional defense committees a report on
20 the actions taken by the official to carry out the du-
21 ties set forth under paragraph (2).

22 (4) TERMINATION.—The authority of this sub-
23 section shall terminate on the date that is 3 years
24 after the date on which the official designated under
25 paragraph (1) determines that the integrated missile

1 defense architecture described in subsection (a) has
2 achieved initial operational capability.

3 (d) CONGRESSIONAL DEFENSE COMMITTEES DE-
4 FINED.—In this section, the term “congressional defense
5 committees” means—

6 (1) the Committee on Armed Services and the
7 Committee on Appropriations of the Senate; and

8 (2) the Committee on Armed Services and the
9 Committee on Appropriations of the House of Rep-
10 resentatives.

11 **SEC. 8. PREPARATIONS FOR POSSIBLE DEPLOYMENT OF**
12 **ADDITIONAL INTERCONTINENTAL BALLISTIC**
13 **MISSILES.**

14 (a) ACTIVATION PLAN.—Not later than 120 days
15 after the date of the enactment of this Act, the Secretary
16 of the Air Force, in coordination with the Under Secretary
17 of Defense for Acquisition and Sustainment and the Com-
18 mander of United States Strategic Command, shall de-
19 velop a plan for deploying not more than 50 Sentinel inter-
20 continental ballistic missiles in addition to the 400 Min-
21 uteman III intercontinental ballistic missiles currently de-
22 ployed, during the planned life of the Sentinel interconti-
23 nental ballistic missile weapon system.

24 (b) ALTERNATIVE ACQUISITION STRATEGY.—In de-
25 veloping the plan required by subsection (a), the Secretary

1 shall direct the Program Executive Officer for Interconti-
2 nental Ballistic Missiles to prepare an alternative acquisi-
3 tion strategy for the Sentinel intercontinental ballistic mis-
4 sile weapon system that accommodates the deployment of
5 not more than 50 additional Sentinel intercontinental bal-
6 listic missiles, which shall include—

7 (1) a plan to procure booster sets that will ac-
8 commodate the deployment of at least 450 Sentinel
9 intercontinental ballistic missiles during the planned
10 life of the system and satisfy anticipated testing re-
11 quirements;

12 (2) a plan develop and to procure reentry vehi-
13 cles necessary to support the planned life of the
14 weapon system and satisfy anticipated testing re-
15 quirements;

16 (3) a plan develop and to procure counter-
17 measures to support the deployment of at least 450
18 Sentinel intercontinental ballistic missiles during the
19 planned life of the system and satisfy anticipated
20 testing requirements;

21 (4) a plan to procure ground support and main-
22 tenance equipment to support the deployment of at
23 least 450 Sentinel intercontinental ballistic missiles
24 during the planned life of the system; and

1 (5) recommendations for adjustments to the
2 baseline acquisition strategy as the Program Execu-
3 tive Officer determines necessary to achieve the plan
4 required by subsection (a).

5 (c) REPORT REQUIRED.—Not later than 30 days
6 after the development of the plan required by subsection
7 (a), the Secretary of the Air Force shall submit to the
8 congressional defense committees a report containing a
9 summary of the plan and initial acquisition cost estimates
10 and timelines for executing the plan.

11 (d) CONGRESSIONAL DEFENSE COMMITTEES DE-
12 FINED.—In this section, the term “congressional defense
13 committees” means—

14 (1) the Committee on Armed Services and the
15 Committee on Appropriations of the Senate; and

16 (2) the Committee on Armed Services and the
17 Committee on Appropriations of the House of Rep-
18 resentatives.

19 **SEC. 9. OFFICE OF THE SECRETARY OF DEFENSE MANAGE-**
20 **MENT AND PROCESS IMPROVEMENTS.**

21 (a) ESTABLISHMENT OF ASSISTANT SECRETARY OF
22 DEFENSE FOR NUCLEAR DETERRENCE POLICY AND PRO-
23 GRAMS.—Section 138(b)(4) of title 10, United States
24 Code, is amended to read as follows:

1 “(4) One of the Assistant Secretaries is the As-
2 sistant Secretary of Defense for Nuclear Deterrence
3 Policy and Programs. The principal duty of the As-
4 sistant Secretary shall be the overall supervision (in-
5 cluding oversight of policy and resources) of nuclear
6 deterrence activities of the Department of Defense.
7 The Assistant Secretary is the principal civilian ad-
8 viser to the Secretary of Defense on nuclear deter-
9 rence policies, operations, and associated programs
10 within the senior management of the Department of
11 Defense.

12 “(A) Subject to the authority, direction,
13 and control of the Secretary of Defense, the As-
14 sistant Secretary shall—

15 “(i) advise and assist the Secretary of
16 Defense, the Under Secretary of Defense
17 for Acquisition and Sustainment, and the
18 Under Secretary of Defense for Policy in
19 the development and supervision of policy,
20 program planning and execution, and allo-
21 cation and use of resources for the activi-
22 ties of the Department of Defense on all
23 matters relating to the sustainment, oper-
24 ation, and modernization of United States
25 nuclear forces;

1 “(ii) communicate views on issues
2 within the responsibility of the Assistant
3 Secretary directly to the Secretary of De-
4 fense and the Deputy Secretary of Defense
5 without obtaining the approval or concur-
6 rence of any other official within the De-
7 partment of Defense;

8 “(iii) serve as the Staff Director of
9 the Nuclear Weapons Council established
10 by section 179 of this title;

11 “(iv) serve as the principal interface
12 with the Department of Energy on issues
13 relating to nuclear fuels, and in coordina-
14 tion with the Assistant Secretary of De-
15 fense for Energy, Installations, and Envi-
16 ronment, advise the Secretary of Defense
17 on nuclear energy matters; and

18 “(v) advise the Secretary of Defense,
19 the Under Secretary of Defense for Acqui-
20 sition and Sustainment, and the Under
21 Secretary of Defense for Policy on all mat-
22 ters relating to defending against chemical,
23 biological, and other weapons of mass de-
24 struction.

1 “(B) In the discharge of the responsibil-
2 ities specified in subparagraph (A), the Assist-
3 ant Secretary is immediately subordinate to the
4 Secretary of Defense. Unless otherwise directed
5 by the President or statute, no officer other
6 than those specified in subparagraph (A)(i) may
7 intervene to exercise authority, direction, or
8 control over the Assistant Secretary in the dis-
9 charge of such responsibilities.”.

10 (b) MODIFICATION OF DUTIES FOR UNDER SEC-
11 RETARY OF DEFENSE FOR ACQUISITION AND
12 SUSTAINMENT.—Section 133b of title 10, United States
13 Code, is amended—

14 (1) in paragraph (5)—

15 (A) in subparagraph (B), by striking “;
16 and” and inserting a semicolon; and

17 (B) by adding after subparagraph (C), the
18 following:

19 “(D) chairman of the Nuclear Weapons
20 Council established by section 179 of this title;
21 and

22 “(E) co-chairman of the Council on Over-
23 sight of the National Leadership Command,
24 Control, and Communications System estab-
25 lished by section 171a of this title;” and

1 (2) by amending paragraph (6) to read as fol-
2 lows:

3 “(6) overseeing—

4 “(A) the sustainment and modernization of
5 United States nuclear forces, including the nu-
6 clear command, control, and communications
7 system; and

8 “(B) military department and Defense
9 Agency programs to develop capabilities to
10 counter weapons of mass destruction;”.

11 (c) CONFORMING AMENDMENTS.—Section 179 of
12 title 10, United States Code, is amended by striking “Nu-
13 clear, Chemical, and Biological Defense Programs” each
14 place it appears and inserting “Nuclear Deterrence Policy
15 and Programs”.

16 **SEC. 10. NATIONAL NUCLEAR SECURITY ADMINISTRATION**
17 **MANAGEMENT AND PROCESS IMPROVE-**
18 **MENTS.**

19 (a) MODIFICATIONS TO NATIONAL NUCLEAR SECU-
20 RITY ADMINISTRATION ACT.—The National Nuclear Se-
21 curity Administration Act (50 U.S.C. 2401 et seq.) is
22 amended—

23 (1) in section 3211—

24 (A) by amending subsection (b)(2) to read
25 as follows:

1 “(2) To support the deterrence of strategic at-
2 tacks against the United States by maintaining and
3 enhancing the performance, reliability, security, and
4 safety of the United States nuclear weapons stock-
5 pile, including the ability to design, produce, and
6 test nuclear weapons as necessary in order to meet
7 national security requirements.”; and

8 (B) in subsection (c), by redesignating
9 paragraphs (1) through (3) as paragraphs (2)
10 through (4), respectively, and inserting the fol-
11 lowing new paragraph (1):

12 “(1) fulfilling, to the maximum extent possible,
13 the requirements for nuclear weapons of the Depart-
14 ment of Defense;”;

15 (2) in section 3213(a)(2), by inserting “infra-
16 structure construction and maintenance,” after “nu-
17 clear weapons,”;

18 (3) by amending section 3214(b)(1) to read as
19 follows:

20 “(1) Supporting the deterrence of strategic at-
21 tacks by maintaining and enhancing the perform-
22 ance, reliability, and security of the United States
23 nuclear weapons stockpile, including the ability to
24 design, produce, and test as necessary in order to
25 meet national security requirements.”; and

1 (4) in section 3264, by striking “for the use”
2 and inserting “for the cost-reimbursable use”.

3 (b) MODIFICATIONS TO NONPROLIFERATION AND
4 NATIONAL SECURITY SCHOLARSHIP AND FELLOWSHIP
5 PROGRAMS.—Section 3113 of the Duncan Hunter Na-
6 tional Defense Authorization Act for Fiscal Year 2009 (50
7 U.S.C. 2444) is amended—

8 (1) by striking “Department of Energy” each
9 place it appears and inserting “National Nuclear Se-
10 curity Administration”; and

11 (2) by striking “of the Department” each place
12 it appears and inserting “of the Administration”;

13 (c) MODIFICATIONS TO CERTAIN NUCLEAR WEAP-
14 ONS STOCKPILE MATTERS.—The Atomic Energy Defense
15 Act (50 U.S.C. 2501 et seq.) is amended—

16 (1) in section 4201(b)—

17 (A) by striking paragraph (5);

18 (B) by redesignating paragraphs (1)
19 through (4) as paragraphs (2) through (5), re-
20 spectively;

21 (C) by inserting after the matter preceding
22 paragraph (2), as so redesignated, the following
23 new paragraph (1):

24 “(1) An increased level of effort for the con-
25 struction of new facilities and the modernization of

1 existing facilities with production and manufacturing
2 capabilities that are necessary to support the deter-
3 rence of strategic attacks against the United States
4 by maintaining and enhancing the performance, reli-
5 ability, and security of the United States nuclear
6 weapons stockpile, including—

7 “(A) the nuclear weapons production facili-
8 ties; and

9 “(B) production and manufacturing capa-
10 bilities resident in the national security labora-
11 tories.”;

12 (D) in paragraph (2), as so redesignated,
13 by striking “An increased level of effort” and
14 inserting “Support”;

15 (E) in paragraph (3), as so redesignated,
16 by striking “An increased level of effort” and
17 inserting “Support”; and

18 (F) by amending paragraph (4), as so re-
19 designating, to read as follows:

20 “(4) Support for the modernization of facilities
21 and projects that contribute to the experimental ca-
22 pabilities of the United States that support the
23 sustainment and modernization of the United States
24 nuclear weapons stockpile and the capabilities re-
25 quired to assess nuclear weapons effects.”;

1 (2) in section 4204—

2 (A) in subsection (a)—

3 (i) in the matter preceding paragraph

4 (1)—

5 (I) by inserting “, modernization,
6 and replacement, as required,” after
7 “effective management”; and

8 (II) by striking “, including the
9 extension of the effective life of such
10 weapons”;

11 (ii) in paragraph (1), by striking “in-
12 crease the reliability, safety, and security”
13 and inserting “enhance the performance
14 and reliability”;

15 (iii) by redesignating paragraphs (3),
16 (4), and (5) as paragraphs (4), (5), and
17 (6), respectively;

18 (iv) by inserting after paragraph (2)
19 the following new paragraph (3):

20 “(3) To maintain the safety and security of the
21 nuclear weapons stockpile.”; and

22 (v) by amending paragraph (4), as so
23 redesignated, to read as follows:

24 “(4) To optimize the future size of the nuclear
25 weapons stockpile.”; and

1 (B) in subsection (b)—

2 (i) in paragraph (1)—

3 (I) by striking “made to achieve”

4 and inserting “consistent with”; and

5 (II) by striking “; and” and in-
6 serting a semicolon;

7 (ii) by redesignating paragraph (2) as
8 paragraph (3);

9 (iii) by inserting after paragraph (1)
10 the following new paragraph (2):

11 “(2) any changes made to the stockpile con-
12 sistent with the objectives identified in subsection
13 (a) are carried out in a cost effective manner; and”;
14 and

15 (iv) in paragraph (3)—

16 (I) by amending subparagraph

17 (A) to read as follows:

18 “(A) are well understood and certifiable
19 without the need to resume underground nu-
20 clear weapons testing”; and

21 (II) by adding at the end the fol-
22 lowing new subparagraph:

23 “(C) develop future generations of design,
24 certification, and production expertise in the
25 nuclear security enterprise to support the fulfill-

1 ment of mission requirements of the future
2 stockpile.”;

3 (3) in section 4209(a)(1), in the matter pre-
4 ceding subparagraph (A), by striking “phase 1 or
5 phase 6.1” and inserting “phase 2 or phase 6.2”;

6 (4) in section 4212—

7 (A) in subsection (a)(1), by striking, “as
8 specified in the most recent Nuclear Posture
9 Review”;

10 (B) in subsection (b)—

11 (i) in paragraph (1), by inserting
12 “and high explosives manufacturing” after
13 “weapons assembly”;

14 (ii) in paragraph (3), by striking
15 “fissile materials components processing
16 and fabrication” and inserting “proc-
17 essing”;

18 (iii) by redesignating paragraph (4) as
19 paragraph (5); and

20 (iv) by inserting after paragraph (3),
21 the following new paragraph (4):

22 “(4) The fissile material component processing
23 and fabrication capabilities of the Savannah River
24 Plutonium Processing Facility and the Los Alamos
25 National Laboratory.”; and

1 (C) by striking subsection (c);

2 (5) by striking section 4216;

3 (6) in section 4405—

4 (A) by amending subsection (a) to read as
5 follows:

6 “(a) ACCELERATED CLEANUP.—The Secretary of
7 Energy shall accelerate the schedule for defense environ-
8 mental cleanup activities and projects for a site at a De-
9 partment of Energy defense nuclear facility if the Sec-
10 retary determines that such an accelerated schedule will
11 accelerate the recapitalization, modernization, or replace-
12 ment of National Nuclear Security Administration facili-
13 ties supporting the nuclear weapons stockpile, achieve
14 meaningful, long-term cost savings to the Federal Govern-
15 ment, or could substantially accelerate the release of land
16 for local reuse without undermining national security ob-
17 jectives.”; and

18 (B) in subsection (b)—

19 (i) by redesignating paragraphs (1)
20 through (4) as paragraphs (2) through (5),
21 respectively; and

22 (ii) by inserting after the matter pre-
23 ceding paragraph (2), as so redesignated,
24 the following new paragraph (1):

1 “(1) The extent to which accelerated cleanup
2 schedules can contribute to a more rapid moderniza-
3 tion of National Nuclear Security Administration fa-
4 cilities.”; and

5 (7) in section 4713—

6 (A) in the heading of subsection (a)(1), by
7 inserting “AND NEW NUCLEAR WEAPON PRO-
8 GRAM” after “EXTENSION”; and

9 (B) by inserting “or new nuclear weapon
10 program” after “stockpile life extension” each
11 place it appears.

12 **SEC. 11. MATTERS RELATING TO THE DEFENSE PRODUC-**
13 **TION ACT.**

14 The Defense Production Act of 1950 (50 U.S.C.
15 4501 et seq.) is amended—

16 (1) in section 301—

17 (A) in subsection(a)(3)(A)(i), by striking “,
18 in advance,”; and

19 (B) in subsection (d)(1)(A), by striking
20 “\$50,000,000” and inserting “\$150,000,000”;
21 and

22 (2) in section 304(e), by striking
23 “\$750,000,000” each place it appears and inserting
24 “\$1,500,000,000”.

1 **SEC. 12. RESTORATION OF A DOMESTIC URANIUM ENRICH-**
2 **MENT CAPABILITY.**

3 (a) SENSE OF CONGRESS.—It is the Sense of Con-
4 gress that—

5 (1) the inability of the United States to domes-
6 tically produce unencumbered enriched uranium un-
7 dermines the national security of the United States
8 and represents an unnecessary hurdle on the path to
9 energy independence of the United States;

10 (2) existing programs within the Department of
11 Energy to explore various enrichment technologies
12 are not advancing on a pace to rectify such inability
13 with any apparent urgency; and

14 (3) without clear statutory guidance to the con-
15 trary, bureaucratic inertia will prevail and continue
16 to drag out the to domestically produce
17 unencumbered enriched uranium for another decade
18 or longer with little demonstrable progress toward
19 restoring a scalable domestic uranium enrichment
20 capability.

21 (b) IN GENERAL.—Not later than 90 days after the
22 date of the enactment of this Act, the Secretary of Energy
23 shall conduct an assessment to evaluate at least 2, but
24 not more than 4, geographically disparate possible loca-
25 tions in the United States that would be best suited to
26 host a modular, scalable facility for the domestic enrich-

1 ment of unencumbered uranium, including highly-enriched
2 uranium suitable for defense applications.

3 (c) ENVIRONMENTAL DOCUMENTATION.—Once a lo-
4 cation has been selected pursuant to subsection (d)(2), the
5 Secretary shall issue a notice of intent to prepare an envi-
6 ronmental document in accordance with the National En-
7 vironmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

8 (d) REPORT REQUIRED.—Not later than 150 days
9 after commencing the assessment required by subsection
10 (b), the Secretary of Energy shall submit to the congres-
11 sional defense committees a report outlining the results
12 of such assessment, including—

13 (1) an initial cost assessment for the construc-
14 tion at least one facility; and

15 (2) a statement declaring a preferred location
16 or locations from among the locations evaluated pur-
17 suant to subsection (b).

18 (e) CONGRESSIONAL DEFENSE COMMITTEES DE-
19 FINED.—In this section, the term “congressional defense
20 committees” means—

21 (1) the Committee on Armed Services and the
22 Committee on Appropriations of the Senate; and

1 (2) the Committee on Armed Services and the
2 Committee on Appropriations of the House of Rep-
3 resentatives.

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