

PUBLIC LAW 116-92—DEC. 20, 2019

NATIONAL DEFENSE AUTHORIZATION  
ACT FOR FISCAL YEAR 2020

adding at the end the following new sentence: “The Director shall report directly to the Administrator.”.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall provide to the congressional defense committees a briefing on the plan of the Administrator to fully staff the Office of Cost Estimating and Program Evaluation of the National Nuclear Security Administration pursuant to section 3221(f) of the National Nuclear Security Administration Act (50 U.S.C. 2411(f)). Deadline.

**SEC. 3114. CLARIFICATION OF CERTAIN STOCKPILE RESPONSIVENESS PROGRAM OBJECTIVES.**

Section 4220(c) of the Atomic Energy Defense Act (50 U.S.C. 2538b(c)) is amended—

(1) in paragraph (3), by striking “capabilities required, including prototypes” and inserting “capabilities as required, such as through the use of prototypes”; and

(2) in paragraph (6)—

(A) by striking “in consultation with the Director of National Intelligence” and inserting “in coordination with the Director of National Intelligence”; and

(B) by inserting “if needed to meet intelligence requirements” after “foreign countries”.

**SEC. 3115. ELIMINATION OF LIMITATION ON AVAILABILITY OF FUNDS RELATING TO SUBMISSION OF ANNUAL REPORTS ON UNFUNDED PRIORITIES.**

Section 4716 of the Atomic Energy Defense Act (50 U.S.C. 2756) is amended—

(1) by striking subsection (a) and inserting the following new subsection:

“(a) ANNUAL REPORT OR CERTIFICATION.—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105(a) of title 31, United States Code, the Administrator shall submit to the Secretary of Energy and the congressional defense committees either—

“(1) a report on the unfunded priorities of the Administration; or

“(2) if the Administrator determines that there are no unfunded priorities to include in such a report, a certification and explanation by the Administrator, without delegation, of the determination.”;

(2) in subsection (b), by striking “report required by subsection (a)” both places it appears and inserting “report under subsection (a)(1)”;

(3) by striking subsection (c); and

(4) by redesignating subsection (d) as subsection (c).

Determination.  
Certification.

**SEC. 3116. MODIFICATION TO CERTAIN REQUIREMENTS RELATING TO PLUTONIUM PIT PRODUCTION CAPACITY.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) rebuilding a robust plutonium pit production infrastructure with a capacity of up to 80 pits per year is critical to maintaining the viability of the nuclear weapons stockpile;

(2) that effort will require cooperation from experts across the nuclear security enterprise; and

50 USC 2538a  
note.

(3) any further delay to achieving a plutonium sustainment capability to support the planned stockpile life extension programs will result in an unacceptable capability gap to our deterrent posture.

(b) **MODIFICATION TO REQUIREMENTS.**—Section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a) is amended—

(1) in subsection (a), by striking paragraph (5) and inserting the following:

“(5) during 2030, produces not less than 80 war reserve plutonium pits.”;

(2) by striking subsection (b);

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively;

(4) in subsection (b), as redesignated by paragraph (2), by striking “2027 (or, if the authority under subsection (b) is exercised, 2029)” and inserting “2030”; and

(5) in subsection (c), as redesignated by paragraph (2), by striking “subsection (c)” and inserting “subsection (b)”.

**SEC. 3117. ANNUAL CERTIFICATION OF SHIPMENTS TO WASTE ISOLATION PILOT PLANT.**

Section 3115(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2759), as amended by section 3137(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2303), is further amended, in the matter preceding paragraph (1), by striking “three-year period” and inserting “10-year period”.

**SEC. 3118. EXTENSION AND MODIFICATION OF PILOT PROGRAM ON UNAVAILABILITY FOR OVERHEAD COSTS OF AMOUNTS SPECIFIED FOR LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.**

Section 3119 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 50 U.S.C. 2791 note) is amended—

(1) in subsection (c)(2), by striking “three” and inserting “four”; and

(2) in subsection (d)—

(A) by striking “Before the termination under subsection (c)(2) of the pilot program required by subsection (a)” and inserting “Not later than February 15, 2020”; and

(B) by inserting before the end period the following: “, including effects on laboratory-directed research and development and other programs”.

**SEC. 3119. MODIFICATION TO LIMITATION ON AVAILABILITY OF FUNDS FOR ACCELERATION OF NUCLEAR WEAPONS DISMANTLEMENT.**

Subsection (a) of section 3125 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2766), as amended by section 3117 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1890), is amended by striking “\$56,000,000” and inserting “\$87,000,000”.