AMENDMENT TO H.R. 6395
OFFERED BY Mr. Cooper

At the appropriate place in subtitle B of title XXXI, add the following new section:

SEC. 31. PLUTONIUM PIT PRODUCTION.

(a) INDEPENDENT COST ESTIMATE.—

(1) REQUIREMENT.—The Secretary of Energy shall conduct an independent cost estimate of the Savannah River Plutonium Processing Facility project in accordance with Department of Energy Directive 413.3b, as in effect on the date of the enactment of this Act.

(2) CONFIDENCE LEVEL.—The assessment under paragraph (1) shall assign a percentage of confidence level with respect to the Secretary being able to carry out the Facility project within the estimated schedule and cost objectives.

(3) SUBMISSION.—The Secretary shall submit to the congressional defense committees the independent cost estimate under paragraph (1).

(b) CONDITIONAL REPORTS AND CERTIFICATIONS.—

(1) LOW CONFIDENCE.—If the assessment under subsection (a) assigns a confidence level below
90 percent pursuant to paragraph (2) of such subsection—

(A) the Secretary shall submit to the congressional defense committees the report described in paragraph (2); and

(B) the Commander of the United States Strategic Command shall certify to such committees that either—

(i) the requirement to produce not less than 80 war reserve plutonium pits during 2030 pursuant to section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a) cannot be extended by up to five years without causing a grave threat to the national security of the United States, taking into account options for temporarily surging the production of such pits at Los Alamos National Laboratory and other mitigation strategies available to the Commander; or

(ii) such requirement can be so extended without causing a grave threat to the national security of the United States.
(2) REPORT.—The report described in this paragraph is a report by the Secretary that contains either of the following:

(A) A certification by the Secretary, without delegation, that, notwithstanding the confidence level contained in the assessment under subsection (a), the Secretary has a confidence level of 90 percent or greater with respect to being able to carry out the Facility project within the estimated schedule and cost objectives.

(B) If the Secretary cannot make the certification under subparagraph (A), a plan by the Secretary to achieve such a confidence level of 90 percent or greater, including with respect to changing the costs, schedule, and scope of the Facility project.