

AMENDMENT TO H.R. 1960

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OFFERED BY M. Langevin and Garamendi

At the appropriate place in title XXXI, insert the following:

SEC. 31. MODIFICATION OF INDEPENDENT COST ESTIMATES ON LIFE EXTENSION PROGRAMS AND NEW NUCLEAR FACILITIES.

(a) IN GENERAL.—Section 4217 of the Atomic Energy Defense Act (50 U.S.C. 2537) is amended—

(1) in subsection (b)(2), by adding after the period at the end the following: “Such cost estimates shall be conducted by the Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation. The Director may delegate carrying out such a cost estimate to another element of the Department of Defense.”; and

(2) by amending subsection (c) to read as follows:

“(c) AUTHORITY FOR FURTHER ASSESSMENTS.—(1) In consultation with the Administrator, the Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation, may conduct an independent cost assessment of any initiative or program of the Administration that is estimated to cost more than \$500,000,000. The Director may delegate carrying out such a cost estimate to another element of the Department of Defense.

“(2) The Secretary, acting through the Administrator, shall request an appropriate official or entity to conduct an independent review of each—

“(A) guidance for the analysis of alternatives for each covered system or facility before such analysis is conducted; and

“(B) the results of such analysis.

“(3) The Secretary, acting through the Administrator, shall submit to the congressional defense committees and the Nuclear Weapons Council each independent review conducted under paragraph (2).

“(4) In this subsection:

“(A) The term ‘appropriate official or entity’ means the following:

“(i) The Director of Cost Assessment and Program Evaluation.

“(ii) An organization selected by the Director of Cost Assessment and Program Evaluation.

“(iii) The JASON Defense Advisory Panel.

“(B) The term ‘covered system or facility’ means the following:

“(i) Each nuclear weapon system undergoing life extension at the completion of phase 6.2A, relating to design definition and cost study.

“(ii) Each new nuclear facility within the nuclear security enterprise (as defined in section 4002(5) of the Atomic Energy Defense Act (50 U.S.C. 2501(5)) that is estimated to cost more than \$500,000,000 before such facility achieves critical decision 2 in the acquisition process.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a)(2) shall expire on the date that is three years after the date of the enactment of this Act. Effective on the day after such expiration date, subsection (c) of section 4217 of the Atomic Energy Defense Act (50 U.S.C. 2537), as in effect on the day before the date of the enactment of this Act, is hereby revived.

(c) SENSE OF CONGRESS.—It is the sense of Congress that Congress encourages the Administrator for Nuclear Security and the Nuclear Weapons Council to follow the results of the analysis of alternatives of a life extension program or a defense nuclear facility construction project when selecting a final option.