

AMENDMENT TO H.R. 6395
OFFERED BY M_{r.} Cooper

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

1 **SEC. 31** ____. **PLUTONIUM PIT PRODUCTION.**

2 (a) INDEPENDENT COST ESTIMATE.—

3 (1) REQUIREMENT.—The Secretary of Energy
4 shall conduct an independent cost estimate of the
5 Savannah River Plutonium Processing Facility
6 project in accordance with Department of Energy
7 Directive 413.3b, as in effect on the date of the en-
8 actment of this Act.

9 (2) CONFIDENCE LEVEL.—The assessment
10 under paragraph (1) shall assign a percentage of
11 confidence level with respect to the Secretary being
12 able to carry out the Facility project within the esti-
13 mated schedule and cost objectives.

14 (3) SUBMISSION.—The Secretary shall submit
15 to the congressional defense committees the inde-
16 pendent cost estimate under paragraph (1).

17 (b) CONDITIONAL REPORTS AND CERTIFICATIONS.—

18 (1) LOW CONFIDENCE.—If the assessment
19 under subsection (a) assigns a confidence level below

1 90 percent pursuant to paragraph (2) of such sub-
2 section—

3 (A) the Secretary shall submit to the con-
4 gressional defense committees the report de-
5 scribed in paragraph (2); and

6 (B) the Commander of the United States
7 Strategic Command shall certify to such com-
8 mittees that either—

9 (i) the requirement to produce not
10 less than 80 war reserve plutonium pits
11 during 2030 pursuant to section 4219 of
12 the Atomic Energy Defense Act (50 U.S.C.
13 2538a) cannot be extended by up to five
14 years without causing a grave threat to the
15 national security of the United States, tak-
16 ing into account options for temporarily
17 surging the production of such pits at Los
18 Alamos National Laboratory and other
19 mitigation strategies available to the Com-
20 mander; or

21 (ii) such requirement can be so ex-
22 tended without causing a grave threat to
23 the national security of the United States.

1 (2) REPORT.—The report described in this
2 paragraph is a report by the Secretary that contains
3 either of the following:

4 (A) A certification by the Secretary, with-
5 out delegation, that, notwithstanding the con-
6 fidence level contained in the assessment under
7 subsection (a), the Secretary has a confidence
8 level of 90 percent or greater with respect to
9 being able to carry out the Facility project
10 within the estimated schedule and cost objec-
11 tives.

12 (B) If the Secretary cannot make the cer-
13 tification under subparagraph (A), a plan by
14 the Secretary to achieve such a confidence level
15 of 90 percent or greater, including with respect
16 to changing the costs, schedule, and scope of
17 the Facility project.

