



Chapter 7

The Nuclear Weapons Council and Annual Reports

7.1 **Overview**

The Nuclear Weapons Council (NWC) is a joint Department of Defense (DoD) and National Nuclear Security Administration (NNSA) organization established to facilitate cooperation and coordination between the two Departments as they fulfill their dual agency responsibilities for U.S. nuclear weapons stockpile management. Nuclear weapons stockpile management includes the full range of activities related to the development, production, maintenance (upkeep) and elimination (retirement, disassembly and disposal) of all United States nuclear weapons. Nuclear weapons stockpile management has evolved over time, particularly since the end of the Cold War and the demise of the Soviet Union. The responsibilities and administrative procedures of the Council have also evolved to accommodate changing circumstances.

The NWC serves as the focal point for activities to maintain the U.S. nuclear weapons stockpile. The Council provides an inter-agency forum for reaching consensus and establishing priorities between the two Departments. It also provides policy guidance and oversight of the nuclear stockpile management process to ensure high confidence in the safety, security, reliability and performance of U.S. nuclear weapons. The NWC meets regularly to raise and resolve issues between the DoD and the NNSA regarding concerns and strategies for stockpile management.

The NWC is also responsible for a number of annual reports that focus senior-level attention on important nuclear weapons issues. The Council is required to report regularly to the President regarding the safety and reliability of the U.S. stockpile as well as to provide an annual recommendation on the need to resume Underground Nuclear Testing (UGT) to preserve the credibility of the U.S. nuclear deterrent. The NWC is obligated to evaluate the surety of the stockpile and to report its findings to the President each year. The Council, through its oversight and reporting functions, also ensures that any significant threats to the continued credibility of the U.S. nuclear capability will be identified quickly and resolved effectively.

7.2 **NWC History**

Following World War II, Congress wanted to ensure civilian control over the uses of nuclear energy. Consequently, the *1946 Atomic Energy Act* created

the Atomic Energy Commission (AEC), which has evolved into what is now the NNSA.¹ The NNSA is a civilian agency responsible for the management of nuclear energy as well as the design, development, testing, production, maintenance, and disassembly of nuclear warheads for the U.S. Nuclear Weapons Program. The Act did stipulate that the DoD would participate jointly in the oversight of the U.S. nuclear weapons program to ensure the fulfillment of military requirements for atomic weapons.

7.2.1 The Military Liaison Committee (MLC)

The *1946 Atomic Energy Act* also established the Military Liaison Committee (MLC), the predecessor of the NWC. The MLC was created to coordinate joint DoD-DOE nuclear defense activities.

The MLC was an executive or flag-level (one/two-star) DoD organization, which served as the authorized channel of communication between the DoD and the DOE on all atomic energy matters related to the military application of atomic weapons or atomic energy, as determined by the DoD. The MLC addressed substantive matters involving policy, programming, and the commitment of significant funds associated with the military application of atomic energy. The MLC formulated the official DoD position on all matters related to joint nuclear weapons issues for transmittal to the DOE.

The MLC was composed of seven members and three official observers. The Assistant to the Secretary of Defense for Atomic Energy (ATSD(AE)) served as the MLC Chairman, and members included two flag-level representatives from each of the Services. The MLC was the DoD forum for the coordination of policy and the development of unified DoD positions on nuclear weapons-related issues. The DOE, the Joint Staff (JS), and the Defense Nuclear Agency (DNA) participated as observers. An Action Officers (AO) Group, which was composed of AOs representing each of the seven members and each of the three official observers, supported the MLC. Other organizations with a direct interest in nuclear weapons matters, such as the National Weapons Laboratories, frequently participated in AO-level meetings and discussions.

In the early 1980s, some members of Congress expressed concern about the high cost of funding the U.S. Nuclear Weapons Program. In 1984, a majority of the Senate Armed Services Committee (SASC) proposed the transfer of funding responsibility for DOE nuclear weapons activities from the DOE to the

¹ In 1974, an administrative reorganization transformed the AEC into the Energy Research and Development Agency (ERDA). A subsequent reorganization in 1977 created the Department of Energy (DOE). In 2001, the NNSA was established as a semi-autonomous agency within the DOE.

DoD. Under this proposal, the DOE would then execute its nuclear weapons-related activities using funds provided by the DoD. The goal was to encourage DoD nuclear weapons system acquisition decisions to account for total costs.

Other Senators, who endorsed the general purpose of the proposal, expressed reservations about the proposed transfer of responsibility. They were concerned that the transfer might undermine the principle of civilian control over nuclear weapons research and development. Although opposed to the proposed transfer, the Secretaries of Defense and Energy supported a study of the issue. As a result of all of this, *The National Defense Authorization Act for Fiscal Year (FY) 1985* (Public Law 98-525) directed the President to establish a *Blue Ribbon Task Group* to examine the issue.

7.2.2 The Blue Ribbon Task Group on Nuclear Weapons Program Management

On January 18, 1985, the President established the *Blue Ribbon Task Group on Nuclear Weapons Program Management*. This Task Group was chartered to examine the procedures used by the DoD and the DOE in establishing requirements and providing resources for the research, development, testing, production, surveillance, and retirement of nuclear weapons. The Task Group's final report was issued in July 1985. While the Task Group found the relationship between the DoD and the DOE regarding the management of the nuclear weapons program to be generally sound, the Group identified areas for improvement. Specifically, the Task Group suggested introducing administrative and procedural changes to enhance inter-Departmental cooperation and to achieve potential cost savings. These changes were intended to result in closer integration between nuclear weapons programs and national security planning without sacrificing the healthy autonomy of the two Departments in the performance of their respective missions.

The Task Group noted the absence of a high-level joint DoD and DOE body charged with coordinating nuclear weapons program activities. The MLC had no such mandate. The original purpose of the MLC was to provide a voice for the military in the atomic energy program, which was controlled by the then-powerful AEC. By 1985, the AEC had evolved into the DOE, and the original purpose of the MLC had become obsolete.

The MLC was an intra-agency DoD group, not an interagency organization. Also, the staff and stature of the MLC had diminished to a point where it could no longer effectively analyze nuclear weapons cost trade-offs, establish program priorities, or address budget and resource allocation issues. Consequently, the Task Group recommended the formation of a senior-level, joint DoD-DOE

group to coordinate nuclear weapons acquisition issues and related matters and to oversee joint nuclear activities. The Task Group suggested that the new group be named the *Nuclear Weapons Council*.

The Task Group recommended certain responsibilities for this new organization:

- ▲ Preparing the annual Nuclear Weapons Stockpile Memorandum (NWSM);
- ▲ Developing stockpile options and their costs;
- ▲ Coordinating programming and budget matters;
- ▲ Identifying cost-effective production schedules;
- ▲ Considering safety, security, and control issues; and
- ▲ Monitoring the activities of the Project Officers Groups (POGs) to ensure attention to cost as well as performance and scheduling issues.

The Task Group believed that a dedicated staff drawn from both departments and reporting to a full-time Staff Director would be necessary to fulfill these new responsibilities. The Task Group also argued that regardless of how the MLC was altered, it was important for the Secretary of Defense to maintain a high-level office dedicated primarily to nuclear weapons matters.

7.3 *The NWC Today*

Acting on the recommendations of the President's *Blue Ribbon Task Group*, Congress established the NWC in the *National Defense Authorization Act for FY 1987* (Public Law 99-661). A letter signed by the Secretary of Defense formalized the establishment of the NWC.

The original 1987 statute establishing the NWC and delineating its responsibilities reflected the concerns of the day. The Council was established by Congress as a means of enhancing coordination between the DoD and the DOE with respect to nuclear weapons production. The Council was created when U.S. plans for continued nuclear weapons production were indefinite, and the U.S. production capability was relatively robust. Congress was concerned about the expense of the U.S. nuclear weapons program and wanted to realize possible cost savings without jeopardizing the safety, security, or reliability of the stockpile.

The statute establishing the NWC has been amended several times. Each additional responsibility assigned to the Council has reflected emerging concerns as the Cold War ended and the Post-Cold War era began.²

² In addition, the law has been amended to include a broader membership.

7.4 NWC Organization and Members

By law, the NWC is now composed of five members: the Under Secretary of Defense for Acquisition, Technology and Logistics (USD(AT&L)); the Under Secretary of Defense for Policy (USD(P)); the Vice Chairman of the Joint Chiefs of Staff (VCJCS); the Commander of the U.S. Strategic Command (CDRUSSTRATCOM); and the Under Secretary of Energy for Nuclear Security/National Nuclear Security Administration (NNSA) Administrator. The USD(AT&L) serves as the Chairman of the NWC. The Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs (ATSD(NCB)) is designated as the NWC Staff Director. Figure 7.1 illustrates NWC membership as stated in Title 10 USC 179.

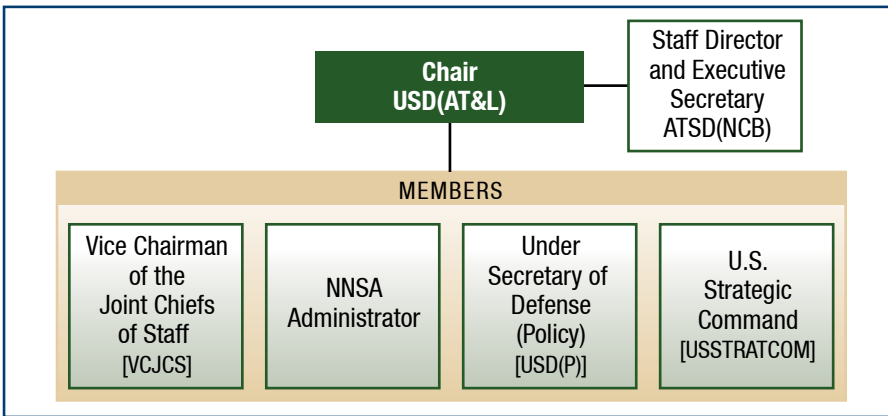


Figure 7.1 NWC Membership per Title 10 USC 179

The law also directed the DoD and the DOE to provide personnel to serve as the NWC Staff. From the beginning, the ATSD(NCB) performed the role of NWC Executive Secretary in addition to the legally mandated Staff Director function. In this role, the ATSD(NCB) manages the agendas and facilitates the activities of the Council. As the NWC Staff Director, the ATSD(NCB) also has oversight responsibilities for the NWC Staff and the other subordinate organizations of the Council.

The NWC membership includes several guest and observer organizations in addition to its official members. Though not voting members, these organizations make valuable technical contributions to NWC deliberations. NWC guest organizations include:

- ▲ Director, Program Analysis and Evaluation (PA&E);
- ▲ Assistant Secretary of Defense for Networks and Information Integration (ASD(NII));

- ▲ Under Secretary of Defense for Intelligence (USD(I));
- ▲ National Security Council (NSC) Staff/Special Assistant to the President and Senior Director for Defense Policy and Arms Control;
- ▲ NNSA Deputy Administrator, Defense Programs (DP);
- ▲ Director, Defense Threat Reduction Agency (DTRA);
- ▲ Office of the Under Secretary of Defense, Comptroller (OUSD(C)); and
- ▲ OSD Legislative Affairs

NWC observer organizations include:

- ▲ U.S. Army (U.S. Army Nuclear and Chemical Agency (USANCA));
- ▲ U.S. Navy (Strategic Systems Programs (SSP));
- ▲ U.S. Air Force (Director of Strategic Security(AF/A3S));
- ▲ Office of the Deputy Under Secretary of Defense for Acquisition and Technology (OUSD(A&T)); and
- ▲ National Security Agency

7.5 *NWC Responsibilities and Activities*

The NWC is given specific responsibilities by authority of Section 179 of Title 10 of the United States Code (USC). These include evaluating, maintaining, and ensuring the safety, security, and control of the nuclear weapons stockpile as well as developing nuclear weapons stockpile options. The NWC currently fulfills four annual reporting requirements: the Nuclear Weapons Stockpile Memorandum/Requirements and Planning Document (NWSM/RPD); the NWC Report on Stockpile Assessments (ROSA); the NWC Joint Surety Report (JSR); and the NWC Chairman's Annual Report to Congress.

Presidential direction, Congressional legislation, and agreements between the Secretaries of Defense and Energy create additional requirements for the NWC. Many of these are coordinated at the subordinate level and then finalized and approved by the NWC.

NWC activities to support its statutory responsibilities were refined in a 1997 Joint DoD/DOE Memorandum of Agreement (MOA). These activities include:

- ▲ Establishing subordinate committees to provide coordinated senior-level staff support to the Council and performing such duties as the Council may assign within the limits of the Council's responsibilities;
- ▲ Providing guidance to these support committees as well as reviewing

- and acting on recommendations from the committees relating to the nuclear weapons stockpile;
- ▲ Providing a senior-level focal point for joint DoD/NNSA consideration of nuclear weapons safety, security, and control;
 - ▲ Authorizing analyses and studies of issues affecting the nuclear weapons stockpile;
 - ▲ Reviewing, approving, and providing recommendations on these analyses and studies to the appropriate authority within the DoD and the NNSA;
 - ▲ Receiving information and recommendations from advisory committees on nuclear weapons issues and recommending appropriate actions to the DoD and the NNSA;
 - ▲ Providing broad guidance to the DoD and the NNSA on nuclear weapons matters regarding the life-cycle of U.S. nuclear weapons;
 - ▲ Reviewing other nuclear weapons program matters as jointly directed by the Secretaries of Defense and Energy; and
 - ▲ Fulfilling annual reporting requirements as provided in Section 179 of Title 10 of the U.S. Code.

7.6 *NWC Procedures & Processes*

The statute establishing the NWC did not specify any associated procedures or processes for fulfilling the mandates of the law. As a result, the NWC administrative procedures continue to evolve. These procedures ensure that the information and data necessary to make informed decisions and recommendations concerning nuclear weapons stockpile management issues reach the members of the NWC efficiently and effectively. To achieve this, the NWC has delegated certain responsibilities and authority to its subordinate organizations. The NWC usually makes decisions or provides final approval only after thorough review and coordination at the subordinate levels. This assures that all views are considered and reflected.

NWC review and approval are usually achieved through an established voting process in which members' positions and views are recorded. Issues that require NWC action, including decisions or recommendations, are recorded through an Action Item tracking process.

For some actions, such as a decision to approve the progress of a warhead-type from one life-cycle Phase to the next, a voice vote at the meeting may be recorded in the Council's meeting minutes. This voice vote, as recorded in the minutes, would serve as the official NWC approval.

In theory, each member of the NWC could veto any action or decision. In practice, the Council works to achieve consensus among its members before it issues official decisions or recommendations. Issues rarely reach the NWC level until they have been thoroughly vetted by NWC subordinate organizations, as appropriate. Documents, including NWC reports, memoranda, and letters, are revised and coordinated until all NWC members concur. The majority of revision and coordination occurs at the subordinate levels.

The Council's administrative processes and procedures are designed to ensure consideration of all relevant factors in making decisions and recommendations. The Council receives information and data from a variety of sources including: the Project Officers Groups (POGs) associated with each warhead-type in the stockpile;³ advisory groups; subject matter experts from the DoD, the NNSA, and the National Weapons Laboratories; and programmatic specialists from various government offices. Information and data are communicated to the Council and its subordinate bodies through letters, memoranda, reports, and briefings.

Generally, when a decision is required, representatives from the appropriate organizations brief the Council (and/or its subordinate groups) in person so as to provide an opportunity for members, advisors, and observers to solicit additional information as required for clarity or completeness.

Briefings are generally tailored for the individual audience in terms of length and level of detail. Because the NWC has delegated some responsibilities to its subordinate organizations, the subordinate group may determine that a briefing need not progress to the NWC.

Decisions and recommendations made at the subordinate levels are always communicated to the NWC through meeting minutes, memoranda, etc. These decisions and recommendations are theoretically subject to modification or repeal by the NWC itself; however, in practice, this does not usually occur.

7.7 *NWC Subordinate Organizations*

The NWC conducts day-to-day operations and coordinates issues through its subordinate organizations. The Council's subordinate organizations are not codified in Title 10 USC 179. This affords the Council the necessary flexibility to create, merge, or abolish organizations as needed.

³ The POGs are joint DoD-NNSA groups associated with each warhead-type. POGs are created at the beginning of a weapon development program and charged with the responsibility to coordinate the development and assure the compatibility of a warhead-type with its designated delivery system(s).

Two committees were established shortly after the creation of the NWC: the Nuclear Weapons Council Standing Committee (NWCSC), commonly called the “Standing Committee,” and the Nuclear Weapons Council Weapons Safety Committee (NWCWSC), known as the “Safety Committee.” The Standing Committee was established in 1987 and served as a joint DoD-DOE senior executive or flag-level committee. The Standing Committee performed the routine activities of the NWC including coordinating all actions going to the NWC as well as providing advice and assistance to the Council. Established in 1989, the Safety Committee was a joint DoD-DOE senior executive or flag-level committee dedicated to nuclear weapons safety issues. The Safety Committee provided advice and assistance to the NWC Staff Director, the NWCSC, and to the NWC concerning nuclear weapons safety.

In 1994, the Standing and Safety Committees were combined to form the Nuclear Weapons Council Standing and Safety Committee (NWCSSC). In 1995, the ATSD(AE) (now the ATSD(NCB)) delegated responsibility for day-to-day oversight of the NWC Staff to the Deputy Assistant to the Secretary of Defense for Nuclear Matters (DATSD(NM)). In addition, there is an NWC Action Officers (AO) Group and an NWC Staff that support the Council and its subordinate bodies.

In 1996, the Chairman of the NWC established an additional organization, subordinate to the NWCSSC, called the Nuclear Weapons Requirements Working Group (NWRWG). The NWRWG was created to review and prioritize high-level nuclear weapons requirements and to define them more precisely where necessary. While it was active, several NWRWG functions duplicated those of the NWCSSC. Also, both the DoD and the DOE developed nuclear weapons requirements processes within their own Departments. For these reasons, the NWRWG members voted to abolish the Group and to transfer all NWRWG responsibilities to the NWCSSC in November 2000. The NWC never ratified the decision to disband the NWRWG, but the NWRWG has not met since the vote.

Also in November 2000, the Compartmented Advisory Committee (CAC) was formed as an additional subordinate body to the NWC. The CAC provides information and recommendations to the NWC concerning technical requirements for nuclear weapons surety upgrades.

In 2005, the Transformation Coordinating Committee (TCC) was created by the Nuclear Weapons Council to coordinate the development and execution of a joint strategy for the transformation of the national nuclear enterprise. Figure 7.2 illustrates the subordinate bodies of the NWC, and Figure 7.3 provides a timeline of their establishment.

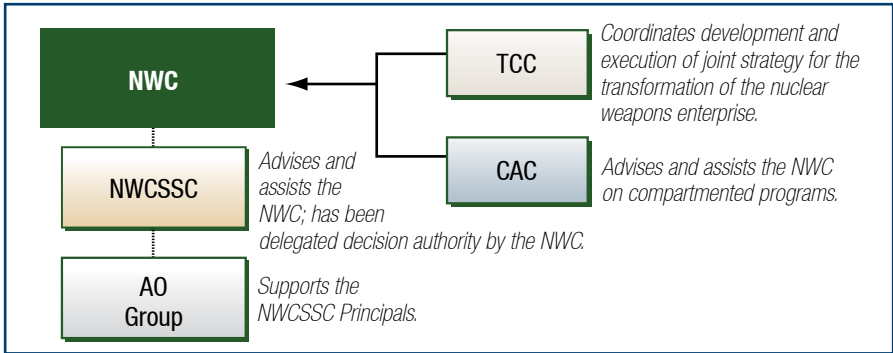


Figure 7.2 The NWC and Its Current Subordinate Bodies

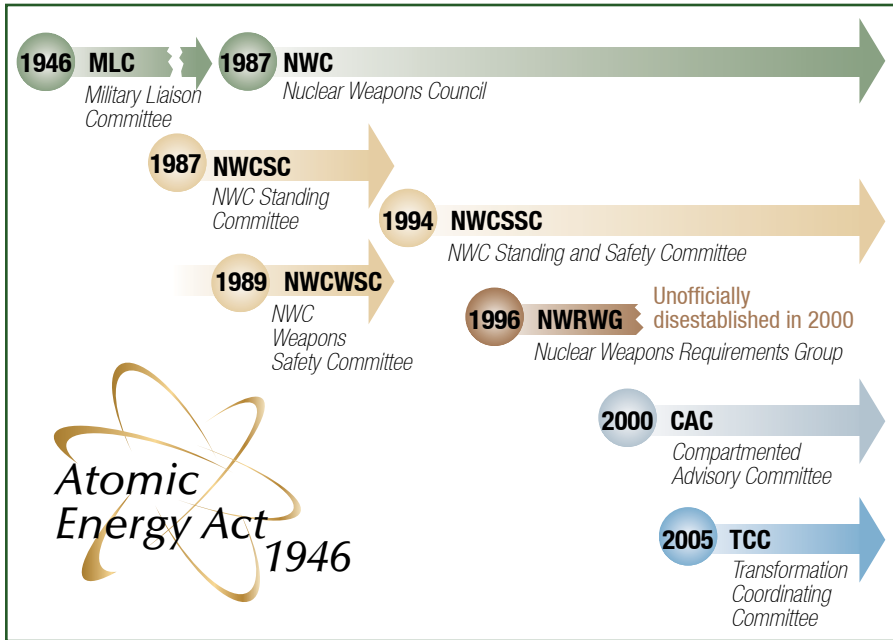


Figure 7.3 Timeline of the Establishment of the NWC and Its Subordinate Bodies

7.7.1 The Nuclear Weapons Council Standing and Safety Committee

The NWCSSC is a subordinate body to the NWC. The primary mission of the NWCSSC is to advise and assist the NWC and to provide preliminary approval for many NWC activities. The NWCSSC is a joint DoD-NNSA senior executive or flag-level (one/two-star) committee, that conducts transactions between the DoD and the NNSA on behalf of the NWC. The NWC has also delegated certain approval authorities to the NWCSSC.

NWCSSC Organization and Members

The NWC Staff Director is the ATSD(NCB). The ATSD(NCB) also serves as the Chair of the NWCSSC and represents the Under Secretary of Defense for Acquisition, Technology, and Logistics USD(AT&L) as well as the Office of the Secretary of Defense (OSD). A NNSA senior official is the NWCSSC Vice Chair and represents the NNSA Administrator. For an illustration of NWCSSC membership, see Figure 7.4.

The NWCSSC is composed of one flag-level representative or the civilian equivalent from each of the following organizations: the NNSA; the Office of the Under Secretary of Defense for Policy; the Office of the Assistant Secretary of Defense for Networks and Information Integration; the Joint Staff (JS); the United States Strategic Command (USSTRATCOM); the Army; the Navy; the Air Force; and the Defense Threat Reduction Agency (DTRA).

Given the disparate nature of the Committee’s responsibilities and other important demands on members’ schedules, each member organization may appoint one or more alternates to attend meetings when the Principal is not available or when the alternate’s skills are appropriate to the topic of discussion. The NWCSSC Executive Secretary, who is also the NWC Assistant Staff Director, is the NNSA Liaison to the NWC Staff.

The NWCSSC is also supported by Official Observers and Technical Advisors. Five offices participate as Observers: the United States Navy (USN) Strategic Systems Programs (SSP); the Office of the Under Secretary of Defense for Acquisition and Technology (OUSD(A&T)); the U.S. European Command (USEUCOM); the Air Force Material Command (AFMC) Nuclear Weapons Center; and the NNSA Office of Secure Transportation (OST). Technical Advisors represent the following organizations: Los Alamos National

NWCSSC MEMBERS	
<u>Chair</u> ATSD(NCB)	NNSA ASD(SOLIC/SC) Joint Staff
<u>Vice-Chair</u> NNSA	USSTRATCOM Army Navy Air Force DTRA
NWCSSC OFFICIAL OBSERVERS	
Navy SSP ODDS(Systems Aquisition) NNSA/OST USEUCOM AFNWCTR	
NWCSSC TECHNICAL ADVISORS	
LANL LLNL SNL NSS OUSD(PA&E) OUSD(C) Legislative Affairs	

Figure 7.4 NWCSSC Membership

Laboratory (LANL); Lawrence Livermore National Laboratory (LLNL); Sandia National Laboratories (SNL); U.S. Nuclear Command and Control System (NCCS) Support Staff (NSS); the Office of the Under Secretary of Defense for Program Analysis and Evaluation (OUSD (PA&E))/Strategic and Space Programs; and the Director, Strategic and Information Programs from the OUSD(Comptroller).

NWCSSC Responsibilities and Activities

The Council uses the NWCSSC to develop, coordinate, and approve most actions before NWC review and final approval, including the annual NWC reports to the President and to Congress.

The NWCSSC also actively participates in Project Officers Group (POG) oversight activities. For example, the POGs regularly report to the NWCSSC and seek approval for specific weapons program activities. The NWCSSC can authorize the establishment of POG Study Groups for activities including NWC-directed studies or reviews, review of Service-approved POG charters, and review of POG study proposals and reports.

In addition to the responsibilities relating to POG oversight, the NWCSSC reviews proposed and ongoing refurbishments for existing weapon systems and production activities for new systems. As recommended by the POGs, the NWCSSC reviews and approves the Military Characteristics (MCs) and Stockpile-to-Target Sequence (STS) for major modifications of existing weapons and new systems.

The NWCSSC is informed on a wide variety of issues related to nuclear weapons stockpile management through informational briefings and other channels of communication. Over the past several years, the NWCSSC has reviewed a number of topics including: Nevada Test Site (NTS) readiness; warhead dismantlement activities; findings of the Joint Advisory Committee (JAC) on nuclear weapons surety; component and warhead storage; nuclear component production; and nuclear weapons safety standards. Although this list is not exhaustive, it is representative of the issues that fall within the purview of the NWCSSC.

In summary, NWCSSC responsibilities include:

- ▲ Preparing and coordinating the annual Nuclear Weapons Stockpile Memorandum and Requirements Planning Document (NWSM/ RPD), which are then provided to the Council for review and approval prior to being forwarded to the Secretaries of Defense and Energy for signature;

- ▲ Approving nuclear weapons stockpile quantity adjustments within the authority delegated by the President and the NWC;
- ▲ Reviewing the stockpile when required, and providing recommended stockpile improvements to the Council for its endorsement;
- ▲ Preparing and coordinating the annual NWC Report on Stockpile Assessments (ROSA) for the NWC;
- ▲ Preparing and coordinating the Joint Surety Report (JSR) for the DoD-NNSA annual report to the President on nuclear weapons surety;
- ▲ Preparing and coordinating the NWC Chairman's Annual Report to Congress (CARC);
- ▲ Reviewing the Joint Requirements Oversight Council (JROC) recommendations related to nuclear weapons planning for possible impact on nuclear warhead programs;
- ▲ Approving Design Review and Acceptance Group (DRAAG) Report findings;
- ▲ Authorizing the establishment of POGs and Study Groups for Council-directed studies or reviews; reviewing Service-approved POG charters; providing tasking and guidance to these POGs; reviewing POG study plans and reports; and resolving outstanding issues;
- ▲ Reviewing and approving the original and/or amended Military Characteristics (MCs) proposed by the Military Departments through their respective POGs. (Safety-related MCs must be approved by the Secretaries of Defense and Energy);
- ▲ Reviewing the STS requirements for each nuclear warhead-type and considering proposed changes to the STS that may have a significant impact on cost or weapons performance;
- ▲ Advising the NWC on weapons safety design criteria; safety standards and processes; safety rules; and the safety aspects of MCs, STSs as well as weapons transportation, storage, and handling;
- ▲ Reviewing information from the DoD and the NNSA on nuclear weapons-related issues under the NWC purview;
- ▲ Reviewing the status and results of nuclear weapons safety studies performed either by the Military Departments or jointly by the DoD and the NNSA;
- ▲ Requesting weapon program status information from the DoD and the NNSA;

- ✦ Conducting studies, reviews, and other activities as directed by the NWC, one of its members, or as required by a Joint Memorandum of Understanding (MOU) between the Departments; and
- ✦ Coordinating or taking action on other matters, as appropriate.

NWCSSC Procedures and Processes

The NWCSSC normally meets once each month. On occasion, the NWCSSC will meet in Special Session to address a specific issue that must be resolved before the next regularly-scheduled meeting. The majority of the work performed by the NWCSSC involves issues related to DoD military requirements in relation to NNSA support plans and capacity as well as issues regarding consideration and monitoring of all nuclear surety issues and nuclear weapons refurbishments.

During meetings, NWCSSC members usually hear briefings from various organizations involved with nuclear stockpile management issues. These organizations include the nuclear weapons POGs, the National Weapons Laboratories as well as individual components within the DoD and the NNSA. The NWCSSC Chairman leads the NWCSSC meetings and facilitates discussion among the members. The NWC Staff is responsible for coordinating meeting times and places as well as developing meeting agendas.

The NWC Staff drafts the minutes of each NWCSSC meeting. The minutes describe briefings and record NWCSSC agreements, decisions, and actions. NWCSSC minutes are then formally coordinated with Action Officers and approved by the members at the next meeting.

7.7.2 The Compartmented Advisory Committee

The Compartmented Advisory Committee (CAC) was established in November 2000 by the NWC Chairman. The CAC provides advice and recommendations on technical requirements for new warhead production and surety upgrades for nuclear weapons in the stockpile that are being refurbished. The formation of this Committee was recommended in the DOE 30-Day Review.⁴

⁴ In response to Congressional concerns about security measures at DOE nuclear facilities and cost overruns involving the National Ignition Facility (NIF), the Secretary of Energy directed his Under Secretary to complete a comprehensive internal review of the DOE's Stockpile Stewardship Program (SSP) in October 1999. The Under Secretary of Energy was to report back within 30 days. The review examined the accomplishments of the SSP between 1996 and 1999 as well as the overall Program structure and its ability to meet both the current and the long-term needs for certifying the stockpile.

CAC Organization and Members

Because of the highly sensitive nature of the information involved, it is necessary to keep CAC membership relatively limited (see Figure 7.5). The members of the CAC are read-in to all relevant DOE and DoD Special Access Programs (SAP). The CAC is co-chaired by representatives from the DoD and the NNSA. Currently, the DATSD(NM) is the DoD Chair, and a NNSA senior official is the NNSA Chair. The Executive Secretary is a member of the DATSD(NM) staff. The CAC is composed of members or observers of the NWCSSC who have primary responsibility for nuclear weapons use-control and security issues. CAC membership includes representatives from: the Department of the Navy; the Navy Strategic Systems Programs; the U.S. Strategic Command, the Joint Staff for Operations; the NNSA Defense Programs (DP) Assistant Deputy Administrator for Military Application; the Defense Threat Reduction Agency; the Office of the Air Force Associate Director of Strategic Security; the Office of the Deputy Assistant to the Secretary of Defense for Nuclear Matters; and the Office of the Assistant Secretary of Defense for Networks and Information Integration (ASD(NII)).

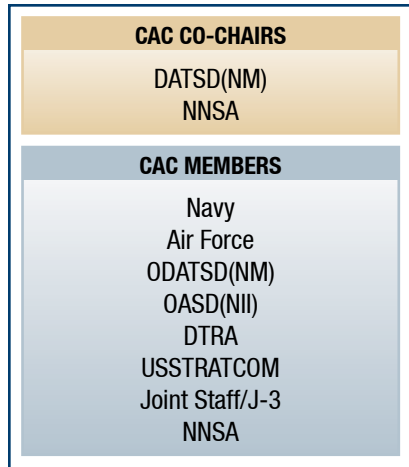


Figure 7.5 CAC Membership

CAC Responsibilities and Activities

The CAC reviews sensitive information that cannot be made available to the various Project Officers Groups or Action Officers in the normal administration of these sensitive programs. Making this information available to the CAC, with its direct access to the NWC, fills a gap in the knowledge base and helps ensure that decision-makers have the information and staff work necessary for the execution of these sensitive programs. The responsibilities of the CAC include: examining the need for nuclear surety improvements; determining the timeframe for improvements; preparing cost-benefit analyses for NWC consideration; assessing proposals for use control upgrades, both internal and external to the weapons systems; and technical and/or operational security mitigators or solutions. All CAC recommendations to the NWC include both majority and minority opinions. The CAC meets as needed. Because of the overlap with the membership of the NWCSSC, CAC meetings usually occur before or after an NWCSSC meeting.

7.7.3 The Transformation Coordinating Committee

The Transformation Coordinating Committee (TCC) was established in 2005 by the Nuclear Weapons Council to coordinate the development and execution of a joint DoD-NNSA strategy for transforming the National Nuclear Enterprise.

TCC Organization and Members

The TCC is co-chaired by the DATSD(NM) for the DoD and a senior NNSA official for the NNSA. Its membership includes representatives from: the U.S. Air Force Headquarters (Director of Strategic Security); U.S. Navy (Strategic Systems Program); Joint Chiefs of Staff (Plans and Policy Directorate); USSTRATCOM (Structure, Resources, and Assessment); DTRA (Combat Support); OSD (Policy); and NNSA (Research, Development, and Simulation). Figure 7.6 illustrates TCC membership.

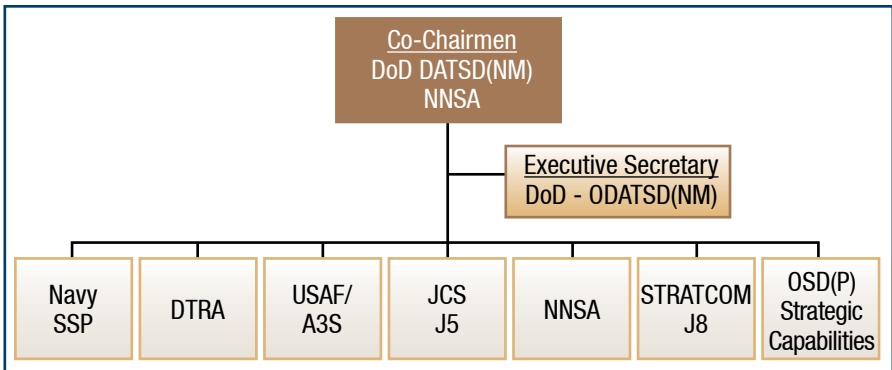


Figure 7.6 TCC Membership

TCC Responsibilities and Activities

The TCC is chartered to explore various transformation courses of action, advise Reliable Replacement Warhead (RRW) Project Officer Groups (POGs), and make recommendations to the NWC to facilitate transformation initiatives. Some of its activities include: establishing a clear, consistent message on nuclear weapons enterprise transformation; examining needs, plans, and options for sustainment or replacement of nuclear weapons delivery systems; examining plans for meeting dismantlement requirements; recommending stockpile assumptions necessary for responsive infrastructure planning; and examining plans for the development of a responsive nuclear weapons infrastructure, consistent with the Nuclear Posture Review or subsequent guidance. The TCC meets monthly.

7.7.4 The NWC Action Officers Group

The NWCSSC is supported by an Action Officers Group that meets to review nuclear weapons stockpile management issues, ensure consistent progress, and facilitate information dissemination. The AOs prepare nuclear weapons issues for their NWCSSC Principals. In a frank and informal meeting environment, the AOs discuss issues, receive pre-briefings in preparation for NWCSSC or NWC meetings, and coordinate actions for consideration by their Principals at the NWCSSC level.

AO Group Organization and Members

The AO Group is composed of AOs representing NWCSSC member organizations, observer organizations, technical advisors, and agencies involved in nuclear weapons program matters, where appropriate. The NWC Staff supports the AO Group. When they are responsible for NWC actions in progress, other agencies and organizations such as the Project Officers Groups (POGs) and the National Weapons Laboratories (Labs) send Action Officers to participate. Figure 7.7 illustrates NWC AO Group membership.

AO MEMBERS	
<u>Chair</u>	Joint Staff
NWC	Army
Asst. Staff	USD(P)
Director	NNSA
	USSSTRATCOM
	Air Force
	ATSD(NCB)
	DTRA
	Navy
	Navy SSP
AO OBSERVERS	
	LANL
	LLNL
	SNL
	OUSD(PA&E)
	NSS
	ODDS (Systems Aquisition)
	Navy SSP

Figure 7.7 NWC AO Group Membership

AO Group Responsibilities and Activities

The responsibilities of the AO Group have been established through practice as well as direction from the NWCSSC Principals. The AOs are responsible for keeping their NWCSSC Principals fully informed regarding all NWC-related activities and preparing their Principals for NWCSSC or related meetings. Normally, the NWC Staff is responsible for creating and distributing an informal meeting summary as well as for tracking any actions that arise from the AO meetings.

AO Group Procedures & Processes

The NWCSSC Executive Secretary, who is also the NWC Assistant Staff Director, chairs the AO meetings. The NWC Staff is responsible for coordinating meeting times and locations as well as for developing meeting

agendas. The AOs normally meet once each week to discuss issues and coordinate actions. The AOs usually receive initial drafts of information and decision briefings before these drafts and briefings progress to the NWCSSC. The AOs provide comments and suggestions to refine briefings for presentation to the NWCSSC.

During the coordination of official reports, documents, or correspondence, the AO Group may comment on initial drafts and the Action Officers' input is considered in the development of subsequent drafts. Official Observers and Technical Advisors may also provide comments to the Assistant Staff Director for consideration and potential inclusion. This process is repeated until a final draft is completed. Generally, the AOs complete an action when the Group reaches consensus on an issue and forwards it to the NWCSSC. If consensus cannot be reached, the issue may move to the NWCSSC for resolution.

7.7.5 The Nuclear Weapons Council Staff

The NWC Staff provides analytical and administrative support to the NWC and its subordinate organizations. As codified in the 1997 NWC Memorandum of Agreement (MOA) signed by the Secretaries of Defense and Energy, both the DoD and the NNSA assign personnel to provide necessary support services to the entire NWC organization.

NWC Staff Organization and Members

The NWC Staff is located within the Office of the DATSD(NM) at the Pentagon. The NWC Staff is composed of an NNSA staff member and a DTRA staff member, both of whom have been assigned to the Office of the DATSD(NM). The NWC Staff is also supported by government contractors, as required.

The NWC Staff reports through the DATSD(NM) to the NWC Staff Director who is the Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs (ATSD(NCB)).

NWC Staff Responsibilities and Activities

The NWC Staff has a variety of responsibilities, all of which ensure that the Council and its subordinate bodies operate as efficiently and effectively as possible. The primary responsibilities of the NWC Staff can be divided into two areas: meetings, for planning and follow-up activities; and the NWC annual reports, for development, drafting, coordination, and execution.

The NWC Staff plans and schedules all meetings of the NWC, the NWCSSC, and the NWC AO Group. The responsibilities of the NWC Staff include:

preparing meeting agendas; drafting and distributing tasking letters to request information or briefings from organizations within the nuclear weapons community; and preparing the Chair of the group to lead the meeting and facilitate discussion and decision-making, if required. The NWC Staff works with the AOs to develop an annual NWC Work Plan that identifies the topics for each fiscal year. Agenda items derived from this Work Plan may include decision and informational briefings as well as issues for group discussion.

The NWC Staff is responsible for a variety of follow-up activities including: preparation and coordination of meeting minutes; the development of vote packages for NWC or NWCSSC paper votes; the scheduling of supplementary briefings; and the development of responses to members' questions or requests. The NWC Staff maintains the official records of the NWC, the NWCSSC, and the AO Group proceedings and other official documents.

The NWC Staff facilitates the timely development of the four annual reports for which the NWC is responsible. The NWC Staff manages the coordination of these reports with the many different representatives from the DoD and the NNSA. NWC Staff activities include: publishing report milestone completion schedules; developing first and subsequent drafts of each annual report; conducting coordination meetings; consolidating and reconciling input from various participants; and guiding the reports through the progressive approval channels.

The NWC Staff conducts business and disseminates information through an Action Item tracking system for the NWC, the NWCSSC, and the AO Group. This system constitutes the official record of NWC and NWCSSC decisions and activities. The NWC Action Item tracking system is used to record and track actions from initiation through resolution. This includes, for example, draft meeting minutes where the action is a vote to approve the minutes as official and draft NWC reports where the action is a vote to approve the report or request its modification.

The Action Item tracking system is also used to document and track requests originating from NWC or NWCSSC members, the NWC Staff, or the AO Group to organizations within the nuclear community. An example of this is a request to a particular agency or organization for additional information or an additional briefing on a related subject. An Action Item remains "open" until its final resolution. Action Items are recorded in a database maintained by the NWC Staff. The NWC Staff is responsible for tracking all Action Items and ensuring that all Action Items are resolved and closed.

7.8 NWC Annual Reports

The Nuclear Weapons Council is responsible for a number of annual reports. These include the NWSM/RPD, the ROSA, the CARC, and the JSR. Each of the NWC annual reports focuses senior-level attention on important nuclear weapons issues. Each report responds to a separate Executive or Congressional requirement; each has an individual purpose; and each communicates unique information. Figure 7.8 illustrates the NWC Annual Reports schedule.

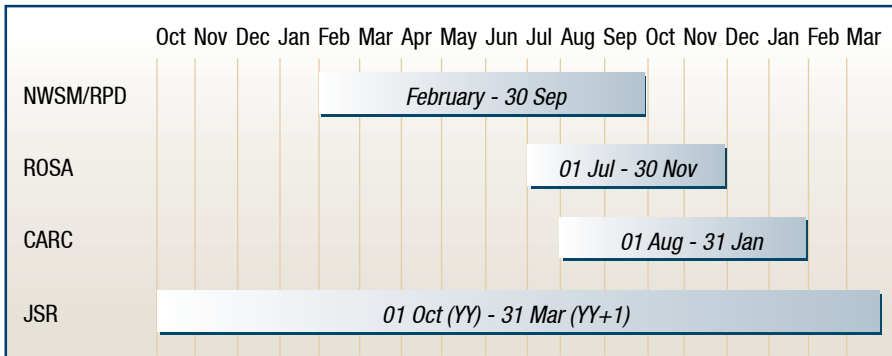


Figure 7.8 NWC Annual Reports Schedule

7.8.1 Nuclear Weapons Stockpile Memorandum and Requirements Planning Document (NWSM/RPD)

The NWSM is an annual memorandum to the President from the Secretaries of Defense and Energy. The NWSM transmits a proposed Presidential Directive,⁵ which, if approved, becomes the Nuclear Weapons Stockpile Plan (NWSP). The NWSP specifies the size and composition of the stockpile for a projected multi-year period. The NWSM is the transmittal vehicle for the proposed Presidential Directive and communicates the positions and recommendations of the two Secretaries. It is the Directive (signed by the President) that actually guides U.S. nuclear stockpile activities. For ease of reference, the NWSM and the proposed Directive containing the NWSP are collectively called the “NWSM package” or “the NWSM.” Summary information regarding the NWSM is located in Figure 7.9.

⁵ Presidential Directives are designated differently in each Administration. The Reagan Administration, for example, used the term “National Security Decision Directive (NSDD).” The Clinton Administration used the term “Presidential Decision Directive (PDD).” The Administration of George W. Bush uses the term “National Security Presidential Directive (NSPD).”

The coordination process for these documents serves as the key forum in which the DoD and the NNSA/DOE resolve issues concerning the DoD military requirements for nuclear weapons in relation to the NNSA capacity and capability to support these requirements.

NWSM/RPD	
Requirement:	Title 10 USC 179
Reporting period:	Fiscal Year
Annual due date:	30 September
Drafted by:	NWC Staff
Coordinated through:	NWCSSC and NWC
Signed by:	The Secretary of Defense and the Secretary of Energy
Submitted/Transmitted to:	The President

Figure 7.9 NWSM/RPD Summary Information

Resolving these issues is a complex, iterative, and time-consuming endeavor. Once the President signs the Directive, the NWC is authorized to approve nuclear weapons stockpile changes within the limits specified by the President.

Historically, the NWSM has been the legal vehicle for the President’s formal annual approval of the production plans of the U.S. nuclear weapons complex.⁶ Since the early 1990s, however, the NWSM has evolved to reflect the shift away from new warhead production and toward the sustainment of the existing nuclear weapons stockpile. The Requirements Planning Document (RPD), previously known as the Long Range Planning Assessment (LRPA), was developed to facilitate this shift in emphasis. The RPD is now linked with the NWSM to form a single NWC vote package for coordination and approval through the NWC Chair. The Chair forwards the NWSM to the Secretaries of Defense and Energy for signature and distributes the RPD to the NWC and NWCSSC members.

The RPD identifies long-term planning considerations that affect the future of the nuclear weapons stockpile. It provides detailed technical information and analyses that support the development of the NWSM and the proposed Presidential Directive containing the NWSP. The NWSM, which was formerly coordinated to satisfy only a statutory requirement, has evolved into an instrument for programmatic authorization. This is particularly true for the NNSA, which relies on the current NWSM/RPD to direct and authorize its planning decisions and to serve as the basis for workload scheduling in the field.

When the military requirements are received from the Joint Staff in March, the NWC Staff develops and coordinates the NWSM/RPD package for review and

⁶ The *Atomic Energy Act of 1954* requires that the President provide annual authorization for all U.S. nuclear weapons production.

approval by the NWCSSC. After coordination and approval, the NWCSSC forwards the NWSM/RPD package to the NWC for review and approval. Following NWC approval, the package is transmitted to the Secretaries of Defense and Energy for signature.

After it is signed by the two Secretaries, the NWSM is forwarded to the President with the proposed NWSF. The approved RPD is distributed to the NWC and NWCSSC members and is provided informally to the National Security Council, if requested. The NWSM package is due annually to the President no later than September 30.

7.8.2 NWC Report on Stockpile Assessments (ROSA)

In August 1995, President William J. Clinton announced the establishment of a “new annual reporting and certification requirement that will ensure that our nuclear weapons remain safe and reliable under a comprehensive test ban.” In this speech, the President announced the decision to pursue a “true zero-yield Comprehensive Test Ban Treaty.” As a central part of this decision, the President established a number of safeguards designed to define the conditions under which the United States would enter into such a treaty.

Among these safeguards was Safeguard F, which specified the exact conditions under which the United States would invoke the standard “supreme national interest clause” and withdraw from a comprehensive test ban treaty.⁷ The annual assessment process, of which the NWC Report on Stockpile Assessments (formerly called the “Annual Certification Report”) is but one element, was originally developed to correspond with Safeguard F.

Although the United States did not ratify the Comprehensive Test Ban Treaty (CTBT) and the Treaty has not entered into force, the United States continues to observe a self-imposed moratorium on UGT. The annual assessment process, originally associated with the CTBT, has evolved independently of the Treaty. As long as the United States continues to observe a self-imposed UGT moratorium, or until the CTBT receives U.S. ratification and enters into force, the annual assessment process serves to ensure that the safety and reliability of the stockpile is regularly evaluated in the absence of UGT.

The annual assessment process itself was originally modeled on the structure of Safeguard F, and that structure remains valid at the present time. Safeguard

⁷ This clause is written into almost all international treaties. It states that the signatory reserves the right to withdraw from the treaty to protect supreme national interests. Most treaties define a specific withdrawal process that normally involves, among other things, advance notification to all States that are party to the treaty.

F specified that if the President were informed by the Secretaries of Defense and Energy—as advised by the NWC, the Directors of the NNSA’s Nuclear Weapons Laboratories and the Commander of the United States Strategic Command (USSTRATCOM)—that “a high level of confidence in the safety or reliability of a nuclear weapon-type which the two Secretaries consider to be critical to the U.S. nuclear deterrent can no longer be certified,” the President (in consultation with Congress) would be prepared to conduct whatever testing may be required.⁸

The FY03 National Defense Authorization Act, legally codified the requirement for an annual stockpile assessment process. Specifically, section 3141 of the law requires that the Secretaries of Defense and Energy submit a package of reports on the results of their annual assessment to the President by March 1 of each year. The President must forward the reports to Congress by March 15.

These reports are prepared individually by the directors of the three DOE weapons laboratories—Los Alamos National Laboratory (LANL), Lawrence Livermore National Laboratory (LLNL), and Sandia National Laboratories (SNL)—and by the Commander of USSTRATCOM, who is responsible for nuclear weapons targeting within the DoD. The reports provide each official’s assessment of the safety, reliability, and performance of each warhead-type in the nuclear stockpile. In addition, the Commander of USSTRATCOM assesses the military effectiveness of the weapons. In particular, the reports include a recommendation on the need to conduct an underground nuclear test to resolve any identified issues. The Secretaries of Defense and Energy are required to submit these reports unaltered to the President, along with the conclusions the Secretaries have reached as to the safety, reliability, performance, and military effectiveness of the U.S.

nuclear deterrent. The NWC supports the two Secretaries in fulfilling their responsibility to inform the President if a return to underground nuclear testing is required to address any issues associated with the stockpile. See Figure 7.10 for summary information about the ROSA.

ROSA	
Requirement:	Statute
Reporting period:	Fiscal Year
Annual due date:	01 March
Drafted by:	NNSA/NWC Staff
Coordinated through:	NWCSSC and NWC
Signed by:	NWC Members
Submitted/Transmitted to:	The Secretary of Defense and the Secretary of Energy

Figure 7.10 ROSA Summary Information

⁸ Because the CTBT is not in force, the U.S. would not need to invoke the “supreme national interest clause” to resume testing.

While the principal purpose of annual assessment is to provide analyses of and judgments about the safety, reliability, performance, and military effectiveness of the nuclear stockpile, the process would not be used as a vehicle for notifying decision makers about an immediate need to conduct a nuclear test. If an issue with a weapon were to arise that required a nuclear test to resolve, the Secretaries of Defense and Energy, the President, and the Congress would be notified immediately outside of the context of the annual assessment process.

7.8.3 NWC Chairman's Annual Report to Congress (CARC)

An FY95 amendment to Title 10 USC 179 requires the NWC Chairman to submit a report to Congress each fiscal year evaluating the “effectiveness and efficiency of the Council and the deliberative and decision-making processes used.” The CARC is submitted through the Secretary of Energy. The law requires that the CARC also contain a description of all activities conducted by the NNSA during the reporting period, as well as all nuclear weapons-related activities planned by the NNSA for the following fiscal year that have been approved by the NWC for the study, development, production, or retirement of nuclear warheads. When the President’s budget is submitted to Congress, the Secretary of Energy is required to submit the CARC to Congress in a classified form. The Report is sent to the House and Senate Committees on

CARC	
Requirement:	FY95 amendment to Title 10 US 179
Reporting period:	Fiscal Year
Annual due date:	NLT first Monday in February
Drafted by:	NWC Staff
Coordinated through:	NWC and NWCSSC
Signed by:	Secretary of Energy
Submitted/Transmitted to:	House and Senate Committees on Armed Services and Appropriations

Armed Services and Appropriations. The first CARC was submitted to Congress in February of 1995. Summary information about the CARC is located in Figure 7.11.

The NWC Staff drafts and coordinates the CARC in consultation with the Action Officers representing the NWC members. The Report

is coordinated and approved at the NWCSSC level and forwarded to the NWC for final review and approval. After NWC approval, the CARC is signed by the NWC Chairman and forwarded to the Secretary of Energy. The DOE prepares the eight letters containing the CARC to the committee chairpersons and ranking members. The Secretary signs the letters, and they are then transmitted to Congress.

Figure 7.11 CARC Summary Information

7.8.4 Joint Surety Report (JSR)

National Security Presidential Directive-28, *United States Nuclear Weapons Command and Control, Safety, and Security*, dated June 20, 2003,⁹ requires the DoD and the DOE to prepare and submit to the President an annual joint surety report that assesses, as a minimum, nuclear weapon safety, security, control, emergency response, inspection and evaluation programs, and the impact of budget constraints on required improvement programs. This report also addresses the current status of each of these subject areas, as well as the impact of trends affecting capabilities and the nature of the threat. The security assessment also includes separate DoD and DOE descriptions of the current state of protection of their respective nuclear weapons facilities in the United States, its territories, and overseas. The report primarily covers activities of the preceding fiscal year and is due on March 31, 180 days after the end of that fiscal year.

Currently, the NNSA prepares the preliminary draft of the JSR. The NWC Staff is then responsible for further drafting and coordination of the JSR with input from the DoD and the NNSA. When all preliminary comments are received and incorporated, the JSR is then reviewed and approved by the NWCSSC. This is followed by an NWC vote to approve the report before it is forwarded to the Secretaries of Defense and Energy for signature. The JSR, along with the Nuclear Command and Control System

JSR	
Requirement:	NSPD-28
Reporting period:	Fiscal Year
Annual due date:	31 March
Drafted by:	NNSA/NWC Staff
Coordinated through:	NWC and NWCSSC
Signed by:	Secretary of Energy
Submitted/Transmitted to:	House and Senate Committees on Armed Services and Appropriations

Figure 7.12 JSR Summary Information

Annual Report, is submitted to the President by March 31 each year. Summary information about the JSR is located in Figure 7.12.



⁹ NSPD-20 replaces the Reagan Administration June 27, 1988 National Security Decision Directive Number 309.

