

35
Revised

AMENDMENT TO H.R. 5658, AS REPORTED
OFFERED BY MR. FOSTER OF ILLINOIS

At the end of title XXXI, insert the following:

1 **SEC. 3113. ENHANCING NUCLEAR FORENSICS CAPABILI-**
2 **TIES.**

3 (a) NNSA FELLOWSHIP PROGRAM FOR GRADUATE
4 STUDENTS IN NUCLEAR CHEMISTRY.—

5 (1) IN GENERAL.—The Administrator for Nu-
6 clear Security shall establish a fellowship program
7 for graduate students who are Ph.D. candidates in
8 the field of nuclear chemistry.

9 (2) SENSE OF CONGRESS.—It is the sense of
10 Congress that the fellowship program should—

11 (A) support at least six graduate students
12 per year; and

13 (B) require each graduate student to spend
14 at least two summers in a national security lab-
15 oratory over the course of the program.

16 (3) FUNDING.—Of the amounts appropriated
17 pursuant to an authorization of appropriations in
18 this Act or otherwise made available from amounts
19 for weapons activities from the National Nuclear Se-
20 curity Administration for national technical nuclear

1 forensics for fiscal year 2009, \$3,000,000 shall be
2 available to establish the fellowship program.

3 (4) PLAN.—No later than February 1, 2009,
4 the Administrator shall submit to the congressional
5 defense committees a plan describing the costs of
6 continuing the program for fiscal year 2010 and
7 thereafter.

8 (b) NNSA RESEARCH AND DEVELOPMENT PROGRAM
9 ON NUCLEAR FORENSICS RADIATION-MEASUREMENT
10 EQUIPMENT.—

11 (1) IN GENERAL.—The Administrator for Nu-
12 clear Security shall carry out a research and devel-
13 opment program to improve the speed and accuracy
14 of nuclear forensics radiation-measurement equip-
15 ment.

16 (2) FUNDING.—Of the amounts appropriated
17 pursuant to an authorization of appropriations in
18 this Act or otherwise made available from amounts
19 for weapons activities from the National Nuclear Se-
20 curity Administration for national technical nuclear
21 forensics for fiscal year 2009, \$2,000,000 shall be
22 available to carry out the research and development
23 program.

24 (3) PLAN.—No later than February 1, 2009,
25 the Administrator shall submit to the congressional

1 defense committees a plan for the research and de-
2 velopment program, including a description of the
3 costs of continuing the program for fiscal year 2010
4 and thereafter.

5 (c) RESEARCH AND DEVELOPMENT PLAN FOR NU-
6 CLEAR FORENSICS AND ATTRIBUTION.—

7 (1) RESEARCH AND DEVELOPMENT.—The Sec-
8 retary of Energy shall prepare a research and devel-
9 opment plan to prioritize research and development
10 efforts in the Department of Energy, and at the na-
11 tional laboratories overseen by offices of the Depart-
12 ment of Energy, on the technical capabilities re-
13 quired—

14 (A) to enable a robust and timely nuclear
15 forensic response to a nuclear explosion or to
16 the interdiction of nuclear material or a nuclear
17 weapon anywhere in the world; and

18 (B) to develop an international database
19 containing data on nuclear material, to enable
20 the attribution of nuclear material or a nuclear
21 weapon to its source.

22 (2) REPORTS.—

23 (A) The Secretary of Energy shall submit
24 to the congressional defense committees—

1 (i) not later than 6 months after the
2 date of enactment of this Act, a report on
3 the contents of the research and develop-
4 ment plan described in paragraph (1), and
5 any legislative changes required to imple-
6 ment the plan; and

7 (ii) not later than 18 months after the
8 date of enactment of this Act, a report on
9 the implementation status of the plan.

10 (B) The Secretary shall submit each report
11 required by this subsection in unclassified form,
12 but may include a classified annex with such re-
13 port.

14 (d) ADDITIONAL INFORMATION TO BE INCLUDED IN
15 REPORT ON NUCLEAR FORENSICS CAPABILITIES.—Sec-
16 tion 3129(b) of the National Defense Authorization Act
17 for Fiscal Year 2008 (Public Law 110–181; 122 Stat.
18 585) is amended—

19 (1) in paragraph (2), by striking “and” at the
20 end;

21 (2) in paragraph (3), by striking the period at
22 the end and inserting “; and”; and

23 (3) by adding at the end the following:

24 “(4) any legislative, regulatory, or treaty ac-
25 tions necessary to facilitate international cooperation

1 in enhancement of international nuclear-material
2 databases and the linking of those databases to en-
3 able prompt data access.”.

4 (e) REPORT ON NUCLEAR FORENSICS ADVISORY
5 PANEL.—

6 (1) ESTABLISHMENT.—The Secretary of De-
7 fense, in consultation with the Secretary of Energy
8 and the Secretary of Homeland Security, shall sub-
9 mit a report describing a joint recommendation for
10 establishing an independent Nuclear Forensics Advi-
11 sory Panel of recognized experts not directly associ-
12 ated with the Federal laboratories.

13 (2) ROLE OF INDEPENDENT PANEL.—The
14 function of such an independent panel should be to
15 provide independent validation of any Federal nu-
16 clear forensics analysis.

17 (3) REPORT.—Not later than 180 days after
18 the date of the enactment of this Act, the Secre-
19 taries referred to in paragraph (1) shall submit a re-
20 port on the structure and membership of the panel
21 required by that paragraph. The report shall be sub-
22 mitted to—

23 (A) the Committee on Appropriations,
24 Committee on Armed Services, and Committee

1 on Homeland Security of the House of Rep-
2 resentatives; and

3 (B) the Committee on Appropriations,
4 Committee on Armed Services, and Committee
5 on Homeland Security and Government Affairs
6 of the Senate.

7 (f) PRESIDENTIAL REPORT ON INVOLVEMENT OF
8 SENIOR-LEVEL EXECUTIVE BRANCH LEADERSHIP IN
9 CERTAIN EXERCISES THAT INCLUDE NUCLEAR
10 FORENSICS ANALYSIS.—Not later than 90 days after the
11 date of the enactment of this Act, the President shall sub-
12 mit a report on the involvement of senior-level executive
13 branch leadership in planned nuclear terrorism prepared-
14 ness exercises that have nuclear forensics analysis as a
15 component of the exercise. The report shall be submitted
16 to—

17 (1) the Committee on Appropriations, the Com-
18 mittee on Armed Services, and the Committee on
19 Homeland Security of the House of Representatives;
20 and

21 (2) the Committee on Appropriations, the Com-
22 mittee on Armed Services, and the Committee on
23 Homeland Security and Government Affairs of the
24 Senate.

