

§ 5964. Metrics for the Cooperative Threat Reduction Program

(a) Metrics required

The Secretary of Defense shall develop and implement metrics to measure the impact and effectiveness of activities of the Cooperative Threat Reduction Program of the Department of Defense to address threats arising from the proliferation of chemical, nuclear, and biological weapons and weapons-related materials, technologies, and expertise.

(b) Secretary of Defense report on metrics

Not later than 270 days after October 28, 2009, the Secretary of Defense shall submit to the appropriate congressional committees a report describing the metrics developed and implemented under subsection (a).

(c) National Academy of Sciences assessment and report on metrics

(1) Assessment

Not later than 30 days after the date on which the report is submitted by the Secretary of Defense under subsection (b), the Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall carry out an assessment to review the metrics developed and implemented under subsection (a) and identify possible additional or alternative metrics, if necessary.

(2) Report

The National Academy of Sciences shall submit to the appropriate congressional committees and the Secretary of Defense a report on the results of the assessment carried out under paragraph (1).

(3) Secretary of Defense report

(A) Not later than 90 days after receipt of the report required by paragraph (2), the Secretary shall submit to the appropriate congressional committees a report on the assessment carried out by the National Academy of Sciences.

(B) The report under subparagraph (A) shall include the following:

- (i) A summary of the results of the assessment carried out under paragraph (1).
- (ii) An evaluation by the Secretary of the assessment.
- (iii) A statement of the actions, if any, to be undertaken by the Secretary to implement any recommendations in the assessment.

(C) The report under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(d) Funding

Of the amounts appropriated pursuant to the authorization of appropriations in section 301(20)¹ or otherwise made available for Cooperative Threat Reduction Programs for fiscal year 2010, not more than \$1,000,000 may be obligated

or expended to carry out paragraphs (1) and (2) of subsection (c).

(e) Appropriate congressional committees defined

In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate.

(Pub. L. 111–84, div. A, title XIII, §1304, Oct. 28, 2009, 123 Stat. 2558.)

REFERENCES IN TEXT

Section 301(20), referred to in subsec. (d), is section 301(20) of Pub. L. 111–84, div. A, title III, Oct. 28, 2009, 123 Stat. 2247, which is not classified to the Code.

CODIFICATION

Section was enacted as part of the National Defense Authorization Act for Fiscal Year 2010, and not as part of the Cooperative Threat Reduction Act of 1993 which comprises this chapter.

DEFINITION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS FOR PURPOSES OF PUB. L. 111–84

Pub. L. 111–84, div. A, title XIII, §1301(a), Oct. 28, 2009, 123 Stat. 2555, provided that: “For purposes of section 301 [123 Stat. 2246] and other provisions of this Act [see Tables for classification], Cooperative Threat Reduction programs are the programs specified in section 1501 of the National Defense Authorization Act for Fiscal Year 1997 [Pub. L. 104–201] (50 U.S.C. 2362 note).”

§ 5965. Cooperative Threat Reduction Program authority for urgent threat reduction activities

(a) In general

Subject to the notification requirement under subsection (b), not more than 10 percent of the total amounts appropriated or otherwise made available in any fiscal year for the Cooperative Threat Reduction Program of the Department of Defense may be expended, notwithstanding any other law, for activities described under subsection (b)(1)(B).

(b) Determination and notice

(1) Determination

The Secretary of Defense, with the concurrence of the Secretary of State and the Secretary of Energy, may make a written determination that—

(A) threats arising from the proliferation of chemical, nuclear, and biological weapons or weapons-related materials, technologies, and expertise must be addressed urgently;

(B) certain provisions of law would unnecessarily impede the Secretary’s ability to carry out activities of the Cooperative Threat Reduction Program of the Department of Defense to address such threats; and

(C) it is necessary to expend amounts described in subsection (a) to carry out such activities.

(2) Notice required

Not later than 15 days before obligating or expending funds under the authority provided

¹ See References in Text note below.