

amended Pub. L. 108-136, div. C, title XXXI, §3141(h)(5)(B), Nov. 24, 2003, 117 Stat. 1773, related to a counterintelligence polygraph program for the defense-related activities of the Department of Energy. See section 2654 of this title.

EFFECTIVE DATE OF REPEAL

Pub. L. 107-314, div. D, title XLV, §4504(c), formerly Pub. L. 107-107, div. C, title XXXI, §3152(c), Dec. 28, 2001, 115 Stat. 1377, renumbered Pub. L. 107-314, div. D, title XLV, §4504(c), and amended Pub. L. 108-136, div. C, title XXXI, §3141(h)(5)(A), Nov. 24, 2003, 117 Stat. 1772, provided that the repeal of this section is effective 30 days after the Secretary of Energy submits to the Committees on Armed Services and Appropriations of Senate and House of Representatives the Secretary's certification that the final rule for the new counterintelligence polygraph program required by section 2654(a) of this title has been fully implemented (Such certifications were submitted Oct. 31, 2006.).

§ 2656. Notice to congressional committees of certain security and counterintelligence failures within atomic energy defense programs

(a) Required notification

The Secretary of Energy shall submit to the Committees on Armed Services of the Senate and House of Representatives a notification of each significant atomic energy defense intelligence loss. Any such notification shall be provided only after consultation with the Director of National Intelligence and the Director of the Federal Bureau of Investigation, as appropriate.

(b) Significant atomic energy defense intelligence losses

In this section, the term "significant atomic energy defense intelligence loss" means any national security or counterintelligence failure or compromise of classified information at a facility of the Department of Energy or operated by a contractor of the Department that the Secretary considers likely to cause significant harm or damage to the national security interests of the United States.

(c) Manner of notification

Notification of a significant atomic energy defense intelligence loss under subsection (a) shall be provided, in accordance with the procedures established pursuant to subsection (d), not later than 30 days after the date on which the Department of Energy determines that the loss has taken place.

(d) Procedures

The Secretary of Energy and the Committees on Armed Services of the Senate and House of Representatives shall each establish such procedures as may be necessary to protect from unauthorized disclosure classified information, information relating to intelligence sources and methods, and sensitive law enforcement information that is submitted to those committees pursuant to this section and that are otherwise necessary to carry out the provisions of this section.

(e) Statutory construction

(1) Nothing in this section shall be construed as authority to withhold any information from the Committees on Armed Services of the Senate and House of Representatives on the grounds that providing the information to those commit-

tees would constitute the unauthorized disclosure of classified information, information relating to intelligence sources and methods, or sensitive law enforcement information.

(2) Nothing in this section shall be construed to modify or supersede any other requirement to report information on intelligence activities to the Congress, including the requirement under section 413 of this title for the President to ensure that the congressional intelligence committees are kept fully informed of the intelligence activities of the United States and for those committees to notify promptly other congressional committees of any matter relating to intelligence activities requiring the attention of those committees.

(Pub. L. 107-314, div. D, title XLV, §4505, formerly Pub. L. 106-65, div. C, title XXXI, §3150, Oct. 5, 1999, 113 Stat. 939; renumbered Pub. L. 107-314, div. D, title XLV, §4505, by Pub. L. 108-136, div. C, title XXXI, §3141(h)(6), Nov. 24, 2003, 117 Stat. 1773; Pub. L. 112-239, div. C, title XXXI, §3131(m)(1), (bb)(1)(D), Jan. 2, 2013, 126 Stat. 2182, 2185.)

CODIFICATION

Section was formerly classified to section 7383d of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

AMENDMENTS

2013—Pub. L. 112-239, §3131(m)(1)(A), substituted "atomic" for "nuclear" in section catchline.

Subsec. (a). Pub. L. 112-239, §3131(bb)(1)(D), substituted "Director of National Intelligence" for "Director of Central Intelligence".

Pub. L. 112-239, §3131(m)(1)(C), substituted "atomic energy defense" for "nuclear defense".

Subsec. (b). Pub. L. 112-239, §3131(m)(1)(B), (C), substituted "atomic energy" for "nuclear" in heading and "atomic energy defense" for "nuclear defense" in text.

Subsec. (c). Pub. L. 112-239, §3131(m)(1)(C), substituted "atomic energy defense" for "nuclear defense".

§ 2657. Submittal of annual report on status of security functions at nuclear weapons facilities

Not later than September 1 each year, the Secretary of Energy shall submit to the congressional defense committees the report entitled "Annual Report to the President on the Status of Safeguards and Security of Domestic Nuclear Weapons Facilities", or any successor report to such report.

(Pub. L. 107-314, div. D, title XLV, §4506, formerly Pub. L. 105-85, div. C, title XXXI, §3162, Nov. 18, 1997, 111 Stat. 2049; Pub. L. 106-65, div. C, title XXXI, §3142(h)(2), Oct. 5, 1999, 113 Stat. 934; renumbered Pub. L. 107-314, div. D, title XLV, §4506, and amended Pub. L. 108-136, div. C, title XXXI, §3141(h)(7), Nov. 24, 2003, 117 Stat. 1773.)

CODIFICATION

Section was formerly set out as a note under section 7274m of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

AMENDMENTS

2003—Subsec. (b). Pub. L. 108-136, §3141(h)(7)(D), which directed the amendment of subsec. (b) by inserting "of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 2048; 42 U.S.C. 7251 note)" after "section 3161", could not be executed be-