

SUBCHAPTER II—RESTRICTIONS AND  
LIMITATIONS

**§ 3731. Prohibition on use of funds for specified purposes**

**(a) In general**

Cooperative Threat Reduction funds may not be obligated or expended for any of the following purposes:

- (1) Conducting any peacekeeping exercise or other peacekeeping-related activity.
- (2) Provision of housing.
- (3) Provision of assistance to promote environmental restoration.
- (4) Provision of assistance to promote job retraining.
- (5) Provision of assistance to promote defense conversion.

**(b) Limitation with respect to conventional weapons**

Cooperative Threat Reduction funds may not be obligated or expended for the elimination of—

- (1) conventional weapons; or
- (2) delivery vehicles of conventional weapons, unless such delivery vehicles could reasonably be used or adapted to be used for the delivery of chemical, nuclear, or biological weapons.

(Pub. L. 113–291, div. A, title XIII, §1331, Dec. 19, 2014, 128 Stat. 3601.)

**§ 3732. Requirement for on-site managers**

**(a) On-site manager requirement**

Before obligating any Cooperative Threat Reduction funds for a project described in subsection (b), the Secretary of Defense shall appoint one on-site manager for that project. The manager shall be appointed from among employees of the Federal Government.

**(b) Projects covered**

Subsection (a) applies to a project—

- (1) to be located in a state of the former Soviet Union;
- (2) which involves dismantlement, destruction, or storage facilities, or construction of a facility; and
- (3) with respect to which the total contribution by the Department of Defense is expected to exceed \$50,000,000.

**(c) Duties of on-site manager**

The on-site manager appointed under subsection (a) shall—

- (1) develop, in cooperation with representatives from governments of states participating in the project, a list of those steps or activities critical to achieving the disarmament or nonproliferation goals of the project;
- (2) establish a schedule for completing those steps or activities;
- (3) meet with all participants to seek assurances that those steps or activities are being completed on schedule; and
- (4) suspend the participation of the United States in a project when a participant other than the United States fails to complete a scheduled step or activity on time, unless the Secretary of Defense directs the on-site man-

ager to resume the participation of the United States.

**(d) Authority to manage more than one project**

**(1) In general**

Subject to paragraph (2), an employee of the Federal Government may serve as on-site manager for more than one project, including projects at different locations.

**(2) Limitation**

If such an employee serves as on-site manager for more than one project in a fiscal year, the total cost of the projects for that fiscal year may not exceed \$150,000,000.

**(e) Steps or activities**

Steps or activities referred to in subsection (c)(1) are those steps or activities that, if not completed, will prevent a project from achieving its disarmament or nonproliferation goals, including, at a minimum, the following:

- (1) Identification and acquisition of permits (as defined in section 3733 of this title).
- (2) Verification that the items, substances, or capabilities to be dismantled, secured, or otherwise modified are available for dismantlement, securing, or modification.
- (3) Timely provision of financial, personnel, management, transportation, and other resources.

**(f) Notification to Congress**

In any case in which the Secretary directs an on-site manager to resume the participation of the United States in a project under subsection (c)(4), the Secretary shall notify the congressional defense committees of such direction by not later than 30 days after the date of such direction.

(Pub. L. 113–291, div. A, title XIII, §1332, Dec. 19, 2014, 128 Stat. 3601.)

**§ 3733. Limitation on use of funds until certain permits obtained**

**(a) In general**

The Secretary of Defense shall seek to obtain all the permits required to complete each phase of construction of a project under the Program in a state of the former Soviet Union before obligating more than 40 percent of the total costs of that phase of the project.

**(b) Use of funds for new construction projects**

Except as provided in subsection (c), with respect to a new construction project to be carried out by the Program, not more than 40 percent of the total costs of the project may be obligated from Cooperative Threat Reduction funds for any fiscal year until the Secretary—

- (1) determines the number and type of permits that may be required for the lifetime of the project in the proposed location or locations of the project; and
- (2) obtains from the state in which the project is to be located any permits that may be required to begin construction.

**(c) Exception to limitations on use of funds**

The limitation in subsection (b) on the obligation of funds for a construction project otherwise covered by such subsection shall not apply

with respect to the obligation of funds for a particular project if the Secretary—

- (1) determines that it is necessary in the national interest to obligate funds for such project; and
- (2) submits to the congressional defense committees a notification of the intent to obligate funds for such project, together with a complete discussion of the justification for doing so.

**(d) Definitions**

In this section, with respect to a project under the Program:

- (1) The term “new construction project” means a construction project for which no funds have been obligated or expended as of November 24, 2003.
- (2) The term “permit” means any local or national permit for development, general construction, environmental, land use, or other purposes that is required for purposes of major construction.

(Pub. L. 113–291, div. A, title XIII, §1333, Dec. 19, 2014, 128 Stat. 3602.)

**§ 3734. Limitation on availability of funds for Cooperative Threat Reduction activities with Russian Federation**

**(a) Sense of Congress**

It is the sense of Congress that—

- (1) the United States should carry out activities under the Program in the Russian Federation only if those activities are consistent with and in support of the security interests of the United States; and
- (2) in carrying out any such activities after December 19, 2014, the Secretary of Defense should focus on only those activities that—
  - (A) are in support of the arms control obligations of the United States and the Russian Federation; or
  - (B) will reduce the threats posed by weapons of mass destruction and related materials and technology to the United States and countries in the Euro-Atlantic and Eurasian regions.

**(b) Completion of Cooperative Threat Reduction activities in Russian Federation**

Cooperative Threat Reduction funds made available for a fiscal year after fiscal year 2015 may not be obligated or expended for activities in the Russian Federation unless such activities in Russia are specifically authorized by law.

(Pub. L. 113–291, div. A, title XIII, §1334, Dec. 19, 2014, 128 Stat. 3603.)

SUBCHAPTER III—RECURRING  
CERTIFICATIONS AND REPORTS

**§ 3741. Annual certifications on use of facilities being constructed for Department of Defense Cooperative Threat Reduction projects or activities**

Not later than the first Monday in February each year, the Secretary of Defense shall submit to the congressional defense committees a certification for each facility of a project or activity of the Program for which construction oc-

curred during the preceding fiscal year on matters as follows:

- (1) Whether or not such facility will be used for its intended purpose by the government of the foreign country in which the facility is constructed.
- (2) Whether or not the government of such country remains committed to the use of such facility for such purpose.
- (3) Whether the actions needed to ensure security at the facility, including the secure transportation of any materials, substances, or weapons to, from, or within the facility, have been taken.

(Pub. L. 113–291, div. A, title XIII, §1341, Dec. 19, 2014, 128 Stat. 3604.)

**§ 3742. Requirement to submit summary of amounts requested by project category**

**(a) Summary required**

The Secretary of Defense shall submit to the congressional defense committees in the materials and manner specified in subsection (c)—

- (1) a descriptive summary, with respect to the appropriations requested for the Program for the fiscal year after the fiscal year in which the summary is submitted, of the amounts requested for each project category under each program element; and
- (2) a descriptive summary, with respect to appropriations for the Program for the fiscal year in which the list is submitted and the previous fiscal year, of the amounts obligated or expended, or planned to be obligated or expended, for each project category under each program element.

**(b) Description of purpose and intent**

The descriptive summary required under subsection (a) shall include a narrative description of each program and project category under each program element that explains the purpose and intent of the funds requested.

**(c) Inclusion in certain materials submitted to Congress**

The summary required to be submitted in a fiscal year under subsection (a) shall be set forth by project category, and by amounts specified in paragraphs (1) and (2) of such subsection in connection with such project category, in each of the following:

- (1) The annual report on activities and assistance under the Program required in such fiscal year under section 3743 of this title.
- (2) The budget justification materials submitted to Congress in support of the Department of Defense budget for the fiscal year succeeding such fiscal year (as submitted with the budget of the President under section 1105 of title 31).

(Pub. L. 113–291, div. A, title XIII, §1342, Dec. 19, 2014, 128 Stat. 3604.)

**§ 3743. Reports on activities and assistance under Department of Defense Cooperative Threat Reduction Program**

**(a) Annual report**

In any year in which the President submits to Congress, under section 1105 of title 31, the budg-