

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-

et for a fiscal year that requests funds for the Department of Defense for activities or assistance under the Program, the Secretary of Defense, after consultation with the Secretary of State, shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on the activities and assistance carried out under the Program.

**(b) Deadline**

Each report under subsection (a) shall be submitted not later than the first Monday in February of a year.

**(c) Matters included**

Each report under subsection (a) shall include the following:

(1) An estimate of the total amount that will be required to be expended by the United States during the fiscal year covered by the budget described in subsection (a) in order to achieve the objectives of the Program.

(2) A five-year plan setting forth the amount of funds and other resources proposed to be provided by the United States for the Program during the period covered by the plan, including the purpose for which such funds and resources will be used.

(3) A description of the activities and assistance carried out under the Program during the fiscal year preceding the submission of the report, including—

(A) the funds notified, obligated, and expended for such activities and assistance and the purposes for which such funds were notified, obligated, and expended for such fiscal year and cumulatively for the Program;

(B) a description of the participation, if any, of each department and agency of the Federal Government in such activities and assistance;

(C) a description of such activities and assistance, including the forms of assistance provided;

(D) a description of the United States private sector participation in the portion of such activities and assistance that were supported by the obligation and expenditure of funds for the Program; and

(E) such other information as the Secretary considers appropriate to fully inform Congress of the operation of activities and assistance carried out under the Program, including, with respect to proposed demilitarization or conversion projects, information on the progress toward demilitarization of facilities and the conversion of the demilitarized facilities to civilian activities.

(4) A description of the means (including program management, audits, examinations, and other means) used by the United States during the fiscal year preceding the submission of the report to ensure that assistance provided under the Program is fully accounted for, that such assistance is being used for its intended purpose, and that such assistance is being used efficiently and effectively, including—

(A) if such assistance consisted of equipment, a description of the current location

of such equipment and the current condition of such equipment;

(B) if such assistance consisted of contracts or other services, a description of the status of such contracts or services and the methods used to ensure that such contracts and services are being used for their intended purpose;

(C) a determination whether the assistance described in subparagraphs (A) and (B) has been used for its intended purpose and an assessment of whether the assistance being provided is being used effectively and efficiently; and

(D) a description of the efforts planned to be carried out during the fiscal year beginning in the year of the report to ensure that Department of Defense Cooperative Threat Reduction assistance provided during such fiscal year is fully accounted for and is used for its intended purpose.

(5) A description of the defense and military activities carried out under section 3711(a)(6) of this title during the fiscal year preceding the submission of the report, including—

(A) the amount of funds obligated or expended for such activities;

(B) the strategy, goals, and objectives for which such funds were obligated and expended;

(C) a description of the activities carried out, including the forms of assistance provided, and the justification for each form of assistance provided;

(D) the success of each activity, including the goals and objectives achieved for each activity;

(E) a description of participation by private sector entities in the United States in carrying out such activities, and the participation of any other department or agency of the Federal Government in such activities; and

(F) any other information that the Secretary considers relevant to provide a complete description of the operation and success of activities carried out under the Program.

(Pub. L. 113–291, div. A, title XIII, § 1343, Dec. 19, 2014, 128 Stat. 3605.)

**§ 3744. Metrics for Department of Defense Cooperative Threat Reduction Program**

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

(Pub. L. 113–291, div. A, title XIII, § 1344, Dec. 19, 2014, 128 Stat. 3606.)

SUBCHAPTER IV—TRANSITION PROVISIONS

**§ 3751. Transition provisions**

**(a) Determinations relating to certain proliferation threat reduction projects and activities**

Any determination made before December 19, 2014, under section 5963(a)<sup>1</sup> of title 22 shall be

<sup>1</sup> See References in Text note below.