

**(c) Facilities specified**

Subsection (a) shall apply—

(1) to the Administrator with respect to the national security laboratories and the nuclear weapons production facilities; and

(2) to the Secretary of Energy with respect to defense nuclear facilities of the Office of Environmental Management of the Department of Energy.

(Pub. L. 107-314, div. D, title XLVI, §4645, as added Pub. L. 112-239, div. C, title XXXI, §3161(a), Jan. 2, 2013, 126 Stat. 2203.)

**§ 2736. Notification of nuclear criticality and non-nuclear incidents****(a) Notification**

The Secretary of Energy or the Administrator, as the case may be, shall submit to the appropriate congressional committees a notification of a nuclear criticality incident resulting from a covered program that results in an injury or fatality or results in the shutdown, or partial shutdown, of a covered facility by not later than 15 days after the date of such incident.

**(b) Elements of notification**

Each notification submitted under subsection (a) shall include the following:

(1) A description of the incident, including the cause of the incident.

(2) In the case of a criticality incident, whether the incident caused a facility, or part of a facility, to be shut down.

(3) The effect, if any, on the mission of the Administration or the Office of Environmental Management of the Department of Energy.

(4) Any corrective action taken in response to the incident.

**(c) Database**

(1) The Secretary shall maintain a record of incidents described in paragraph (2).

(2) An incident described in this paragraph is any of the following incidents resulting from a covered program:

(A) A nuclear criticality incident that results in an injury or fatality or results in the shutdown, or partial shutdown, of a covered facility.

(B) A non-nuclear incident that results in serious bodily injury or fatality at a covered facility.

**(d) Cooperation**

In carrying out this section, the Secretary and the Administrator shall ensure that each management and operating contractor of a covered facility cooperates in a timely manner.

**(e) Definitions**

In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) The term “covered facility” means—

(A) a facility of the nuclear security enterprise; and

(B) a facility conducting activities for the defense environmental cleanup program of the Office of Environmental Management of the Department of Energy.

(3) The term “covered program” means—

(A) programs of the Administration; and

(B) defense environmental cleanup programs of the Office of Environmental Management of the Department of Energy.

(Pub. L. 107-314, div. D, title XLVI, §4646, as added Pub. L. 112-239, div. C, title XXXI, §3142(a)(1), Jan. 2, 2013, 126 Stat. 2194; amended Pub. L. 113-66, div. C, title XXXI, §3146(g)(13), Dec. 26, 2013, 127 Stat. 1080.)

## AMENDMENTS

2013—Subsec. (a). Pub. L. 113-66 substituted “Energy or” for “Energy and”.

## SUBCHAPTER VII—BUDGET AND FINANCIAL MANAGEMENT MATTERS

## PART A—RECURRING NATIONAL SECURITY AUTHORIZATION PROVISIONS

**§ 2741. Definitions**

In this part:

(1) The term “DOE national security authorization” means an authorization of appropriations for activities of the Department of Energy in carrying out programs necessary for national security.

(2) The term “minor construction threshold” means \$10,000,000.

(Pub. L. 107-314, div. D, title XLVII, §4701, formerly div. C, title XXXVI, §3620, Dec. 2, 2002, 116 Stat. 2756; renumbered div. D, title XLVII, §4701, by Pub. L. 108-136, div. C, title XXXI, §3141(j)(2)(A)–(C), Nov. 24, 2003, 117 Stat. 1781; Pub. L. 111-84, div. C, title XXXI, §3118(a), (b), Oct. 28, 2009, 123 Stat. 2709; Pub. L. 111-383, div. C, title XXXI, §3121(a), Jan. 7, 2011, 124 Stat. 4514; Pub. L. 113-66, div. C, title XXXI, §3146(a)(2)(I), Dec. 26, 2013, 127 Stat. 1073.)

## CODIFICATION

Section was formerly classified to section 7386 of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

## AMENDMENTS

2013—Pars. (2), (3). Pub. L. 113-66 redesignated par. (3) as (2) and struck out former par. (2) which defined “congressional defense committees”.

2011—Par. (3). Pub. L. 111-383 substituted “\$10,000,000” for “\$5,000,000”.

2009—Par. (3). Pub. L. 111-84, §3118(b), substituted “\$5,000,000” for “\$10,000,000”.

Pub. L. 111-84, §3118(a), substituted “\$10,000,000” for “\$5,000,000”.

## EFFECTIVE DATE OF 2009 AMENDMENT

Pub. L. 111-84, div. C, title XXXI, §3118(b), Oct. 28, 2009, 123 Stat. 2709, provided that the amendment made by section 3118(b) is effective Sept. 30, 2010.

**§ 2742. Reprogramming****(a) In general**

Except as provided in subsection (b) and in sections 2750 and 2751 of this title, the Secretary