

Secretary of Energy determines are needed to perform that function, power, or duty, or for that activity, as the case may be, shall be transferred to the Administration.

(2) The authorized strength in civilian employees of any element of the Department of Energy from which employees are transferred under this section is reduced by the number of employees so transferred.

(Pub. L. 106-65, div. C, title XXXII, § 3291, Oct. 5, 1999, 113 Stat. 968; Pub. L. 112-239, div. C, title XXXI, § 3132(b)(1), Jan. 2, 2013, 126 Stat. 2185; Pub. L. 113-66, div. C, title XXXI, § 3145(j), Dec. 26, 2013, 127 Stat. 1072.)

#### AMENDMENTS

2013—Subsec. (c). Pub. L. 112-239, § 3132(b)(1)(A), substituted “of the Administration” for “specified in subsection (a)”.

Subsec. (d). Pub. L. 112-239, § 3132(b)(1)(B), added subsec. (d).

Subsec. (d)(1). Pub. L. 113-66 realigned margins of concluding provisions.

Subsec. (e). Pub. L. 112-239, § 3132(b)(1)(B), added subsec. (e).

#### CONSTRUCTION

Pub. L. 112-239, div. C, title XXXI, § 3132(b)(3), Jan. 2, 2013, 126 Stat. 2186, provided that: “Nothing in section 3291 of the National Nuclear Security Administration Act (50 U.S.C. 2481), as amended by paragraph (1), may be construed to affect any function or activity transferred by the Secretary of Energy to the Administrator for Nuclear Security before the date of the enactment of this Act [Jan. 2, 2013].”

#### TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the advanced scientific computing research program and activities at Lawrence Livermore National Laboratory, including the functions of the Secretary of Energy relating thereto, to the Secretary of Homeland Security, see sections 183(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### §§ 2482, 2483. Repealed. Pub. L. 112-239, div. C, title XXXI, § 3132(c)(1)(B), (C), Jan. 2, 2013, 126 Stat. 2186, 2187

Section 2482, Pub. L. 106-65, div. C, title XXXII, § 3292, Oct. 5, 1999, 113 Stat. 969, related to transfer of funds and employees.

Section 2483, Pub. L. 106-65, div. C, title XXXII, § 3295, Oct. 5, 1999, 113 Stat. 970, related to transition provisions.

#### § 2484. Applicability of preexisting laws and regulations

With respect to any facility, mission, or function of the Department of Energy that the Secretary of Energy transfers to the Administrator under section 2481 of this title, unless otherwise provided in this chapter, all provisions of law and regulations in effect immediately before the date of the transfer that are applicable to such facility, mission, or function shall continue to apply to the corresponding functions of the Administration.

(Pub. L. 106-65, div. C, title XXXII, § 3296, Oct. 5, 1999, 113 Stat. 971; Pub. L. 112-239, div. C, title XXXI, § 3132(b)(2), Jan. 2, 2013, 126 Stat. 2186.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title XXXII of div. C of Pub. L. 106-65, Oct. 5, 1999, 113 Stat. 953, as amended, which is classified principally to this chapter. For effective date of this chapter, see section 3299 of Pub. L. 106-65, set out as an Effective Date note under section 2401 of this title. For complete classification of title XXXII to the Code, see Short Title note set out under section 2401 of this title and Tables.

#### AMENDMENTS

2013—Pub. L. 112-239 amended section generally. Prior to amendment, text read as follows: “Unless otherwise provided in this chapter, all provisions of law and regulations in effect immediately before the effective date of this chapter that are applicable to functions of the Department of Energy specified in section 2481 of this title shall continue to apply to the corresponding functions of the Administration.”

### CHAPTER 42—ATOMIC ENERGY DEFENSE PROVISIONS

Sec.

2501. Definitions.

#### SUBCHAPTER I—ORGANIZATIONAL MATTERS

- 2511. Naval Nuclear Propulsion Program.
- 2512. Management structure for nuclear security enterprise.
- 2513. Restriction on licensing requirement for certain defense activities and facilities.
- 2514. Transferred.
- 2515. Establishment of Center for Security Technology, Analysis, Response, and Testing.

#### SUBCHAPTER II—NUCLEAR WEAPONS STOCKPILE MATTERS

##### PART A—STOCKPILE STEWARDSHIP AND WEAPONS PRODUCTION

- 2521. Stockpile stewardship program.
- 2522. Stockpile stewardship criteria.
- 2523. Nuclear weapons stockpile stewardship, management, and responsiveness plan.
- 2523a. Repealed.
- 2523b. Transferred.
- 2523c. Major warhead refurbishment program.
- 2524. Stockpile management program.
- 2524a. Repealed.
- 2525. Annual assessments and reports to the President and Congress regarding the condition of the United States nuclear weapons stockpile.
- 2526. Form of certifications regarding the safety or reliability of the nuclear weapons stockpile.
- 2527. Nuclear test ban readiness program.
- 2528, 2528a. Repealed.
- 2529. Requirements for specific request for new or modified nuclear weapons.
- 2530. Testing of nuclear weapons.
- 2531. Repealed.
- 2532. Manufacturing infrastructure for refabrication and certification of nuclear weapons stockpile.
- 2533. Reports on critical difficulties at national security laboratories and nuclear weapons production facilities.
- 2534. Repealed.
- 2535. Replacement project for Chemistry and Metallurgy Research Building, Los Alamos National Laboratory, New Mexico.
- 2536. Reports on lifetime extension programs.
- 2537. Selected Acquisition Reports and independent cost estimates and reviews of certain programs and facilities.
- 2538. Advice to President and Congress regarding safety, security, and reliability of United States nuclear weapons stockpile.

- Sec. 2538a. Plutonium pit production capacity.
- 2538b. Stockpile responsiveness program.
- 2538c. Long-term plan for meeting national security requirements for unencumbered uranium.

PART B—TRITIUM

- 2541. Tritium production program.
- 2542. Tritium recycling.
- 2543. Repealed.
- 2544. Modernization and consolidation of tritium recycling facilities.
- 2545. Procedures for meeting tritium production requirements.

SUBCHAPTER III—PROLIFERATION MATTERS

- 2561, 2562. Repealed.
- 2563. Annual report on status of Nuclear Materials Protection, Control, and Accounting Program.
- 2564. Repealed.
- 2565. Authority to conduct program relating to fissile materials.
- 2566. Disposition of weapons-usable plutonium at Savannah River Site.
- 2567. Disposition of surplus defense plutonium at Savannah River Site, Aiken, South Carolina.
- 2568. Authority to use international nuclear materials protection and cooperation program funds outside the former Soviet Union.
- 2569. Acceleration of removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.
- 2570. Silk Road Initiative.
- 2571. Nuclear Nonproliferation Fellowships for scientists employed by United States and Russian Federation.
- 2572. International agreements on nuclear weapons data.
- 2573. International agreements on information on radioactive materials.
- 2574. Enhancing nuclear forensics capabilities.
- 2575. Defense nuclear nonproliferation management plan.

SUBCHAPTER IV—DEFENSE ENVIRONMENTAL CLEANUP MATTERS

PART A—DEFENSE ENVIRONMENTAL CLEANUP

- 2581. Defense Environmental Cleanup Account.
- 2582. Requirement to develop future use plans for defense environmental cleanup.
- 2582a. Future-years defense environmental cleanup plan.
- 2583. Integrated fissile materials management plan.
- 2584. Repealed.
- 2585. Accelerated schedule for defense environmental cleanup activities.
- 2586. Defense environmental cleanup technology program.
- 2587. Report on defense environmental cleanup expenditures.
- 2588. Public participation in planning for defense environmental cleanup.
- 2589. Policy of Department of Energy regarding future defense environmental management matters.

PART B—CLOSURE OF FACILITIES

- 2601. Repealed.
- 2602. Reports in connection with permanent closures of Department of Energy defense nuclear facilities.
- 2603. Plan for deactivation and decommissioning of nonoperational defense nuclear facilities.

PART C—HANFORD RESERVATION, WASHINGTON

- 2621. Safety measures for waste tanks at Hanford Nuclear Reservation.

- Sec. 2622. Hanford waste tank cleanup program reforms.
- 2623. River Protection Project.
- 2624. Funding for termination costs of River Protection Project, Richland, Washington.
- 2625. Plan for tank farm waste at Hanford Nuclear Reservation.
- 2626. Hanford Waste Treatment and Immobilization Plant contract oversight.

PART D—SAVANNAH RIVER SITE, SOUTH CAROLINA

- 2631. Accelerated schedule for isolating high-level nuclear waste at the Defense Waste Processing Facility, Savannah River Site.
- 2632. Multi-year plan for clean-up.
- 2633. Continuation of processing, treatment, and disposal of legacy nuclear materials.
- 2634 to 2637. Repealed.
- 2638. Limitation on use of funds for decommissioning F-canyon facility.

SUBCHAPTER V—SAFEGUARDS AND SECURITY MATTERS

PART A—SAFEGUARDS AND SECURITY

- 2651. Prohibition on international inspections of Department of Energy facilities unless protection of Restricted Data is certified.
- 2652. Restrictions on access to national security laboratories by foreign visitors from sensitive countries.
- 2653. Background investigations of certain personnel at Department of Energy facilities.
- 2654. Department of Energy counterintelligence polygraph program.
- 2655. Repealed.
- 2656. Notice to congressional committees of certain security and counterintelligence failures within atomic energy defense programs.
- 2657. Annual report and certification on status of security of atomic energy defense facilities.
- 2658, 2659. Repealed.
- 2660. Design and use of prototypes of nuclear weapons for intelligence purposes.
- 2661. Protection of certain nuclear facilities and assets from unmanned aircraft.

PART B—CLASSIFIED INFORMATION

- 2671. Review of certain documents before declassification and release.
- 2672. Protection against inadvertent release of Restricted Data and Formerly Restricted Data.
- 2673. Supplement to plan for declassification of Restricted Data and Formerly Restricted Data.
- 2674. Protection of classified information during laboratory-to-laboratory exchanges.
- 2675. Identification in budget materials of amounts for declassification activities and limitation on expenditures for such activities.

SUBCHAPTER VI—PERSONNEL MATTERS

PART A—PERSONNEL MANAGEMENT

- 2701. Authority for appointment of certain scientific, engineering, and technical personnel.
- 2702. Whistleblower protection program.
- 2703. Repealed.
- 2704. Department of Energy defense nuclear facilities workforce restructuring plan.
- 2705. Authority to provide certificate of commendation to Department of Energy and contractor employees for exemplary service in stockpile stewardship and security.

PART B—EDUCATION AND TRAINING

- 2721. Executive management training in Department of Energy.

- Sec.  
2722. Stockpile stewardship recruitment and training program.  
2723. Fellowship program for development of skills critical to the nuclear security enterprise.

## PART C—WORKER SAFETY

2731. Worker protection at nuclear weapons facilities.  
2732. Safety oversight and enforcement at defense nuclear facilities.  
2733. Program to monitor Department of Energy workers exposed to hazardous and radioactive substances.  
2734. Programs for persons who may have been exposed to radiation released from Hanford Nuclear Reservation.  
2735. Use of probabilistic risk assessment to ensure nuclear safety of facilities of the Administration and the Office of Environmental Management.  
2736. Notification of nuclear criticality and non-nuclear incidents.

## SUBCHAPTER VII—BUDGET AND FINANCIAL MANAGEMENT MATTERS

## PART A—RECURRING NATIONAL SECURITY AUTHORIZATION PROVISIONS

2741. Definitions.  
2742. Reprogramming.  
2743. Minor construction projects.  
2743a. General plant projects.  
2744. Limits on construction projects.  
2745. Fund transfer authority.  
2746. Conceptual and construction design.  
2747. Authority for emergency planning, design, and construction activities.  
2748. Scope of authority to carry out plant projects.  
2749. Availability of funds.  
2750. Transfer of defense environmental cleanup funds.  
2751. Transfer of weapons activities funds.  
2752. Funds available for all national security programs of the Department of Energy.  
2753. Notification of cost overruns for certain Department of Energy projects.  
2754. Life-cycle cost estimates of certain atomic energy defense capital assets.

## PART B—PENALTIES

2761. Restriction on use of funds to pay penalties under environmental laws.  
2762. Restriction on use of funds to pay penalties under Clean Air Act.

## PART C—OTHER MATTERS

2771. Repealed.  
2772. Quarterly reports on financial balances for atomic energy defense activities.  
2773. Independent acquisition project reviews of capital assets acquisition projects.

## SUBCHAPTER VIII—ADMINISTRATIVE MATTERS

## PART A—CONTRACTS

2781. Costs not allowed under covered contracts.  
2782. Prohibition and report on bonuses to contractors operating defense nuclear facilities.  
2782a. Assessments of emergency preparedness of defense nuclear facilities.  
2783. Contractor liability for injury or loss of property arising out of atomic weapons testing programs.  
2784. Notice-and-wait requirement applicable to certain third-party financing arrangements.  
2785. Publication of contractor performance evaluations leading to award fees.  
2786. Enhanced procurement authority to manage supply chain risk.

- Sec.  
PART B—RESEARCH AND DEVELOPMENT  
2791. Laboratory-directed research and development programs.  
2791a. Laboratory-directed research and development.  
2791b. Charges to individual program, project, or activity.  
2792. Limitations on use of funds for laboratory directed research and development purposes.  
2793. Report on use of funds for certain research and development purposes.  
2794. Critical technology partnerships and cooperative research and development centers.  
2795. University-based research collaboration program.

## PART C—FACILITIES MANAGEMENT

2811. Transfers of real property at certain Department of Energy facilities.  
2812. Engineering and manufacturing research, development, and demonstration by managers of certain nuclear weapons production facilities.  
2813. Pilot program relating to use of proceeds of disposal or utilization of certain Department of Energy assets.  
2814. Department of Energy energy parks program.

## PART D—OTHER MATTERS

2821. Repealed.  
2822. Payment of costs of operation and maintenance of infrastructure at Nevada National Security Site.

## § 2501. Definitions

Except as otherwise provided, in this chapter:  
(1) The term “Administration” means the National Nuclear Security Administration.

(2) The term “Administrator” means the Administrator for Nuclear Security.

(3) The term “classified information” means any information that has been determined pursuant to Executive Order No. 12333 of December 4, 1981 (50 U.S.C. 3001 note), Executive Order No. 12958 of April 17, 1995 (50 U.S.C. 3161 note), Executive Order No. 13526 of December 29, 2009 (50 U.S.C. 3161 note), or successor orders, to require protection against unauthorized disclosure and that is so designated.

(4) The term “congressional defense committees” means—

(A) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

(5) The terms “defense nuclear facility” and “Department of Energy defense nuclear facility” have the meaning given the term “Department of Energy defense nuclear facility” in section 2286g of title 42.

(6) The term “nuclear security enterprise” means the physical facilities, technology, and human capital of the national security laboratories and the nuclear weapons production facilities.

(7) The term “national security laboratory” means any of the following:

(A) Los Alamos National Laboratory, Los Alamos, New Mexico.

(B) Sandia National Laboratories, Albuquerque, New Mexico, and Livermore, California.