

Russia to carry out such programs, was repealed by Pub. L. 113-291, div. A, title XIII, §1351(9), Dec. 19, 2014, 128 Stat. 3607.

#### LIMITATION ON USE OF FUNDS FOR CERTAIN PURPOSES

Pub. L. 107-314, div. A, title XIII, §1305, Dec. 2, 2002, 116 Stat. 2673, which prohibited the use of funds appropriated for Cooperative Threat Reduction programs for the design, planning, or construction of a second wing for a storage facility for Russian fissile material, was repealed by Pub. L. 113-291, div. A, title XIII, §1351(10), Dec. 19, 2014, 128 Stat. 3607.

Pub. L. 106-398, §1 [[div. A], title XIII, §1303], Oct. 30, 2000, 114 Stat. 1654, 1654A-340, which prohibited the obligation or expenditure of funds appropriated for Cooperative Threat Reduction programs for the elimination of conventional weapons or the delivery vehicles primarily intended to deliver such weapons, was repealed by Pub. L. 113-291, div. A, title XIII, §1351(8)(A), Dec. 19, 2014, 128 Stat. 3607.

Pub. L. 106-398, §1 [[div. A], title XIII, §1304], Oct. 30, 2000, 114 Stat. 1654, 1654A-340, as amended by Pub. L. 107-107, div. A, title XIII, §1305(b), Dec. 28, 2001, 115 Stat. 1255, which limited the use of funds appropriated for Cooperative Threat Reduction programs for the planning, design, or construction of the first wing for the storage facility for Russian fissile material referred to in section 1302(a)(5) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (114 Stat. 1654-339) to not more than \$412,600,000, was repealed by Pub. L. 113-291, div. A, title XIII, §1351(8)(A), Dec. 19, 2014, 128 Stat. 3607.

#### REQUIREMENT TO SUBMIT SUMMARY OF AMOUNTS REQUESTED BY PROJECT CATEGORY

Pub. L. 105-261, div. A, title XIII, §1307, Oct. 17, 1998, 112 Stat. 2165, as amended by Pub. L. 108-375, div. A, title XIII, §1304, Oct. 28, 2004, 118 Stat. 2094, which required that the Secretary of Defense submit to Congress an annual descriptive summary of the appropriations requested for Cooperative Threat Reduction programs and the obligation or expenditure of such appropriations for the previous fiscal year, was repealed by Pub. L. 113-291, div. A, title XIII, §1351(6), Dec. 19, 2014, 128 Stat. 3607.

### § 5954. Funding for fiscal year 1994

#### (a) Authorization of appropriations

Funds authorized to be appropriated under section 301(21)<sup>1</sup> shall be available for cooperative threat reduction with states of the former Soviet Union under this chapter.

#### (b) Limitations

(1) Not more than \$15,000,000 of the funds referred to in subsection (a) may be made available for programs authorized in subsection (b)(6) of section 5952<sup>1</sup> of this title.

(2) Not more than \$20,000,000 of such funds may be made available for programs authorized in subsection (b)(7) of section 5952<sup>1</sup> of this title.

(3) Not more than \$40,000,000 of such funds may be made available for grants to the Demilitarization Enterprise Fund designated pursuant to section 5953<sup>1</sup> of this title and for related administrative expenses.

#### (c) Authorization of extension of availability of prior year funds

To the extent provided in appropriations Acts, the authority to transfer funds of the Department of Defense provided in section 9110(a) of the Department of Defense Appropriations Act,

1993 (Public Law 102-396; 106 Stat. 1928), and in section 108 of Public Law 102-229 (105 Stat. 1708) shall continue to be in effect during fiscal year 1994.

(Pub. L. 103-160, div. A, title XII, §1205, Nov. 30, 1993, 107 Stat. 1781.)

#### REFERENCES IN TEXT

Section 301(21), referred to in subsec. (a), means section 301(21) of Pub. L. 103-160, div. A, title XII, Nov. 30, 1993, 107 Stat. 1616, which is not classified to the Code.

Sections 5952 and 5953 of this title, referred to in subsec. (b), were repealed by Pub. L. 113-291, div. A, title XIII, §1351(3), Dec. 19, 2014, 128 Stat. 3607.

Section 9110(a) of the Department of Defense Appropriations Act, 1993, referred to in subsec. (c), is section 9110(a) of Pub. L. 102-396, title IX, Oct. 6, 1992, 106 Stat. 1928, which is not classified to the Code.

Section 108 of Public Law 102-229, referred to in subsec. (c), is section 108 of Pub. L. 102-229, title I, Dec. 12, 1991, 105 Stat. 1708, as amended, which is not classified to the Code.

### § 5955. Repealed. Pub. L. 113-291, div. A, title XIII, § 1351(3), Dec. 19, 2014, 128 Stat. 3607

Section, Pub. L. 103-160, div. A, title XII, §1206, Nov. 30, 1993, 107 Stat. 1781, related to prior notice to Congress of obligation of funds for cooperative threat reduction programs.

### § 5956. Repealed. Pub. L. 106-398, § 1 [[div. A], title XIII, § 1308(g)(1)(A)], Oct. 30, 2000, 114 Stat. 1654, 1654A-343

Section, Pub. L. 103-160, div. A, title XII, §1207, Nov. 30, 1993, 107 Stat. 1782; Pub. L. 103-337, div. A, title XII, §§1202, 1208(b), Oct. 5, 1994, 108 Stat. 2882, 2887; Pub. L. 104-106, div. A, title XV, §1504(a)(7), Feb. 10, 1996, 110 Stat. 513, required submission of semiannual report.

### § 5957. Repealed. Pub. L. 113-291, div. A, title XIII, § 1351(3), Dec. 19, 2014, 128 Stat. 3607

Section, Pub. L. 103-160, div. A, title XII, §1208, Nov. 30, 1993, 107 Stat. 1782, defined “appropriate congressional committees” for this chapter.

### § 5958. Authorization for additional fiscal year 1993 assistance to independent states of the former Soviet Union

#### (a) Authorization of appropriations

There is hereby authorized to be appropriated for fiscal year 1993 for “Operation and Maintenance, Defense Agencies” the additional sum of \$979,000,000, to be available for the purposes of providing assistance to the independent states of the former Soviet Union.

#### (b) Authorization of transfer of funds

The Secretary of Defense may, to the extent provided in appropriations Acts, transfer from the account “Operation and Maintenance, Defense Agencies” for fiscal year 1993 a sum not to exceed the amount appropriated pursuant to the authorization in subsection (a) to—

(1) other accounts of the Department of Defense for the purpose of providing assistance to the independent states of the former Soviet Union; or

(2) appropriations available to the Department of State and other agencies of the United States Government for the purpose of providing assistance to the independent states of the former Soviet Union for programs that the

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

President determines will increase the national security of the United States.

**(c) Administrative provisions**

(1) Amounts transferred under subsection (b) shall be available subject to the same terms and conditions as the appropriations to which transferred.

(2) The authority to make transfers pursuant to this section is in addition to any other transfer authority of the Department of Defense.

**(d) Coordination of programs**

The President shall coordinate the programs described in subsection (b) with those authorized in the other provisions of this chapter and in the provisions of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (Public Law 102-511) so as to optimize the contribution such programs make to the national interests of the United States.

(Pub. L. 103-160, div. A, title XII, §1209, Nov. 30, 1993, 107 Stat. 1782.)

REFERENCES IN TEXT

The Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992, referred to in subsec. (d), is Pub. L. 102-511, Oct. 24, 1992, 106 Stat. 3320, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 5801 of this title and Tables.

**§ 5959. Repealed. Pub. L. 113-291, div. A, title XIII, § 1351(8)(C), Dec. 19, 2014, 128 Stat. 3607**

Section, Pub. L. 106-398, §1 [[div. A], title XIII, §1308], Oct. 30, 2000, 114 Stat. 1654, 1654A-341; Pub. L. 107-107, div. A, title XIII, §§1307, 1309, Dec. 28, 2001, 115 Stat. 1256, 1257; Pub. L. 107-314, div. A, title XIII, §1304(a), Dec. 2, 2002, 116 Stat. 2672; Pub. L. 108-136, div. A, title X, §1045(c)(2), Nov. 24, 2003, 117 Stat. 1613; Pub. L. 109-163, div. A, title XIII, §1305, Jan. 6, 2006, 119 Stat. 3474; Pub. L. 111-84, div. A, title XIII, §1306(b), Oct. 28, 2009, 123 Stat. 2560; Pub. L. 111-383, div. A, title X, §1075(d)(20), Jan. 7, 2011, 124 Stat. 4374; Pub. L. 112-81, div. A, title X, §1066(d), Dec. 31, 2011, 125 Stat. 1589, required reports on activities and assistance under cooperative threat reduction programs.

**§§ 5960, 5961. Repealed. Pub. L. 113-291, div. A, title XIII, § 1351(11), Dec. 19, 2014, 128 Stat. 3607**

Section 5960, Pub. L. 108-136, div. A, title XIII, §1303, Nov. 24, 2003, 117 Stat. 1659, related to limitation on use of funds for Cooperative Threat Reduction programs until certain permits obtained.

Section 5961, Pub. L. 108-136, div. A, title XIII, §1305, Nov. 24, 2003, 117 Stat. 1660, related to requirement to appoint on-site managers before obligating any Cooperative Threat Reduction funds for certain projects.

**§ 5961a. Requirement for on-site managers**

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

Before obligating any defense nuclear nonproliferation funds for a project described in subsection (b), the Secretary of Energy 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 Energy 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 countries participating in the project, a list of those steps or activities critical to achieving the project's disarmament or nonproliferation goals;

(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 United States participation in a project when a non-United States participant fails to complete a scheduled step or activity on time, unless directed by the Secretary of Energy to resume United States participation.

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

(1) 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) 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 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 subsection (g)).

(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 of Energy directs an on-site manager to resume United States participation in a project under subsection (c)(4), the Secretary shall concurrently notify Congress of such direction.

**(g) Permit defined**

In this section, the term “permit” means any local or national permit for development, general construction, environmental, land use, or other purposes that is required in the state of the former Soviet Union in which the project is being or is proposed to be carried out.

**(h) Effective date**

This section shall take effect six months after November 24, 2003.

(Pub. L. 108-136, div. C, title XXXI, §3125, Nov. 24, 2003, 117 Stat. 1748.)

CODIFICATION

Section was enacted as part of the National Defense Authorization Act for Fiscal Year 2004, and not as part