

ing that five-year period that will be coordinated with other elements of the Department of Energy, with the Department of Defense, and with other Federal agencies, to maximize efficiency and avoid redundancies.

(15) A summary of the technologies and capabilities documented under section 2576(a) of this title.

(16) A summary of the assessments conducted under section 2576(b)(1) of this title.

(17) Such other matters as the Administrator considers appropriate.

(Pub. L. 107-314, div. D, title XLIII, § 4309, as added Pub. L. 114-92, div. C, title XXXI, § 3132(a)(1), Nov. 25, 2015, 129 Stat. 1202; amended Pub. L. 115-91, div. C, title XXXI, §§ 3114(b), 3133(f), Dec. 12, 2017, 131 Stat. 1885, 1897; Pub. L. 115-232, div. A, title X, § 1081(e)(3), Aug. 13, 2018, 132 Stat. 1986.)

AMENDMENTS

2018—Subsec. (c)(16) to (18). Pub. L. 115-232 redesignated pars. (17) and (18) as (16) and (17), respectively.

2017—Subsec. (a). Pub. L. 115-91, § 3133(f)(1)(C), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “Concurrent with the submission to Congress of the budget of the President under section 1105(a) of title 31, in each fiscal year, the Administrator shall submit to the congressional defense committees a five-year management plan for activities associated with the defense nuclear nonproliferation programs of the Administration to prevent and counter the proliferation of materials, technology, equipment, and expertise related to nuclear and radiological weapons in order to minimize and address the risk of nuclear terrorism and the proliferation of such weapons.”

Subsec. (b). Pub. L. 115-91, § 3133(f)(1)(C), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (b)(16) to (18). Pub. L. 115-91, § 3114(b), added pars. (16) and (17) and redesignated former par. (16) as (18).

Subsec. (c). Pub. L. 115-91, § 3133(f)(1)(A), (B), redesignated subsec. (b) as (c) and struck out former subsec. (c). Prior to amendment, text of subsec. (c) read as follows: “The plan required by subsection (a) shall be submitted to the congressional defense committees in unclassified form, but may include a classified annex if necessary.”

Subsec. (c)(2). Pub. L. 115-91, § 3133(f)(3)(A), substituted “the summary required by paragraph (1) of subsection (b) or the report required by paragraph (2) of that subsection, as the case may be” for “the plan required by subsection (a)”.

Subsec. (c)(6). Pub. L. 115-91, § 3133(f)(3)(B), substituted “the summary required by paragraph (1) of subsection (b) or the report required by paragraph (2) of that subsection, as the case may be” for “the plan required by subsection (a)”.

Subsec. (c)(7). Pub. L. 115-91, § 3133(f)(3)(C), substituted “the summary required by paragraph (1) of subsection (b) or the report required by paragraph (2) of that subsection, as the case may be,” for “the plan required by subsection (a)”.

Subsec. (c)(9). Pub. L. 115-91, § 3133(f)(3)(D), substituted “the summary required by paragraph (1) of subsection (b) or the report required by paragraph (2) of that subsection, as the case may be,” for “the plan required by subsection (a)” in introductory provisions.

Subsec. (c)(10). Pub. L. 115-91, § 3133(f)(3)(E), substituted “the summary required by paragraph (1) of subsection (b) or the report required by paragraph (2) of that subsection, as the case may be,” for “the plan required by subsection (a)”.

Subsec. (c)(14) to (16). Pub. L. 115-91, § 3133(f)(2), redesignated pars. (15) and (16) as (14) and (15), respectively, and struck out former par. (14) which read as follows:

“A description of funds for the program expected to be received during that five-year period through contributions from or cost-sharing agreements with foreign governments consistent section 2569(f) of this title.”

§ 2576. Information relating to certain defense nuclear nonproliferation programs

(a) Technologies and capabilities

The Administrator shall document, for efforts that are not focused on basic research, the technologies and capabilities of the defense nuclear nonproliferation research and development program that—

- (1) are transitioned to end users for further development or deployment; and
- (2) are deployed.

(b) Assessments of status

(1) In assessing projects under the defense nuclear nonproliferation research and development program or the defense nuclear nonproliferation and arms control program, the Administrator shall compare the status of each such project, including with respect to the final results of such project, to the baseline targets and goals established in the initial project plan of such project.

(2) The Administrator may carry out paragraph (1) using a common template or such other means as the Administrator determines appropriate.

(Pub. L. 107-314, div. D, title XLIII, § 4310, as added Pub. L. 115-91, div. C, title XXXI, § 3114(a), Dec. 12, 2017, 131 Stat. 1885.)

§ 2577. Annual Selected Acquisition Reports on certain hardware relating to defense nuclear nonproliferation

(a) Annual Selected Acquisition Reports

(1) In general

At the end of each fiscal year, the Administrator shall submit to the congressional defense committees a report on each covered hardware project. The reports shall be known as Selected Acquisition Reports for the covered hardware project concerned.

(2) Matters included

The information contained in the Selected Acquisition Report for a fiscal year for a covered hardware project shall be the information contained in the Selected Acquisition Report for such fiscal year for a major defense acquisition program under section 2432 of title 10 expressed in terms of the covered hardware project.

(b) Covered hardware project defined

In this section, the term “covered hardware project” means a project carried out under the defense nuclear nonproliferation research and development program that—

- (1) is focused on the production and deployment of hardware, including with respect to the development and deployment of satellites or satellite payloads; and
- (2) exceeds \$500,000,000 in total program cost over the course of five years.

(Pub. L. 107-314, div. D, title XLIII, § 4311, as added Pub. L. 115-91, div. C, title XXXI, § 3131(a), Dec. 12, 2017, 131 Stat. 1894.)

SUBCHAPTER IV—DEFENSE
ENVIRONMENTAL CLEANUP MATTERS

CODIFICATION

Pub. L. 113-66, div. C, title XXXI, §3146(e)(16)(A), Dec. 26, 2013, 127 Stat. 1078, substituted “DEFENSE ENVIRONMENTAL CLEANUP” for “ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT” in subchapter heading.

PART A—DEFENSE ENVIRONMENTAL CLEANUP

CODIFICATION

Pub. L. 113-66, div. C, title XXXI, §3146(e)(16)(B), Dec. 26, 2013, 127 Stat. 1078, substituted “Defense Environmental Cleanup” for “Environmental Restoration and Waste Management” in part heading.

§ 2581. Defense Environmental Cleanup Account

(a) Establishment

There is hereby established in the Treasury of the United States for the Department of Energy an account to be known as the “Defense Environmental Cleanup Account” (hereafter in this section referred to as the “Account”).

(b) Amounts in Account

All sums appropriated to the Department of Energy for defense environmental cleanup at defense nuclear facilities shall be credited to the Account. Such appropriations shall be authorized annually by law. To the extent provided in appropriations Acts, amounts in the Account shall remain available until expended.

(Pub. L. 107-314, div. D, title XLIV, §4401, formerly Pub. L. 102-190, div. C, title XXXI, §3134, Dec. 5, 1991, 105 Stat. 1575; renumbered Pub. L. 107-314, div. D, title XLIV, §4401, by Pub. L. 108-136, div. C, title XXXI, §3141(g)(2), Nov. 24, 2003, 117 Stat. 1764; Pub. L. 113-66, div. C, title XXXI, §3146(e)(1), Dec. 26, 2013, 127 Stat. 1075.)

CODIFICATION

Section was formerly classified to section 7274f of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

AMENDMENTS

2013—Pub. L. 113-66, §3146(e)(1)(A), substituted “Cleanup” for “Restoration and Waste Management” in section catchline.

Subsec. (a). Pub. L. 113-66, §3146(e)(1)(B), substituted “Defense Environmental Cleanup Account” for “Defense Environmental Restoration and Waste Management Account”.

Subsec. (b). Pub. L. 113-66, §3146(e)(1)(C), substituted “defense environmental cleanup” for “environmental restoration and waste management”.

§ 2582. Requirement to develop future use plans for defense environmental cleanup

(a) Authority to develop future use plans

The Secretary of Energy may develop future use plans for any defense nuclear facility at which defense environmental cleanup activities are occurring.

(b) Requirement to develop future use plans

The Secretary shall develop a future use plan for each of the following defense nuclear facilities:

- (1) Hanford Site, Richland, Washington.
- (2) Savannah River Site, Aiken, South Carolina.

(3) Idaho National Engineering Laboratory, Idaho.

(c) Citizen advisory board

(1) At each defense nuclear facility for which the Secretary of Energy intends or is required to develop a future use plan under this section and for which no citizen advisory board has been established, the Secretary shall establish a citizen advisory board.

(2) The Secretary may authorize the manager of a defense nuclear facility for which a future use plan is developed under this section (or, if there is no such manager, an appropriate official of the Department of Energy designated by the Secretary) to pay routine administrative expenses of a citizen advisory board established for that facility. Such payments shall be made from funds available to the Secretary for defense environmental cleanup activities necessary for national security programs.

(d) Requirement to consult with citizen advisory board

In developing a future use plan under this section with respect to a defense nuclear facility, the Secretary of Energy shall consult with a citizen advisory board established pursuant to subsection (c) or a similar advisory board already in existence as of September 23, 1996, for such facility, affected local governments (including any local future use redevelopment authorities), and other appropriate State agencies.

(e) 50-year planning period

A future use plan developed under this section shall cover a period of at least 50 years.

(f) Report

Not later than 60 days after completing development of a final plan for a site listed in subsection (b), the Secretary of Energy shall submit to Congress a report on the plan. The report shall describe the plan and contain such findings and recommendations with respect to the site as the Secretary considers appropriate.

(g) Savings provisions

(1) Nothing in this section, or in a future use plan developed under this section with respect to a defense nuclear facility, shall be construed as requiring any modification to a future use plan with respect to a defense nuclear facility that was developed before September 23, 1996.

(2) Nothing in this section may be construed to affect statutory requirements for a defense environmental cleanup activity or project or to modify or otherwise affect applicable statutory or regulatory defense environmental cleanup requirements, including substantive standards intended to protect public health and the environment, nor shall anything in this section be construed to preempt or impair any local land use planning or zoning authority or State authority.

(Pub. L. 107-314, div. D, title XLIV, §4402, formerly Pub. L. 104-201, div. C, title XXXI, §3153, Sept. 23, 1996, 110 Stat. 2839; renumbered Pub. L. 107-314, div. D, title XLIV, §4402, and amended Pub. L. 108-136, div. C, title XXXI, §3141(g)(3), Nov. 24, 2003, 117 Stat. 1764; Pub. L. 113-66, div. C, title XXXI, §3146(e)(2), Dec. 26, 2013, 127 Stat. 1076.)