

(Pub. L. 113–291, div. A, title XIII, § 1332, Dec. 19, 2014, 128 Stat. 3601.)

§ 3733. Limitation on use of funds until certain permits obtained

(a) In general

The Secretary of Defense shall seek to obtain all the permits required to complete each phase of construction of a project under the Program in a state of the former Soviet Union before obligating more than 40 percent of the total costs of that phase of the project.

(b) Use of funds for new construction projects

Except as provided in subsection (c), with respect to a new construction project to be carried out by the Program, not more than 40 percent of the total costs of the project may be obligated from Cooperative Threat Reduction funds for any fiscal year until the Secretary—

(1) determines the number and type of permits that may be required for the lifetime of the project in the proposed location or locations of the project; and

(2) obtains from the state in which the project is to be located any permits that may be required to begin construction.

(c) Exception to limitations on use of funds

The limitation in subsection (b) on the obligation of funds for a construction project otherwise covered by such subsection shall not apply 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.)

§ 3735. Limitation on availability of funds for Cooperative Threat Reduction activities in People’s Republic of China

(a) Semiannual installments

In carrying out activities under the Program in the People’s Republic of China, the Secretary of Defense shall ensure that Cooperative Threat Reduction funds for such activities are obligated in semiannual installments.

(b) Required reports

(1) Additional information

With respect to carrying out activities under the Program in the People’s Republic of China, the Secretary of Defense shall submit to the congressional defense committees the reports required by section 3711(g) of this title on a semiannual basis by not later than 15 days before any obligation of Cooperative Threat Reduction funds for such activities during the covered semiannual period. In addition to the matters required by such section, each such report shall include, in coordination with the Secretary of State—

(A) whether China has taken material steps to—

(i) disrupt the proliferation activities of Li Fangwei (also known as Karl Lee, or any other alias known by the United States); and

(ii) arrest Li Fangwei pursuant the indictment charged in the United States District Court for the Southern District of New York on April 29, 2014;

(B) whether China has proliferated to any non-nuclear weapons state, or any nuclear weapons state in violation of the Treaty on the Non-Proliferation of Nuclear Weapons, any item that contributes to a ballistic missile or nuclear weapons delivery system; and

(C) the number, type, and summary of any demarches between the United States and China with respect to the matters described in subparagraphs (A) and (B).

(2) Additional submissions

At the same time as the Secretary of Defense submits to the congressional defense committees the information described in subparagraphs (A), (B), and (C) of paragraph (1) as part of the reports required by section 3711(g)