

“(C) Utilities.

“(D) Environment, safety, and health.

“(E) Each other element of the subprogram.”

[Pub. L. 108-375, div. C, title XXXI, §3113(b), Oct. 28, 2004, 118 Stat. 2161, provided that: “The amendments made by subsection (a) [amending section 3114 of Pub. L. 108-136, set out above] may not be construed to authorize any delay in either of the following:

[“(1) The selection of projects for inclusion in the Facilities and Infrastructure Recapitalization Program under subsection (a) of section 3114 of the National Defense Authorization Act for Fiscal Year 2004 [Pub. L. 108-136, set out above].

[“(2) The submittal of the report required by subsection (c) of such section.”]

§ 2454. Semiannual financial reports on defense nuclear nonproliferation programs

(a) Semiannual reports required

The Administrator shall submit to the Committees on Armed Services of the Senate and the House of Representatives a semiannual report on the amounts available for the defense nuclear nonproliferation programs of the Administration. Each such report shall cover a half of a fiscal year (in this section referred to as a “fiscal half”) and shall be submitted not later than 30 days after the end of that fiscal half.

(b) Contents

Each report for a fiscal half shall, for each such defense nuclear nonproliferation program for which amounts are available for the fiscal year that includes that fiscal half, set forth the following:

(1) The aggregate amount available for such program as of the beginning of such fiscal half and, within such amount, the uncommitted balances, the unobligated balances, and the unexpended balances.

(2) The aggregate amount newly made available for such program during such fiscal half and, within such amount, the amount made available by appropriations, by transfers, by reprogrammings, and by other means.

(3) The aggregate amount available for such program as of the end of such fiscal half and, within such amount, the uncommitted balances, the unobligated balances, and the unexpended balances.

(Pub. L. 106-65, div. C, title XXXII, §3254, as added Pub. L. 108-136, div. C, title XXXI, §3121(a), Nov. 24, 2003, 117 Stat. 1746.)

Statutory Notes and Related Subsidiaries

FIRST REPORT

Pub. L. 108-136, div. C, title XXXI, §3121(b), Nov. 24, 2003, 117 Stat. 1747, provided that: “The first report required to be submitted by section 3254 of the National Nuclear Security Administration Act (as added by subsection (a) [this section]) shall be the report covering the first half of fiscal year 2004.”

§ 2455. Repealed. Pub. L. 116-92, div. C, title XXXI, §3132(a), Dec. 20, 2019, 133 Stat. 1958

Section, Pub. L. 106-65, div. C, title XXXII, §3255, as added Pub. L. 111-84, div. C, title XXXI, §3116(a), Oct. 28, 2009, 123 Stat. 2707; amended Pub. L. 111-383, div. C, title XXXI, §3113(a), Jan. 7, 2011, 124 Stat. 4509; Pub. L. 112-239, div. C, title XXXI, §3132(a)(2), Jan. 2, 2013, 126 Stat. 2185; Pub. L. 114-92, div. A, title X, §1062(a), Nov. 25, 2015, 129 Stat. 988; Pub. L. 114-328, div. C, title XXXI,

§3137(c), Dec. 23, 2016, 130 Stat. 2771, related to Comptroller General assessment of adequacy of budget requests with respect to the modernization and refurbishment of the nuclear weapons stockpile.

§ 2455a. National Nuclear Security Administration authority for urgent nonproliferation activities

(a) In general

Subject to the notification requirement under subsection (b), not more than 10 percent of the total amounts appropriated or otherwise made available in any fiscal year for the nonproliferation programs of the Department of Energy National Nuclear Security Administration may be expended, notwithstanding any other law, for activities described under subsection (b)(1)(B).

(b) Determination and notice

(1) Determination

The Secretary of Energy, with the concurrence of the Secretary of State and the Secretary of Defense, may make a written determination that—

(A) threats arising from the proliferation of nuclear or radiological weapons or weapons-related materials, technologies, and expertise must be addressed urgently;

(B) certain provisions of law would unnecessarily impede the Secretary’s ability to carry out nonproliferation activities of the National Nuclear Security Administration to address such threats; and

(C) it is necessary to expend amounts described in subsection (a) to carry out such activities.

(2) Notice required

Not later than 15 days before obligating or expending funds under the authority provided in subsection (a), the Secretary of Energy shall notify the appropriate congressional committees of the determination made under paragraph (1). The notice shall include—

(A) the determination;

(B) the activities to be undertaken by the nonproliferation programs of the National Nuclear Security Administration;

(C) the expected time frame for such activities; and

(D) the expected costs of such activities.

(c) Appropriate congressional committees

In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

(Pub. L. 111-84, div. C, title XXXI, §3120, Oct. 28, 2009, 123 Stat. 2710.)

Editorial Notes

CODIFICATION

Section was enacted as part of the National Defense Authorization Act for Fiscal Year 2010, and not as part of the National Nuclear Security Administration Act which comprises this chapter.