(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 Repealed.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.

SUBCHAPTER V—MISCELLANEOUS PROVISIONS

§ 2461. Environmental protection, safety, and health requirements

(a) Compliance required

The Administrator shall ensure that the Administration complies with all applicable environmental, safety, and health statutes and substantive requirements.

(b) Procedures required

The Administrator shall develop procedures for meeting such requirements.

(c) Rule of construction

Nothing in this chapter shall diminish the authority of the Secretary of Energy to ascertain and ensure that such compliance occurs.

(Pub. L. 106–65, div. C, title XXXII, § 3261, Oct. 5, 1999, 113 Stat. 967.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (c), was in the original ''this title'', meaning title XXXII of div. C of Pub. L. 106–65, Oct. 5, 1999, 113 Stat. 953, which is classified principally to this chapter. For complete classification of title XXXII to the Code, see Short Title note set out under section 2401 of this title and Tables.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Mar. 1, 2000, see section 3299 of Pub. L. 106–65, set out as a note under section 2401 of this title.

§ 2462. Compliance with Federal Acquisition Regulation

The Administrator shall establish procedures to ensure that the mission and programs of the Administration are executed in full compliance with all applicable provisions of the Federal Acquisition Regulation issued pursuant to section 1303(a)(1) of title 41.

(Pub. L. 106–65, div. C, title XXXII, § 3262, Oct. 5, 1999, 113 Stat. 967; Pub. L. 113–66, div. C, title XXXI, § 3145(g), Dec. 26, 2013, 127 Stat. 1071.)

Editorial Notes

AMENDMENTS

2013—Pub. L. 113–66 substituted ''section 1303(a)(1) of title 41'' for ''the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)'', which had been translated as ''division B (except sections 1123, 2303, 2304, and 2313) of subtitle I of title 41'' based on the enactment of Title 41, Public Contracts, by Pub. L. 111–350.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Mar. 1, 2000, see section 3299 of Pub. L. 106–65, set out as a note under section 2401 of this title.

§ 2463. Sharing of technology with Department of Defense

The Administrator shall, in cooperation with the Secretary of Defense, establish procedures and programs to provide for the sharing of technology, technical capability, and expertise between the Administration and the Department of Defense to further national security objectives.

(Pub. L. 106–65, div. C, title XXXII, § 3263, Oct. 5, 1999, 113 Stat. 967.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Mar. 1, 2000, see section 3299 of Pub. L. 106–65, set out as a note under section 2401 of this title.

§ 2464. Use of capabilities of national security laboratories by entities outside the Administration

The Secretary of Energy, in consultation with the Administrator, shall establish appropriate procedures to provide for the cost-reimbursable use, in a manner consistent with the national security mission of the Administration under section 2401(b) of this title, of the capabilities of the national security laboratories by elements of the Department of Energy not within the Administration, other Federal agencies, and other appropriate entities, including the use of those capabilities to support efforts to defend against weapons of mass destruction.

(Pub. L. 106–65, div. C, title XXXII, § 3264, Oct. 5, 1999, 113 Stat. 967; Pub. L. 113–66, div. C, title XXXI, § 3145(h), Dec. 26, 2013, 127 Stat. 1072; Pub. L. 118–159, div. C, title XXXI, § 3111(a)(4), Dec. 23, 2024, 138 Stat. 2293.)

Editorial Notes

AMENDMENTS

2024—Pub. L. 118–159 substituted ''for the cost-reimbursable use'' for ''for the use''.

2013—Pub. L. 113–66 inserted ''of Energy'' after ''Secretary''.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Mar. 1, 2000, see section 3299 of Pub. L. 106–65, set out as a note under section 2401 of this title.

ESTABLISHMENT OF MICROLAB PILOT PROGRAM

Pub. L. 114–92, div. C, title XXXI, § 3120, Nov. 25, 2015, 129 Stat. 1198, provided that:

''(a) IN GENERAL.—The Secretary of Energy, in consultation with the directors of the national security laboratories, may establish a microlab pilot program under which the Secretary establishes a microlab for the purposes of—

''(1) enhancing collaboration with regional research groups, such as institutions of higher education and industry groups;

''(2) accelerating technology transfer from national security laboratories to the marketplace; and

''(3) promoting regional workforce development through science, technology, engineering, and mathematics instruction and training.

''(b) CRITERIA.—

''(1) IN GENERAL.—In determining the placement of a microlab under subsection (a), the Secretary shall consider—

''(A) the interest of a national security laboratory in establishing a microlab;

''(B) the existence of an available facility that has the capability to house a microlab;

''(C) whether employees of a national security laboratory and persons from academia, industry, and government are available to be assigned to the microlab; and

''(D) cost-sharing or in-kind contributions from State and local governments and private industry.

''(2) COST-SHARING.—The Secretary shall, to the extent feasible, require cost-sharing or in-kind contributions described in paragraph (1)(D) to cover the full cost of the microlab under subsection (a).

''(c) TIMING.—If the Secretary, in consultation with the directors of the national security laboratories, elects to establish a microlab pilot program under this section, the Secretary, in collaboration with such directors, shall—

''(1) not later than 180 days after the date of the enactment of this Act [Nov. 25, 2015], begin the process of determining the placement of the microlab under subsection (a); and

''(2) not later than one year after such date of enactment, implement the microlab pilot program under this section.

''(d) REPORTS REQUIRED.—If the Secretary, in consultation with the directors of the national security laboratories, elects to establish a microlab pilot program under this section, the Secretary shall submit to the appropriate congressional committees—

''(1) not later than 120 days after the date of the implementation of the program, a report that provides an update on the implementation of the program; and

''(2) not later than one year after the date of the implementation of the program, a report on the program, including findings and recommendations of the Secretary with respect to the program.

''(e) DEFINITIONS.—In this section:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate; and

''(B) the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Energy and Commerce of the House of Representatives.

''(2) MICROLAB.—The term 'microlab' means a facility that is—

''(A) in close proximity to, but outside the perimeter of, a national security laboratory;

''(B) an extension of or affiliated with a national security laboratory; and

''(C) accessible to the public.

''(3) NATIONAL SECURITY LABORATORY.—The term 'national security laboratory' has the meaning given that term in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471).''