

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.)

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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).”

§ 2465. Enhancing private-sector employment through cooperative research and development activities

(a) In general

The Administrator for Nuclear Security shall encourage cooperative research and development activities at the national security laboratories (as defined in section 2471 of this title) that lead to the creation of new private-sector employment opportunities.

(b) Reports

Not later than January 31 of each year from 2012 through 2017, the Administrator shall submit to Congress a report detailing the number of new private-sector employment opportunities created as a result of the previous years' cooperative research and development activities at each national security laboratory.

(Pub. L. 111-383, div. C, title XXXI, § 3122, Jan. 7, 2011, 124 Stat. 4514.)

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CODIFICATION

Section was enacted as part of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011, and not as part of the National Nuclear Security Administration Act which comprises this chapter.

§ 2466. Use of funds for the purchase of options to purchase real property

(a) Authority

Subject to the limitation in subsection (b), funds authorized to be appropriated for the Administration for the purchase of real property may be expended to purchase options for the purchase of real property.

(b) Limitation on price of options

The price of any option purchased pursuant to subsection (a) may not exceed the minor construction threshold (as defined in section 2741 of this title).

(c) Notice

Not later than 14 days after the date an option is purchased pursuant to subsection (a), the Administrator shall submit to the congressional defense committees—

- (1) a notification of such purchase; and
- (2) a summary of the rationale for such purchase.

(Pub. L. 106-65, div. C, title XXXII, § 3265, as added Pub. L. 117-263, div. C, title XXXI, § 3119, Dec. 23, 2022, 136 Stat. 3055.)

SUBCHAPTER VI—DEFINITIONS

§ 2471. Definitions

For purposes of this chapter:

(1) The term “national security laboratory” means any of the following:

- (A) Los Alamos National Laboratory, Los Alamos, New Mexico.
- (B) Sandia National Laboratories, Albuquerque, New Mexico, and Livermore, California.
- (C) Lawrence Livermore National Laboratory, Livermore, California.

(2) The term “nuclear weapons production facility” means any of the following:

- (A) The Kansas City National Security Campus, Kansas City, Missouri.
- (B) The Pantex Plant, Amarillo, Texas.
- (C) The Y-12 National Security Complex, Oak Ridge, Tennessee.
- (D) The Savannah River Site, Aiken, South Carolina.
- (E) The Nevada National Security Site, Nevada.

(F) Any facility of the Department of Energy that the Secretary of Energy, in consultation with the Administrator and Congress, determines to be consistent with the mission of the Administration.

(3) The term “classified information” means any information that has been determined pursuant to Executive Order No. 12333 of December 4, 1981 ([former] 50 U.S.C. 401 note) [now 50 U.S.C. 3001 note], Executive Order No. 12958 of April 17, 1995 ([former] 50 U.S.C. 435 note), or successor orders, to require protection against unauthorized disclosure and that is so designated.

(4) The term “Restricted Data” has the meaning given such term in section 2014(y) of title 42.

(5) The term “congressional defense committees” means—

- (A) the Committee on Armed Services and the Committee on Appropriations of the Senate; and
- (B) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

(6) The term “nuclear security enterprise” means the physical facilities, technology, and human capital of the national security laboratories and the nuclear weapons production facilities.

(Pub. L. 106-65, div. C, title XXXII, § 3281, Oct. 5, 1999, 113 Stat. 968; Pub. L. 112-239, div. C, title XXXI, § 3132(a)(3), (d)(3), (4), Jan. 2, 2013, 126 Stat. 2185, 2187; Pub. L. 113-66, div. C, title XXXI, § 3145(i), Dec. 26, 2013, 127 Stat. 1072; Pub. L. 116-92, div. C, title XXXI, § 3139(a), Dec. 20, 2019, 133 Stat. 1962.)

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REFERENCES IN TEXT

This chapter, referred to in text, 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.

Executive Order No. 12958, referred to in par. (3), which was formerly set out as a note under section 435 (now section 3161) of this title, was revoked by Ex. Ord. No. 13526, § 6.2(g), Dec. 29, 2009, 75 F.R. 731.

AMENDMENTS

2019—Par. (2)(A). Pub. L. 116-92 substituted “National Security Campus” for “Plant”.

2013—Par. (2)(C). Pub. L. 112-239, § 3132(d)(3)(A), substituted “Y-12 National Security Complex” for “Y-12 Plant”.

Par. (2)(D). Pub. L. 112-239, § 3132(d)(3)(B), struck out “tritium operations facilities at the” before “Savannah River Site”.