''(1) is voluntary for owners of blood irradiation devices;

''(2) allows for the United States, subject to the review of the Administrator, to pay up to 50 percent of the per-device cost of replacing blood irradiation devices covered by the programs;

''(3) allows for the United States to pay up to 100 percent of the cost of removing and disposing of cesium sources retired from service by the programs; and

''(4) replaces such devices with x-ray irradiation devices or other devices approved by the Food and Drug Administration that provide significant threat reduction as compared to cesium chloride irradiators.

''(c) DURATION.—The Administrator shall carry out the covered programs until December 31, 2027.

''(d) REPORT.—Not later than 180 days after the date of the enactment of this Act [Aug. 13, 2018], the Administrator shall submit to the appropriate congressional committees a report on the covered programs, including—

''(1) identification of each cesium chloride blood irradiation device in the United States, including the number, general location, and user type;

''(2) a plan for achieving the goal established by subsection (a);

''(3) a methodology for prioritizing replacement of such devices that takes into account irradiator age and prior material security initiatives;

''(4) in consultation with the Nuclear Regulatory Commission and the Food and Drug Administration, a strategy identifying any legislative, regulatory, or other measures necessary to constrain the introduction of new cesium chloride blood irradiation devices;

''(5) identification of the annual funds required to meet the goal established by subsection (a); and

''(6) a description of the disposal path for cesium chloride sources under the covered programs.

''(e) ASSESSMENT.—The Administrator shall submit an assessment to the appropriate congressional committees by September 20, 2023, of the results of the actions on the covered programs under this section, including—

''(1) the number of replacement irradiators under the covered programs;

''(2) the life-cycle costs of the programs, including personnel training, maintenance, and replacement costs for new irradiation devices;

''(3) the cost-effectiveness of the covered programs;

''(4) an analysis of the effectiveness of the new irradiation devices' technology; and

''(5) a forecast of whether the Administrator will meet the goal established in subsection (a).

''(f) DEFINITIONS.—In this section:

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

''(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Energy and Commerce of the House of Representatives; and

''(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Natural Resources, and the Committee on Health, Education, Labor, and Pensions of the Senate.

''(2) COVERED PROGRAMS.—The term 'covered programs' means the following programs of the Office of Radiological Security of the National Nuclear Security Administration:

''(A) The Cesium Irradiator Replacement Program.

''(B) The Off-Site Source Recovery Program.''

''CONGRESSIONAL DEFENSE COMMITTEES'' DEFINED

Congressional defense committees has the meaning given that term in section 101(a)(16) of Title 10, Armed Forces, see section 3 of Pub. L. 108–375, Oct. 28, 2004, 118 Stat. 1825. See note under section 101 of Title 10.

§§ 2570, 2571. Repealed. Pub. L. 117–263, div. C, title XXXI, § 3132(b)(2), Dec. 23, 2022, 136 Stat. 3060

Section 2570, Pub. L. 108–375, div. C, title XXXI, § 3133, Oct. 28, 2004, 118 Stat. 2168, authorized the Silk Road Initiative.

Section 2571, Pub. L. 108–375, div. C, title XXXI, § 3134, Oct. 28, 2004, 118 Stat. 2169, related to Nuclear Nonproliferation Fellowships for scientists employed by the United States and the Russian Federation.

§ 2572. International agreements on nuclear weapons data

The Secretary of Energy may, with the concurrence of the Secretary of State and in coordination with the Secretary of Defense, the Secretary of Homeland Security, and the Director of National Intelligence, enter into agreements with countries or international organizations to conduct data collection and analysis to determine accurately and in a timely manner the source of any components of, or fissile material used or attempted to be used in, a nuclear device or weapon.

(Pub. L. 107–314, div. D, title XLIII, § 4307, as added Pub. L. 110–181, div. C, title XXXI, § 3129(a)(1), Jan. 28, 2008, 122 Stat. 584.)

§ 2573. International agreements on information on radioactive materials

The Secretary of Energy may, with the concurrence of the Secretary of State and in coordination with the Secretary of Defense, the Secretary of Homeland Security, and the Director of National Intelligence, enter into agreements with countries or international organizations—

(1) to acquire for the materials information program of the Department of Energy validated information on the physical characteristics of radioactive material produced, used, or stored at various locations, in order to facilitate the ability to determine accurately and in a timely manner the source of any components of, or fissile material used or attempted to be used in, a nuclear device or weapon; and

(2) to obtain access to information described in paragraph (1) in the event of—

(A) a nuclear detonation; or

(B) the interdiction or discovery of a nuclear device or weapon or nuclear material.

(Pub. L. 107–314, div. D, title XLIII, § 4308, as added Pub. L. 110–181, div. C, title XXXI, § 3129(a)(1), Jan. 28, 2008, 122 Stat. 584.)

§ 2574. Repealed. Pub. L. 117–263, div. C, title XXXI, § 3132(b)(3), Dec. 23, 2022, 136 Stat. 3060

Section, Pub. L. 110–417, div. C, title XXXI, § 3114, Oct. 14, 2008, 122 Stat. 4756, related to enhancing nuclear forensics capabilities with a research and development plan.

§ 2575. Defense nuclear nonproliferation management plan

(a) Plan required

The Administrator shall develop and annually update 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.

(b) Submission to Congress

(1) Not later than March 15 of each even-numbered year, the Administrator shall submit to the congressional defense committees a summary of the plan developed under subsection (a).

(2) Not later than March 15 of each odd-numbered year, the Administrator shall submit to the congressional defense committees a detailed report on the plan developed under subsection (a).

(3) Each summary submitted under paragraph (1) and each report submitted under paragraph (2) shall be submitted in unclassified form, but may include a classified annex if necessary.

(c) Elements

The plan required by subsection (a) shall include, with respect to each defense nuclear nonproliferation program of the Administration, the following:

(1) A description of the policy context in which the program operates, including—

(A) a list of relevant laws, policy directives issued by the President, and international agreements; and

(B) nuclear nonproliferation activities carried out by other Federal agencies.

(2) A description of the objectives and priorities of the program during the year preceding the submission of the summary required by paragraph (1) of subsection (b) or the report required by paragraph (2) of that subsection, as the case may be.

(3) A description of the activities carried out under the program during that year.

(4) A description of the accomplishments and challenges of the program during that year, based on an assessment of metrics and objectives previously established to determine the effectiveness of the program.

(5) A description of any gaps that remain that were not or could not be addressed by the program during that year.

(6) An identification and explanation of uncommitted or uncosted balances for the program, as of the date of the submission of the summary required by paragraph (1) of subsection (b) or the report required by paragraph (2) of that subsection, as the case may be, that are greater than the acceptable carryover thresholds, as determined by the Secretary of Energy.

(7) An identification of funds for the program received through contributions from or cost-sharing agreements with foreign governments consistent with section 2569(e) of this title during the year preceding the submission of the summary required by paragraph (1) of subsection (b) or the report required by paragraph (2) of that subsection, as the case may be, and an explanation of such contributions and agreements.

(8) A description and assessment of activities carried out under the program during that year that were 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.

(9) Plans for activities of the program during the five-year period beginning on the date on which the summary required by paragraph (1) of subsection (b) or the report required by paragraph (2) of that subsection, as the case may be, is submitted, including activities with respect to the following:

(A) Preventing nuclear and radiological proliferation and terrorism, including through—

(i) material management and minimization, particularly with respect to removing or minimizing the use of highly enriched uranium, plutonium, and radiological materials worldwide (and identifying the countries in which such materials are located), efforts to dispose of surplus material, converting reactors from highly enriched uranium to low-enriched uranium (and identifying the countries in which such reactors are located);

(ii) global nuclear material security, including securing highly enriched uranium, plutonium, and radiological materials worldwide (and identifying the countries in which such materials are located), and providing radiation detection capabilities at foreign ports and borders;

(iii) nonproliferation and arms control, including nuclear verification and safeguards;

(iv) defense nuclear research and development, including a description of activities related to developing and improving technology to detect the proliferation and detonation of nuclear weapons, verifying compliance of foreign countries with commitments under treaties and agreements relating to nuclear weapons, and detecting the diversion of nuclear materials (including safeguards technology); and

(v) nonproliferation construction programs, including activities associated[1] Department of Energy Order 413.1 (relating to program management controls).

(B) Countering nuclear and radiological proliferation and terrorism.

(C) Responding to nuclear and radiological proliferation and terrorism, including through—

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(10) A threat assessment, carried out by the intelligence community (as defined in section 3003(4) of this title), with respect to the risk of nuclear and radiological proliferation and terrorism and a description of how each activity carried out under the program will counter the threat during the five-year period beginning on the date on which the summary required by paragraph (1) of subsection (b) or the report

[1] So in original. Probably should be followed by ''with''.

required by paragraph (2) of that subsection, as the case may be, is submitted and, as appropriate, in the longer term.

(11) A plan for funding the program during that five-year period.

(12) An identification of metrics and objectives for determining the effectiveness of each activity carried out under the program during that five-year period.

(13) A description of the activities to be carried out under the program during that five-year period and a description of how the program will be prioritized relative to other defense nuclear nonproliferation programs of the Administration during that five-year period to address the highest priority risks and requirements, as informed by the threat assessment carried out under paragraph (10).

(14) A description and assessment of activities to be carried out under the program during 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; Pub. L. 118–31, div. C, title XXXI, § 3118(c), Dec. 22, 2023, 137 Stat. 791.)

Editorial Notes

AMENDMENTS

2023—Subsec. (c)(7). Pub. L. 118–31 substituted ''with section 2569(e) of this title'' for ''section 2569(f) of this title''.

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.