Editorial Notes

CODIFICATION

Section was formerly classified to section 7383d of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108–136.

AMENDMENTS

2014—Subsec. (b). Pub. L. 113–291, §3142(k)(1), reenacted heading without change.

Subsec. (e)(2). Pub. L. 113–291, §3142(k)(2), made technical amendment to reference in original act which appears in text as reference to section 3091 of this title.

2013—Pub. L. 112–239, §3131(m)(1)(A), substituted ''atomic'' for ''nuclear'' in section catchline.

Subsec. (a). Pub. L. 112–239, §3131(bb)(1)(D), substituted ''Director of National Intelligence'' for ''Director of Central Intelligence''.

Pub. L. 112–239, §3131(m)(1)(C), substituted ''atomic energy defense'' for ''nuclear defense''.

Subsec. (b). Pub. L. 112–239, §3131(m)(1)(B), (C), substituted ''atomic energy'' for ''nuclear'' in heading and ''atomic energy defense'' for ''nuclear defense'' in text.

Subsec. (c). Pub. L. 112–239, §3131(m)(1)(C), substituted ''atomic energy defense'' for ''nuclear defense''.

Subsec. (e)(2). Pub. L. 113–66 substituted ''Congress'' for ''the Congress''.

§ 2657. Annual report and certification on status of security of atomic energy defense facilities

(a) Report and certification on nuclear security enterprise

(1) Not later than September 30 of each even-numbered year, the Administrator shall submit to the Secretary of Energy—

(A) a report detailing the status of security at facilities holding Category I and II quantities of special nuclear material that are administered by the Administration; and

(B) written certification that such facilities are secure and that the security measures at such facilities meet the security standards and requirements of the Administration and the Department of Energy.

(2) If the Administrator is unable to make the certification described in paragraph (1)(B) with respect to a facility, the Administrator shall submit to the Secretary with the matters required by paragraph (1) a corrective action plan for the facility describing—

(A) the deficiency that resulted in the Administrator being unable to make the certification;

(B) the actions to be taken to correct the deficiency; and

(C) timelines for taking such actions.

(3) Not later than December 1 of each even-numbered year, the Secretary shall submit to the congressional defense committees the unaltered report, certification, and any corrective action plans submitted by the Administrator under paragraphs (1) and (2) together with any comments of the Secretary.

(b) Report and certification on atomic energy defense facilities not administered by the Administration

(1) Not later than December 1 of each even-numbered year, the Secretary shall submit to the congressional defense committees—

(A) a report detailing the status of the security of atomic energy defense facilities holding Category I and II quantities of special nuclear material that are not administered by the Administration; and

(B) written certification that such facilities are secure and that the security measures at such facilities meet the security standards and requirements of the Department of Energy.

(2) If the Secretary is unable to make the certification described in paragraph (1)(B) with respect to a facility, the Secretary shall submit to the congressional defense committees, together with the matters required by paragraph (1), a corrective action plan describing—

(A) the deficiency that resulted in the Secretary being unable to make the certification;

(B) the actions to be taken to correct the deficiency; and

(C) timelines for taking such actions.

(Pub. L. 107–314, div. D, title XLV, §4506, formerly Pub. L. 105–85, div. C, title XXXI, §3162, Nov. 18, 1997, 111 Stat. 2049; Pub. L. 106–65, div. C, title XXXI, §3142(h)(2), Oct. 5, 1999, 113 Stat. 934; renumbered Pub. L. 107–314, div. D, title XLV, §4506, and amended Pub. L. 108–136, div. C, title XXXI, §3141(h)(7), Nov. 24, 2003, 117 Stat. 1773; Pub. L. 113–66, div. C, title XXXI, §3121(a), Dec. 26, 2013, 127 Stat. 1060; Pub. L. 114–328, div. C, title XXXI, §3135, Dec. 23, 2016, 130 Stat. 2771; Pub. L. 115–91, div. C, title XXXI, §3133(b), Dec. 12, 2017, 131 Stat. 1896.)

Editorial Notes

CODIFICATION

Section was formerly set out as a note under section 7274m of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108–136.

AMENDMENTS

2017—Subsecs. (a)(1), (3), (b)(1). Pub. L. 115–91 substituted ''of each even-numbered year'' for ''of each year''.

2016—Subsec. (b)(1)(B). Pub. L. 114–328 amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: ''written certification that such facilities meet the security standards and requirements of the Department of Energy.''

2013—Pub. L. 113–66 amended section generally. Prior to amendment, text read as follows: ''Not later than September 1 each year, the Secretary of Energy shall submit to the congressional defense committees the report entitled 'Annual Report to the President on the Status of Safeguards and Security of Domestic Nuclear Weapons Facilities', or any successor report to such report.''

2003—Subsec. (b). Pub. L. 108–136, §3141(h)(7)(D), which directed the amendment of subsec. (b) by inserting ''of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2048; 42 U.S.C. 7251 note)'' after ''section 3161'', could not be executed because of the repeal of subsec. (b) by Pub. L. 106–65. See 1999 Amendment note below.

1999—Pub. L. 106–65 struck out subsec. (a) designation and heading and struck out heading and text of subsec. (b). Text read as follows: ''The Secretary shall include with each report submitted under subsection (a) in fiscal years 1998 through 2000 any comments on such report by the members of the Department of Energy Security Management Board established under section 3161 that such members consider appropriate.''

§ 2658. Repealed. Pub. L. 113–66, div. C, title XXXI, §3132(a)(1), Dec. 26, 2013, 127 Stat. 1068

Section, Pub. L. 107–314, div. D, title XLV, §4507, formerly Pub. L. 106–65, div. C, title XXXI, §3152, Oct. 5,