

1999, 113 Stat. 940; renumbered Pub. L. 107-314, div. D, title XLV, § 4507, and amended Pub. L. 108-136, div. C, title XXXI, § 3141(h)(8), Nov. 24, 2003, 117 Stat. 1773; Pub. L. 112-239, div. C, title XXXI, § 3131(n)(1), Jan. 2, 2013, 126 Stat. 2183, related to the annual submission and contents of a report on counterintelligence and security practices at national security laboratories.

§ 2659. Repealed. Pub. L. 114-113, div. M, title VII, § 701(f), Dec. 18, 2015, 129 Stat. 2930

Section, Pub. L. 107-314, div. D, title XLV, § 4508, formerly Pub. L. 106-65, div. C, title XXXI, § 3153, Oct. 5, 1999, 113 Stat. 940; renumbered Pub. L. 107-314, div. D, title XLV, § 4508, and amended Pub. L. 108-136, div. C, title XXXI, § 3141(h)(9), Nov. 24, 2003, 117 Stat. 1774; Pub. L. 112-239, div. C, title XXXI, § 3131(o)(1), Jan. 2, 2013, 126 Stat. 2183, related to report on security vulnerabilities of national security laboratory computers.

§ 2660. Repealed. Pub. L. 115-91, div. C, title XXXI, § 3135(c)(1), Dec. 12, 2017, 131 Stat. 1899

Section, Pub. L. 107-314, div. D, title XLV, § 4509, as added Pub. L. 112-239, div. C, title XXXI, § 3115(a), Jan. 2, 2013, 126 Stat. 2172; amended Pub. L. 113-291, div. C, title XXXI, § 3111, Dec. 19, 2014, 128 Stat. 3884, related to design and use of prototypes of nuclear weapons for intelligence purposes.

§ 2661. Protection of certain nuclear facilities and assets from unmanned aircraft

(a) Authority

Notwithstanding any provision of title 18, the Secretary of Energy may take such actions described in subsection (b)(1) that are necessary to mitigate the threat (as defined by the Secretary of Energy, in consultation with the Secretary of Transportation) that an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered facility or asset.

(b) Actions described

(1) The actions described in this paragraph are the following:

(A) Detect, identify, monitor, and track the unmanned aircraft system or unmanned aircraft, without prior consent, including by means of intercept or other access of a wire, oral, or electronic communication used to control the unmanned aircraft system or unmanned aircraft.

(B) Warn the operator of the unmanned aircraft system or unmanned aircraft, including by passive or active, and direct or indirect physical, electronic, radio, and electromagnetic means.

(C) Disrupt control of the unmanned aircraft system or unmanned aircraft, without prior consent, including by disabling the unmanned aircraft system or unmanned aircraft by intercepting, interfering, or causing interference with wire, oral, electronic, or radio communications used to control the unmanned aircraft system or unmanned aircraft.

(D) Seize or exercise control of the unmanned aircraft system or unmanned aircraft.

(E) Seize or otherwise confiscate the unmanned aircraft system or unmanned aircraft.

(F) Use reasonable force to disable, damage, or destroy the unmanned aircraft system or unmanned aircraft.

(2) The Secretary of Energy shall develop the actions described in paragraph (1) in coordination with the Secretary of Transportation.

(c) Forfeiture

Any unmanned aircraft system or unmanned aircraft described in subsection (a) that is seized by the Secretary of Energy is subject to forfeiture to the United States.

(d) Regulations

The Secretary of Energy and the Secretary of Transportation may prescribe regulations and shall issue guidance in the respective areas of each Secretary to carry out this section.

(e) Definitions

In this section:

(1) The term “covered facility or asset” means any facility or asset that is—

(A) identified by the Secretary of Energy for purposes of this section;

(B) located in the United States (including the territories and possessions of the United States); and

(C) owned by the United States or contracted to the United States, to store or use special nuclear material.

(2) The terms “unmanned aircraft” and “unmanned aircraft system” have the meanings given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101¹ note).

(Pub. L. 107-314, div. D, title XLV, § 4510, as added Pub. L. 114-328, div. C, title XXXI, § 3112(a), Dec. 23, 2016, 130 Stat. 2756.)

Editorial Notes

REFERENCES IN TEXT

Section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95), referred to in subsec. (e)(2), which was formerly set out in a note under section 40101 of Title 49, Transportation, was transferred and is now set out in a note under section 44802 of Title 49.

§ 2662. Reporting on penetrations of networks of contractors and subcontractors

(a) Procedures for reporting penetrations

The Administrator shall establish procedures that require each contractor and subcontractor to report to the Chief Information Officer when a covered network of the contractor or subcontractor that meets the criteria established pursuant to subsection (b) is successfully penetrated.

(b) Establishment of criteria for covered networks

(1) In general

The Administrator shall, in consultation with the officials specified in paragraph (2), establish criteria for covered networks to be subject to the procedures for reporting penetrations under subsection (a).

(2) Officials specified

The officials specified in this paragraph are the following officials of the Administration:

(A) The Deputy Administrator for Defense Programs.

(B) The Associate Administrator for Acquisition and Project Management.

¹ See References in Text note below.