

the program referred to in subsection (a) may be reimbursed, or the Director may require advance payment subject to such adjustment on completion of the work as may be agreed upon.

(e) Crediting of amounts collected

Amounts collected under this section shall be credited to the account or accounts from which costs associated with such amounts have been or will be incurred, to reimburse or offset the direct costs of the program referred to in subsection (a).

(Pub. L. 86–36, §20, as added Pub. L. 109–364, div. A, title IX, §933, Oct. 17, 2006, 120 Stat. 2363.)

CODIFICATION

Section was formerly classified in a note under section 402 of this title prior to editorial reclassification as this section.

**CHAPTER 48—DEPARTMENT OF DEFENSE
COOPERATIVE THREAT REDUCTION**

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In this chapter:

(1) The term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10.

(2) The term “Cooperative Threat Reduction funds” means funds appropriated pursuant to

an authorization of appropriations for the Program, or otherwise made available to the Program.

(3) The term “Program” means the Cooperative Threat Reduction Program of the Department of Defense established under section 3711 of this title.

(Pub. L. 113–291, div. A, title XIII, §1312, Dec. 19, 2014, 128 Stat. 3595.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this subtitle”, meaning subtitle B (§§1311–1352) of title XIII of div. A of Pub. L. 113–291, Dec. 19, 2014, 128 Stat. 3595, known as the Department of Defense Cooperative Threat Reduction Act, which is classified principally to this chapter. For complete classification of subtitle B to the Code, see Short Title note set out below and Tables.

SHORT TITLE

Pub. L. 113–291, div. A, title XIII, §1311, Dec. 19, 2014, 128 Stat. 3595, provided that: “This subtitle [subtitle B (§§1311–1352) of title XIII of div. A of Pub. L. 113–291, enacting this chapter, repealing sections 5902, 5921, 5952, 5953, 5955, 5957, 5959 to 5961, and 5962 to 5965 of Title 22, Foreign Relations and Intercourse, amending provisions set out as notes under sections 2551, 5952, and 5955 of Title 22, and repealing provisions set out as notes under section 2362 of this title and section 5952 of Title 22] may be cited as the ‘Department of Defense Cooperative Threat Reduction Act.’”

SUBCHAPTER I—PROGRAM AUTHORITIES

§ 3711. Authority to carry out Department of Defense Cooperative Threat Reduction Program

(a) Authority

The Secretary of Defense may carry out a program, referred to as the “Department of Defense Cooperative Threat Reduction Program”, with respect to foreign countries to do the following:

(1) Facilitate the elimination and the safe and secure transportation and storage of chemical, biological, or other weapons, weapons components, weapons-related materials, and associated delivery vehicles.

(2) Facilitate—

(A) the safe and secure transportation and storage of nuclear weapons, nuclear weapons-usable or high-threat radiological materials, nuclear weapons components, and associated delivery vehicles; and

(B) the elimination of nuclear weapons, nuclear weapons components, and nuclear weapons delivery vehicles.

(3) Prevent the proliferation of nuclear and chemical weapons, weapons components, and weapons-related materials, technology, and expertise.

(4) Prevent the proliferation of biological weapons, weapons components, and weapons-related materials, technology, and expertise, which may include activities that facilitate detection and reporting of highly pathogenic diseases or other diseases that are associated with or that could be used as an early warning mechanism for disease outbreaks that could affect the Armed Forces of the United States or allies of the United States, regardless of whether such diseases are caused by biological weapons.

(5) Prevent the proliferation of weapons of mass destruction-related materials, including materials, equipment, and technology that could be used for the design, development, production, or use of nuclear, chemical, and biological weapons and the means of delivery of such weapons.

(6) Carry out military-to-military and defense contacts for advancing the mission of the Program, subject to subsection (f).

(b) Concurrence of Secretary of State

The authority under subsection (a) to carry out the Program is subject to any concurrence of the Secretary of State or other appropriate agency head required under section 3712 or 3713 of this title (unless such concurrence is otherwise exempted pursuant to section 3751 of this title with respect to activities or determinations carried out or made before December 19, 2014).

(c) Scope of authority

The authority to carry out the Program in subsection (a) includes authority to provide equipment, goods, and services, but does not include authority to provide funds directly for a project or activity carried out under the Program.

(d) Type of program

The Program carried out under subsection (a) may involve assistance in planning and in resolving technical problems associated with weapons destruction and proliferation. The Program may also involve the funding of critical short-term requirements relating to weapons destruction.

(e) Reimbursement of other agencies

The Secretary of Defense may reimburse heads of other departments and agencies of the Federal Government under this section for costs of the participation of the respective departments and agencies in the Program.

(f) Military-to-military and defense contacts

The Secretary of Defense shall ensure that the military-to-military and defense contacts carried out under subsection (a)(6)—

- (1) are focused and expanded to support specific relationship-building opportunities, which could lead to the development of the Program in new geographic areas and achieve other benefits of the Program;
- (2) are directly administered as part of the Program; and
- (3) include cooperation and coordination with—
 - (A) the unified combatant commands; and
 - (B) the Department of State.

(g) Prior notice to Congress of obligation of funds

(1) Annual requirement

Not less than 15 days before any obligation of any Cooperative Threat Reduction funds, the Secretary of Defense shall submit to the congressional defense committees a report on that proposed obligation of such funds for that fiscal year.

(2) Matters included

Each report under paragraph (1) shall specify—

(A) the activities and forms of assistance for which the Secretary plans to obligate funds;

(B) the amount of the proposed obligation; and

(C) the projected involvement (if any) of any other department or agency of the United States and of the private sector of the United States in the activities and forms of assistance for which the Secretary plans to obligate such funds.

(3) Exception for notifications previously provided

Paragraph (1) shall not apply with respect to a proposed obligation of Cooperative Threat Reduction funds that is covered by a notification previously submitted by the Secretary to the congressional defense committees that includes the matters described in subparagraphs (A) through (C) of paragraph (2).

(Pub. L. 113-291, div. A, title XIII, §1321, Dec. 19, 2014, 128 Stat. 3595.)

§ 3712. Use of funds for certain emergent threats or opportunities

(a) Authority

For purposes of the Program, the Secretary of Defense may obligate and expend Cooperative Threat Reduction funds for a fiscal year, and any Cooperative Threat Reduction funds for a prior fiscal year that remain available for obligation, for a proliferation threat reduction project or activity if the Secretary, with the concurrence of the Secretary of State, determines each of the following:

(1) That such project or activity will—

(A) assist the United States in the resolution of a critical emerging proliferation threat; or

(B) permit the United States to take advantage of opportunities to achieve long-standing nonproliferation goals.

(2) That such project or activity will be completed in a period not exceeding five years.

(3) That the Department of Defense is the entity of the Federal Government that is most capable of carrying out such project or activity.

(b) Congressional notification

At the time at which the Secretary obligates funds under subsection (a) for a project or activity, the Secretary of Defense shall notify, in writing, the congressional defense committees and the Secretary of State shall notify, in writing, the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of the determinations made under such subsection with respect to such project or activity, together with—

(1) a justification for such determinations; and

(2) a description of the scope and duration of such project or activity.

(c) Non-defense agency partner-nation contacts

With respect to military-to-military and defense contacts carried out under subsection

(a)(6) of section 3711 of this title, as further described in subsection (f) of such section, concurrence of the Secretary of State under subsection (a) is required only for participation in such contacts by personnel from non-defense agencies of foreign countries.

(d) Exception to requirement for certain determinations

The requirement for a determination under subsection (a) shall not apply to a state of the former Soviet Union.

(Pub. L. 113–291, div. A, title XIII, § 1322, Dec. 19, 2014, 128 Stat. 3597.)

§ 3713. Authority for urgent threat reduction activities under Department of Defense Cooperative Threat Reduction Program

(a) Limitation on use of funds for urgent threat reduction activities

Subject to subsections (b) and (c), not more than 15 percent of the total amount of Cooperative Threat Reduction funds for any fiscal year may be obligated or expended, notwithstanding any other provision of law, for covered activities.

(b) Secretary of Defense determination and notice for urgent threat reduction activities in governed areas

With respect to an area not covered by subsection (c), the Secretary of Defense may obligate or expend funds pursuant to subsection (a) for covered activities if—

(1) the Secretary determines, in writing, that—

(A) a threat arising in such area from the proliferation of chemical, nuclear, or biological weapons or weapons-related materials, technologies, or expertise must be addressed urgently;

(B) certain provisions of law would unnecessarily impede the ability of the Secretary to carry out such covered activities to address such threat; and

(C) it is necessary to obligate or expend such funds to carry out such covered activities;

(2) the Secretary of State and the Secretary of Energy concur with such determination; and

(3) at the time at which the Secretary of Defense first obligates such funds, the Secretary of Defense, in consultation with the Secretary of State, submits to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate—

(A) the determination under paragraph (1);

(B) a description of the covered activities to be carried out using such funds;

(C) the expected time frame for such activities; and

(D) the expected cost of such activities.

(c) Presidential determination and notice for urgent threat reduction activities in ungoverned areas

With respect to an ungoverned area or an area that is not controlled by an effective govern-

mental authority, as determined by the Secretary of State, the President may obligate or expend funds pursuant to subsection (a) for covered activities if—

(1) the President determines, in writing, that—

(A) a threat arising in such an area from the proliferation of chemical, nuclear, or biological weapons or weapons-related materials, technologies, or expertise must be addressed urgently; and

(B) it is necessary to obligate or expend such funds to carry out such covered activities to address such threat; and

(2) at the time at which the President first obligates such funds, the Secretary of Defense, in consultation with the Secretary of State, submits to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate—

(A) the determination under paragraph (1);

(B) a description of the covered activities to be carried out using such funds;

(C) the expected time frame for such activities; and

(D) the expected cost of such activities.

(d) Covered activity defined

In this section, the term “covered activity” means an activity under the Program to address a threat arising from the proliferation of chemical, nuclear, or biological weapons or weapons-related materials, technologies, or expertise.

(Pub. L. 113–291, div. A, title XIII, § 1323, Dec. 19, 2014, 128 Stat. 3598.)

§ 3714. Use of funds for unspecified purposes or for increased amounts

(a) Notice to Congress of intent to use funds for unspecified purposes

(1) Report

For any fiscal year for which Cooperative Threat Reduction funds are specifically authorized in an Act other than an appropriations Act for specific purposes within the Program, the Secretary of Defense may obligate or expend such funds, or other funds otherwise made available for the Program for that fiscal year, for purposes other than such specified purposes if—

(A) the Secretary determines that such obligation or expenditure is necessary in the national interests of the United States;

(B) the Secretary submits to the congressional defense committees—

(i) notification of the intent of the Secretary to make such an obligation or expenditure of funds; and

(ii) a complete discussion of the purpose and justification for such obligation or expenditure, including the amount of funds to be obligated or expended; and

(C) a period of 15 days has elapsed following the date on which the Secretary submits the notification and discussion under subparagraph (B).

(2) Construction with other laws

Paragraph (1) may not be construed to authorize the obligation or expenditure of Coop-

erative Threat Reduction Program funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under section 3731 of this title or any other provision of law.

(b) Limited authority to vary individual amounts provided for any fiscal year for specified purposes

For any fiscal year for which Cooperative Threat Reduction funds are specifically authorized in an Act other than an appropriations Act for specific purposes within the Program, the Secretary may obligate or expend such funds, or other funds otherwise made available for the Program for that fiscal year, in excess of the specific amount so authorized for that purpose if—

- (1) the Secretary determines that such obligation or expenditure is necessary in the national interests of the United States;
- (2) the Secretary submits to the congressional defense committees—
 - (A) notification of the intent of the Secretary to make such an obligation or expenditure of funds in excess of such authorized amount; and
 - (B) a complete discussion of the justification for exceeding such specified amounts, including the amount by which the Secretary will exceed such specified amounts; and
- (3) a period of 15 days has elapsed following the date on which the Secretary submits the notification and discussion under paragraph (2).

(Pub. L. 113–291, div. A, title XIII, § 1324, Dec. 19, 2014, 128 Stat. 3599.)

§ 3715. Use of contributions to Department of Defense Cooperative Threat Reduction Program

(a) Authority to enter into agreements

(1) Authority

Subject to paragraph (2), the Secretary of Defense may enter into one or more agreements with any person (including a foreign government, international organization, multinational entity, or any other entity) that the Secretary considers appropriate under which the person contributes funds for activities conducted under the Program.

(2) Concurrence by Secretary of State

The Secretary may enter into an agreement under paragraph (1) only with the concurrence of the Secretary of State.

(b) Retention and use of funds

Notwithstanding section 3302 of title 31 and subject to subsections (c) and (d), the Secretary of Defense may retain and obligate or expend funds contributed pursuant to subsection (a) for purposes of the Program. Funds so contributed shall be retained in a separate fund established in the Treasury for such purposes and shall be available to be obligated or expended without further appropriation.

(c) Return of funds not obligated or expended within three years

If the Secretary does not obligate or expend funds contributed pursuant to subsection (a) by

the date that is three years after the date on which the contribution was made, the Secretary shall return the amount to the person who made the contribution.

(d) Notice

(1) In general

Not later than 30 days after receiving funds contributed pursuant to subsection (a), the Secretary shall submit to the appropriate congressional committees a notice—

- (A) specifying the value of the contribution and the purpose for which the contribution was made; and
- (B) identifying the person who made the contribution.

(2) Limitation on use of amounts

The Secretary may not obligate funds contributed pursuant to subsection (a) until a period of 15 days elapses following the date on which the Secretary submits the notice under paragraph (1).

(e) Annual report

Not later than the first Monday in February of each year, the Secretary shall submit to the appropriate congressional committees a report on amounts contributed pursuant to subsection (a) during the preceding fiscal year. Each such report shall include, for the fiscal year covered by the report, the following:

- (1) A statement of any funds contributed pursuant to subsection (a), including, for each such contribution, the value of the contribution and the identity of the person who made the contribution.
- (2) A statement of any funds so contributed that were obligated or expended by the Secretary, including, for each such contribution, the purposes for which the funds were obligated or expended.
- (3) A statement of any funds so contributed that were retained but not obligated or expended, including, for each such contribution, the purposes (if known) for which the Secretary intends to obligate or expend the amount.

(f) Implementation plan

The Secretary shall submit to the congressional defense committees—

- (1) an implementation plan for the authority provided under this section prior to obligating or expending any funds contributed pursuant to subsection (a); and
- (2) any updates to such plan that the Secretary considers appropriate.

(g) Appropriate congressional committees defined

In this section, the term “appropriate congressional committees” means the following:

- (1) The congressional defense committees.
- (2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(Pub. L. 113–291, div. A, title XIII, § 1325, Dec. 19, 2014, 128 Stat. 3600.)

SUBCHAPTER II—RESTRICTIONS AND
LIMITATIONS

§ 3731. Prohibition on use of funds for specified purposes

(a) In general

Cooperative Threat Reduction funds may not be obligated or expended for any of the following purposes:

- (1) Conducting any peacekeeping exercise or other peacekeeping-related activity.
- (2) Provision of housing.
- (3) Provision of assistance to promote environmental restoration.
- (4) Provision of assistance to promote job retraining.
- (5) Provision of assistance to promote defense conversion.

(b) Limitation with respect to conventional weapons

Cooperative Threat Reduction funds may not be obligated or expended for the elimination of—

- (1) conventional weapons; or
- (2) delivery vehicles of conventional weapons, unless such delivery vehicles could reasonably be used or adapted to be used for the delivery of chemical, nuclear, or biological weapons.

(Pub. L. 113-291, div. A, title XIII, §1331, Dec. 19, 2014, 128 Stat. 3601.)

§ 3732. Requirement for on-site managers

(a) On-site manager requirement

Before obligating any Cooperative Threat Reduction funds for a project described in subsection (b), the Secretary of Defense shall appoint one on-site manager for that project. The manager shall be appointed from among employees of the Federal Government.

(b) Projects covered

Subsection (a) applies to a project—

- (1) to be located in a state of the former Soviet Union;
- (2) which involves dismantlement, destruction, or storage facilities, or construction of a facility; and
- (3) with respect to which the total contribution by the Department of Defense is expected to exceed \$50,000,000.

(c) Duties of on-site manager

The on-site manager appointed under subsection (a) shall—

- (1) develop, in cooperation with representatives from governments of states participating in the project, a list of those steps or activities critical to achieving the disarmament or nonproliferation goals of the project;
- (2) establish a schedule for completing those steps or activities;
- (3) meet with all participants to seek assurances that those steps or activities are being completed on schedule; and
- (4) suspend the participation of the United States in a project when a participant other than the United States fails to complete a scheduled step or activity on time, unless the Secretary of Defense directs the on-site man-

ager to resume the participation of the United States.

(d) Authority to manage more than one project

(1) In general

Subject to paragraph (2), an employee of the Federal Government may serve as on-site manager for more than one project, including projects at different locations.

(2) Limitation

If such an employee serves as on-site manager for more than one project in a fiscal year, the total cost of the projects for that fiscal year may not exceed \$150,000,000.

(e) Steps or activities

Steps or activities referred to in subsection (c)(1) are those steps or activities that, if not completed, will prevent a project from achieving its disarmament or nonproliferation goals, including, at a minimum, the following:

- (1) Identification and acquisition of permits (as defined in section 3733 of this title).
- (2) Verification that the items, substances, or capabilities to be dismantled, secured, or otherwise modified are available for dismantlement, securing, or modification.
- (3) Timely provision of financial, personnel, management, transportation, and other resources.

(f) Notification to Congress

In any case in which the Secretary directs an on-site manager to resume the participation of the United States in a project under subsection (c)(4), the Secretary shall notify the congressional defense committees of such direction by not later than 30 days after the date of such direction.

(Pub. L. 113-291, div. A, title XIII, §1332, Dec. 19, 2014, 128 Stat. 3601.)

§ 3733. Limitation on use of funds until certain permits obtained

(a) In general

The Secretary of Defense shall seek to obtain all the permits required to complete each phase of construction of a project under the Program in a state of the former Soviet Union before obligating more than 40 percent of the total costs of that phase of the project.

(b) Use of funds for new construction projects

Except as provided in subsection (c), with respect to a new construction project to be carried out by the Program, not more than 40 percent of the total costs of the project may be obligated from Cooperative Threat Reduction funds for any fiscal year until the Secretary—

- (1) determines the number and type of permits that may be required for the lifetime of the project in the proposed location or locations of the project; and
- (2) obtains from the state in which the project is to be located any permits that may be required to begin construction.

(c) Exception to limitations on use of funds

The limitation in subsection (b) on the obligation of funds for a construction project otherwise covered by such subsection shall not apply

with respect to the obligation of funds for a particular project if the Secretary—

- (1) determines that it is necessary in the national interest to obligate funds for such project; and
- (2) submits to the congressional defense committees a notification of the intent to obligate funds for such project, together with a complete discussion of the justification for doing so.

(d) Definitions

In this section, with respect to a project under the Program:

- (1) The term “new construction project” means a construction project for which no funds have been obligated or expended as of November 24, 2003.
- (2) The term “permit” means any local or national permit for development, general construction, environmental, land use, or other purposes that is required for purposes of major construction.

(Pub. L. 113–291, div. A, title XIII, §1333, Dec. 19, 2014, 128 Stat. 3602.)

§ 3734. Limitation on availability of funds for Cooperative Threat Reduction activities with Russian Federation

(a) Sense of Congress

It is the sense of Congress that—

- (1) the United States should carry out activities under the Program in the Russian Federation only if those activities are consistent with and in support of the security interests of the United States; and
- (2) in carrying out any such activities after December 19, 2014, the Secretary of Defense should focus on only those activities that—
 - (A) are in support of the arms control obligations of the United States and the Russian Federation; or
 - (B) will reduce the threats posed by weapons of mass destruction and related materials and technology to the United States and countries in the Euro-Atlantic and Eurasian regions.

(b) Completion of Cooperative Threat Reduction activities in Russian Federation

Cooperative Threat Reduction funds made available for a fiscal year after fiscal year 2015 may not be obligated or expended for activities in the Russian Federation unless such activities in Russia are specifically authorized by law.

(Pub. L. 113–291, div. A, title XIII, §1334, Dec. 19, 2014, 128 Stat. 3603.)

SUBCHAPTER III—RECURRING
CERTIFICATIONS AND REPORTS

§ 3741. Annual certifications on use of facilities being constructed for Department of Defense Cooperative Threat Reduction projects or activities

Not later than the first Monday in February each year, the Secretary of Defense shall submit to the congressional defense committees a certification for each facility of a project or activity of the Program for which construction oc-

curred during the preceding fiscal year on matters as follows:

- (1) Whether or not such facility will be used for its intended purpose by the government of the foreign country in which the facility is constructed.
- (2) Whether or not the government of such country remains committed to the use of such facility for such purpose.
- (3) Whether the actions needed to ensure security at the facility, including the secure transportation of any materials, substances, or weapons to, from, or within the facility, have been taken.

(Pub. L. 113–291, div. A, title XIII, §1341, Dec. 19, 2014, 128 Stat. 3604.)

§ 3742. Requirement to submit summary of amounts requested by project category

(a) Summary required

The Secretary of Defense shall submit to the congressional defense committees in the materials and manner specified in subsection (c)—

- (1) a descriptive summary, with respect to the appropriations requested for the Program for the fiscal year after the fiscal year in which the summary is submitted, of the amounts requested for each project category under each program element; and
- (2) a descriptive summary, with respect to appropriations for the Program for the fiscal year in which the list is submitted and the previous fiscal year, of the amounts obligated or expended, or planned to be obligated or expended, for each project category under each program element.

(b) Description of purpose and intent

The descriptive summary required under subsection (a) shall include a narrative description of each program and project category under each program element that explains the purpose and intent of the funds requested.

(c) Inclusion in certain materials submitted to Congress

The summary required to be submitted in a fiscal year under subsection (a) shall be set forth by project category, and by amounts specified in paragraphs (1) and (2) of such subsection in connection with such project category, in each of the following:

- (1) The annual report on activities and assistance under the Program required in such fiscal year under section 3743 of this title.
- (2) The budget justification materials submitted to Congress in support of the Department of Defense budget for the fiscal year succeeding such fiscal year (as submitted with the budget of the President under section 1105 of title 31).

(Pub. L. 113–291, div. A, title XIII, §1342, Dec. 19, 2014, 128 Stat. 3604.)

§ 3743. Reports on activities and assistance under Department of Defense Cooperative Threat Reduction Program

(a) Annual report

In any year in which the President submits to Congress, under section 1105 of title 31, the budg-

et for a fiscal year that requests funds for the Department of Defense for activities or assistance under the Program, the Secretary of Defense, after consultation with the Secretary of State, shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on the activities and assistance carried out under the Program.

(b) Deadline

Each report under subsection (a) shall be submitted not later than the first Monday in February of a year.

(c) Matters included

Each report under subsection (a) shall include the following:

(1) An estimate of the total amount that will be required to be expended by the United States during the fiscal year covered by the budget described in subsection (a) in order to achieve the objectives of the Program.

(2) A five-year plan setting forth the amount of funds and other resources proposed to be provided by the United States for the Program during the period covered by the plan, including the purpose for which such funds and resources will be used.

(3) A description of the activities and assistance carried out under the Program during the fiscal year preceding the submission of the report, including—

(A) the funds notified, obligated, and expended for such activities and assistance and the purposes for which such funds were notified, obligated, and expended for such fiscal year and cumulatively for the Program;

(B) a description of the participation, if any, of each department and agency of the Federal Government in such activities and assistance;

(C) a description of such activities and assistance, including the forms of assistance provided;

(D) a description of the United States private sector participation in the portion of such activities and assistance that were supported by the obligation and expenditure of funds for the Program; and

(E) such other information as the Secretary considers appropriate to fully inform Congress of the operation of activities and assistance carried out under the Program, including, with respect to proposed demilitarization or conversion projects, information on the progress toward demilitarization of facilities and the conversion of the demilitarized facilities to civilian activities.

(4) A description of the means (including program management, audits, examinations, and other means) used by the United States during the fiscal year preceding the submission of the report to ensure that assistance provided under the Program is fully accounted for, that such assistance is being used for its intended purpose, and that such assistance is being used efficiently and effectively, including—

(A) if such assistance consisted of equipment, a description of the current location

of such equipment and the current condition of such equipment;

(B) if such assistance consisted of contracts or other services, a description of the status of such contracts or services and the methods used to ensure that such contracts and services are being used for their intended purpose;

(C) a determination whether the assistance described in subparagraphs (A) and (B) has been used for its intended purpose and an assessment of whether the assistance being provided is being used effectively and efficiently; and

(D) a description of the efforts planned to be carried out during the fiscal year beginning in the year of the report to ensure that Department of Defense Cooperative Threat Reduction assistance provided during such fiscal year is fully accounted for and is used for its intended purpose.

(5) A description of the defense and military activities carried out under section 3711(a)(6) of this title during the fiscal year preceding the submission of the report, including—

(A) the amount of funds obligated or expended for such activities;

(B) the strategy, goals, and objectives for which such funds were obligated and expended;

(C) a description of the activities carried out, including the forms of assistance provided, and the justification for each form of assistance provided;

(D) the success of each activity, including the goals and objectives achieved for each activity;

(E) a description of participation by private sector entities in the United States in carrying out such activities, and the participation of any other department or agency of the Federal Government in such activities; and

(F) any other information that the Secretary considers relevant to provide a complete description of the operation and success of activities carried out under the Program.

(Pub. L. 113–291, div. A, title XIII, § 1343, Dec. 19, 2014, 128 Stat. 3605.)

§ 3744. Metrics for Department of Defense Cooperative Threat Reduction Program

The Secretary of Defense shall implement metrics to measure the impact and effectiveness of activities of the Program to address threats arising from the proliferation of chemical, nuclear, and biological weapons and weapons-related materials, technologies, and expertise.

(Pub. L. 113–291, div. A, title XIII, § 1344, Dec. 19, 2014, 128 Stat. 3606.)

SUBCHAPTER IV—TRANSITION PROVISIONS

§ 3751. Transition provisions

(a) Determinations relating to certain proliferation threat reduction projects and activities

Any determination made before December 19, 2014, under section 5963(a)¹ of title 22 shall be

¹ See References in Text note below.

treated as a determination under section 3712(a) of this title.

(b) Determinations relating to urgent threat reduction activities

Any determination made before December 19, 2014, under section 5965(b)¹ of title 22 shall be treated as a determination under section 3713(b) of this title.

(c) Funds available for Cooperative Threat Reduction Program

Funds made available for Cooperative Threat Reduction programs pursuant to the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1632) or the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 672) that remain available for obligation as of December 19, 2014, shall be available for the Program.

(Pub. L. 113-291, div. A, title XIII, § 1352, Dec. 19, 2014, 128 Stat. 3607.)

REFERENCES IN TEXT

Section 5963 of title 22, referred to in subsec. (a), was repealed by Pub. L. 113-291, div. A, title XIII, § 1351(11), Dec. 19, 2014, 128 Stat. 3607.

Section 5965 of title 22, referred to in subsec. (b), was repealed by Pub. L. 113-291, div. A, title XIII, § 1351(12)(B), Dec. 19, 2014, 128 Stat. 3607.

The National Defense Authorization Act for Fiscal Year 2013, referred to in subsec. (c), is Pub. L. 112-239, Jan. 2, 2013, 126 Stat. 1632. For complete classification of this Act to the Code, see Tables.

The National Defense Authorization Act for Fiscal Year 2014, referred to in subsec. (c), is Pub. L. 113-66, Dec. 26, 2013, 127 Stat. 672. For complete classification of this Act to the Code, see Tables.