

108TH CONGRESS
1ST SESSION

S. 1049

AN ACT

To authorize appropriations for fiscal year 2004 for defense activities of the Department of Energy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Department of Energy
5 National Security Act for Fiscal Year 2004”.

1 **SEC. 2. TABLE OF CONTENTS.**

2 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Congressional defense committees defined.

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

- Sec. 3101. National Nuclear Security Administration.
- Sec. 3102. Defense environmental management.
- Sec. 3103. Other defense activities.
- Sec. 3104. Defense nuclear waste disposal.
- Sec. 3105. Defense energy supply.

Subtitle B—Program Authorizations, Restrictions, and Limitations

- Sec. 3131. Repeal of prohibition on research and development of low-yield nuclear weapons.
- Sec. 3132. Readiness posture for resumption by the United States of underground nuclear weapons tests.
- Sec. 3133. Technical base and facilities maintenance and recapitalization activities.
- Sec. 3134. Continuation of processing, treatment, and disposition of legacy nuclear materials.
- Sec. 3135. Requirement for specific authorization of Congress for commencement of engineering development phase or subsequent phase of robust nuclear earth penetrator.

Subtitle C—Proliferation Matters

- Sec. 3141. Expansion of International Materials Protection, Control, and Accounting program.
- Sec. 3142. Semi-annual financial reports on Defense Nuclear Nonproliferation program.
- Sec. 3143. Report on reduction of excessive uncosted balances for defense nuclear nonproliferation activities.

Subtitle D—Other Matters

- Sec. 3151. Modification of authorities on Department of Energy personnel security investigations.
- Sec. 3152. Responsibilities of Environmental Management program and National Nuclear Security Administration of Department of Energy for environmental cleanup, decontamination and decommissioning, and waste management.
- Sec. 3153. Update of report on stockpile stewardship criteria.
- Sec. 3154. Progress reports on Energy Employees Occupational Illness Compensation Program.
- Sec. 3155. Study on the application of technology from the Robust Nuclear Earth Penetrator Program to Conventional Hard and Deeply Buried Target Weapons Development Programs.

**Subtitle E—Consolidation of General Provisions on
Department of Energy National Security Programs**

Sec. 3161. Consolidation and assembly of recurring and general provisions on
Department of Energy national security programs.

**TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY
BOARD**

Sec. 3201. Authorization.

1 **SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.**

2 For purposes of this Act, the term “congressional de-
3 fense committees” means—

4 (1) the Committee on Armed Services and the
5 Committee on Appropriations of the Senate; and

6 (2) the Committee on Armed Services and the
7 Committee on Appropriations of the House of Rep-
8 resentatives.

9 **TITLE XXXI—DEPARTMENT OF**
10 **ENERGY NATIONAL SECURITY**
11 **PROGRAMS**

12 **Subtitle A—National Security**
13 **Programs Authorizations**

14 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
15 **TION.**

16 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
17 are hereby authorized to be appropriated to the Depart-
18 ment of Energy for fiscal year 2004 for the activities of
19 the National Nuclear Security Administration in carrying
20 out programs necessary for national security in the
21 amount of \$8,933,847,000, to be allocated as follows:

1 (1) For weapons activities, \$6,457,272,000.

2 (2) For defense nuclear nonproliferation activi-
3 ties, \$1,340,195,000.

4 (3) For naval reactors, \$788,400,000.

5 (4) For the Office of the Administrator for Nu-
6 clear Security, \$347,980,000.

7 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
8 From funds referred to in subsection (a) that are available
9 for carrying out plant projects, the Secretary of Energy
10 may carry out new plant projects for weapons activities,
11 as follows:

12 (1) Project 04–D–101, test capabilities revital-
13 ization, phase I, Sandia National Laboratories, Al-
14 buquerque, New Mexico, \$36,450,000.

15 (2) Project 04–D–102, exterior communications
16 infrastructure modernization, Sandia National Lab-
17 oratories, Albuquerque, New Mexico, \$20,000,000.

18 (3) Project 04–D–103, project engineering and
19 design, various locations, \$2,000,000.

20 (4) Project 04–D–125, chemistry and metal-
21 lurgy research (CMR) facility replacement, Los Ala-
22 mos National Laboratory, Los Alamos, New Mexico,
23 \$20,500,000.

1 (5) Project 04–D–126, building 12–44 produc-
2 tion cells upgrade, Pantex Plant, Amarillo, Texas,
3 \$8,780,000.

4 (6) Project 04–D–127, cleaning and loading
5 modifications (CALM), Savannah River Site, Aiken,
6 South Carolina, \$2,750,000.

7 (7) Project 04–D–128, TA–18 mission reloca-
8 tion project, Los Alamos National Laboratory, Los
9 Alamos, New Mexico, \$8,820,000.

10 (8) Project 04–D–203, project engineering and
11 design, facilities and infrastructure recapitalization
12 program, various locations, \$3,719,000.

13 (9) Project 03–D–102, sm.43 replacement ad-
14 ministration building, Los Alamos National Labora-
15 tory, Los Alamos, New Mexico, \$50,000,000.

16 **SEC. 3102. DEFENSE ENVIRONMENTAL MANAGEMENT.**

17 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
18 are hereby authorized to be appropriated to the Depart-
19 ment of Energy for fiscal year 2004 for environmental
20 management activities in carrying out programs necessary
21 for national security in the amount of \$6,809,814,000, to
22 be allocated as follows:

23 (1) For defense site acceleration completion,
24 \$5,814,635,000.

1 (2) For defense environmental services in car-
2 rying out environmental restoration and waste man-
3 agement activities necessary for national security
4 programs, \$995,179,000.

5 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
6 From funds referred to in subsection (a) that are available
7 for carrying out plant projects, the Secretary of Energy
8 may carry out new plant projects for defense site accelera-
9 tion completion activities, as follows:

10 (1) Project 04–D–408, glass waste storage
11 building #2, Savannah River Site, Aiken, South
12 Carolina, \$20,259,000.

13 (2) Project 04–D–414, project engineering and
14 design, various locations, \$23,500,000.

15 (3) Project 04–D–423, 3013 container surveil-
16 lance capability in 235–F, Savannah River Site,
17 Aiken, South Carolina, \$1,134,000.

18 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

19 Funds are hereby authorized to be appropriated to
20 the Department of Energy for fiscal year 2004 for other
21 defense activities in carrying out programs necessary for
22 national security in the amount of \$465,059,000.

23 **SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL.**

24 Funds are hereby authorized to be appropriated to
25 the Department of Energy for fiscal year 2004 for defense

1 nuclear waste disposal for payment to the Nuclear Waste
 2 Fund established in section 302(c) of the Nuclear Waste
 3 Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount
 4 of \$360,000,000.

5 **SEC. 3105. DEFENSE ENERGY SUPPLY.**

6 Funds are hereby authorized to be appropriated to
 7 the Department of Energy for fiscal year 2004 for defense
 8 energy supply in carrying out programs necessary for na-
 9 tional security in the amount of \$110,473,000.

10 **Subtitle B—Program Authoriza-**
 11 **tions, Restrictions, and Limita-**
 12 **tions**

13 **SEC. 3131. REPEAL OF PROHIBITION ON RESEARCH AND**
 14 **DEVELOPMENT OF LOW-YIELD NUCLEAR**
 15 **WEAPONS.**

16 (a) REPEAL.—Section 3136 of the National Defense
 17 Authorization Act for Fiscal Year 1994 (Public Law 103–
 18 160; 107 Stat. 1946; 42 U.S.C. 2121 note) is repealed.

19 (b) CONSTRUCTION.—Nothing in the repeal made by
 20 subsection (a) shall be construed as authorizing the test-
 21 ing, acquisition, or deployment of a low-yield nuclear
 22 weapon.

23 (c) LIMITATION.—The Secretary of Energy may not
 24 commence the engineering development phase, or any sub-

1 sequent phase, of a low-yield nuclear weapon unless spe-
 2 cifically authorized by Congress.

3 (d) REPORT.—(1) Not later than March 1, 2004, the
 4 Secretary of State, the Secretary of Defense and the Sec-
 5 retary of Energy shall jointly submit to Congress a report
 6 assessing whether or not the repeal of section 3136 of the
 7 National Defense Authorization Act for Fiscal Year 1994
 8 will affect the ability of the United States to achieve its
 9 nonproliferation objectives and whether or not any
 10 changes in programs and activities would be required to
 11 achieve those objectives.

12 (2) The report shall be submitted in unclassified
 13 form, but may include a classified annex if necessary.

14 **SEC. 3132. READINESS POSTURE FOR RESUMPTION BY**
 15 **THE UNITED STATES OF UNDERGROUND NU-**
 16 **CLEAR WEAPONS TESTS.**

17 (a) 18-MONTH READINESS POSTURE REQUIRED.—
 18 Commencing not later than October 1, 2006, the Sec-
 19 retary of Energy shall achieve, and thereafter maintain,
 20 a readiness posture of 18 months for resumption by the
 21 United States of underground nuclear tests, subject to
 22 subsection (b).

23 (b) ALTERNATIVE READINESS POSTURE.—If as a re-
 24 sult of the review conducted by the Secretary for purposes
 25 of the report required by section 3142(c) of the Bob

1 Stump National Defense Authorization Act for Fiscal
2 Year 2003 (Public Law 107–314; 116 Stat. 2733) the
3 Secretary, in consultation with the Administrator for Nu-
4 clear Security, determines that the optimal, advisable, and
5 preferred readiness posture for resumption by the United
6 States of underground nuclear tests is a number of
7 months other than 18 months, the Secretary may, and is
8 encouraged to, achieve and thereafter maintain under sub-
9 section (a) such optimal, advisable, and preferred readi-
10 ness posture instead of the readiness posture of 18
11 months.

12 (c) REPORT ON DETERMINATION.—(1) The Sec-
13 retary shall submit to the congressional defense commit-
14 tees a report on a determination described in subsection
15 (b) if the determination leads to the achievement by the
16 Secretary of a readiness posture of other than 18 months
17 under that subsection.

18 (2) The report under paragraph (1) shall set forth—

19 (A) the determination described in that para-
20 graph, including the reasons for the determination;
21 and

22 (B) the number of months of the readiness pos-
23 ture to be achieved and maintained under subsection
24 (b) as a result of the determination.

1 (3) The requirement for a report, if any, under para-
 2 graph (1) is in addition to the requirement for a report
 3 under section 3142(c) of the Bob Stump National Defense
 4 Authorization Act for Fiscal Year 2003, and the require-
 5 ment in that paragraph shall not be construed as termi-
 6 nating, modifying, or otherwise affecting the requirement
 7 for a report under such section.

8 (d) READINESS POSTURE.—For purposes of this sec-
 9 tion, a readiness posture of a specified number of months
 10 for resumption by the United States of underground nu-
 11 clear weapons tests is achieved when the Department of
 12 Energy has the capability to resume such tests, if directed
 13 by the President to resume such tests, not later than the
 14 specified number of months after the date on which the
 15 President so directs.

16 **SEC. 3133. TECHNICAL BASE AND FACILITIES MAINTENANCE AND RECAPITALIZATION ACTIVITIES.**

17 (a) DEADLINE FOR INCLUSION OF PROJECTS IN FA-
 18 CILITIES AND INFRASTRUCTURE RECAPITALIZATION PRO-
 19 GRAM.—(1) The Administrator for Nuclear Security shall
 20 complete the selection of projects for inclusion in the Fa-
 21 cilities and Infrastructure Recapitalization Program
 22 (FIRP) of the National Nuclear Security Administration
 23 not later than September 30, 2004.

1 (2) No project may be included in the Facilities and
2 Infrastructure Recapitalization Program after September
3 30, 2004, unless such project has been selected for inclu-
4 sion in that program as of that date.

5 (b) TERMINATION OF FACILITIES AND INFRASTRUC-
6 TURE RECAPITALIZATION PROGRAM.—The Administrator
7 shall terminate the Facilities and Infrastructure Recapi-
8 talization Program not later than September 30, 2011.

9 (c) READINESS IN TECHNICAL BASE AND FACILITIES
10 PROGRAM.—(1) Not later than September 30, 2004, the
11 Administrator shall submit to the congressional defense
12 committees a report setting forth guidelines on the con-
13 duct of the Readiness in Technical Base and Facilities
14 (RTBF) program of the National Nuclear Security Ad-
15 ministration.

16 (2) The guidelines on the Readiness in Technical
17 Base and Facilities program shall include the following:

18 (A) Criteria for the inclusion of projects in the
19 program, and for establishing priorities among
20 projects included in the program.

21 (B) Mechanisms for the management of facili-
22 ties under the program, including maintenance as
23 provided pursuant to subparagraph (C).

24 (C) A description of the scope of maintenance
25 activities under the program, including recurring

1 maintenance, construction of facilities, recapitaliza-
2 tion of facilities, and decontamination and decom-
3 missioning of facilities.

4 (3) The guidelines on the Readiness in Technical
5 Base and Facilities program shall ensure that the mainte-
6 nance activities provided for under paragraph (2)(C) are
7 carried out in a timely and efficient manner designed to
8 avoid maintenance backlogs.

9 (d) OPERATIONS OF FACILITIES PROGRAM.—(1) The
10 Administration shall provide for the administration of the
11 Operations of Facilities Program of the National Nuclear
12 Security Administration as a program independent of the
13 Readiness in Technical Base and Facilities Program and
14 of any other programs that the Operations of Facilities
15 Program is intended to support.

16 (2) The Operations of Facilities Program shall be
17 managed by the Associate Administrator of the National
18 Nuclear Security Administration for Facilities and Oper-
19 ations, or by such other official within the National Nu-
20 clear Security Administration as the Administrator shall
21 designate for that purpose.

1 **SEC. 3134. CONTINUATION OF PROCESSING, TREATMENT,**
 2 **AND DISPOSITION OF LEGACY NUCLEAR MA-**
 3 **TERIALS.**

4 (a) CONTINUATION OF H-CANYON FACILITY.—Sub-
 5 section (a) of section 3137 of the Floyd D. Spence Na-
 6 tional Defense Authorization Act for Fiscal Year 2001 (as
 7 enacted into law by Public Law 106–398; 114 Stat.
 8 1654A–460) is amended by striking “F-canyon and H-
 9 canyon facilities” and inserting “H-canyon facility”.

10 (b) MODIFICATION OF LIMITATION ON USE OF
 11 FUNDS FOR DECOMMISSIONING F-CANYON FACILITY.—
 12 Subsection (b) of such section is amended—

13 (1) by striking “and the Defense Nuclear Fa-
 14 cilities Safety Board” and all that follows through
 15 “House of Representatives” and inserting “submits
 16 to the Committee on Armed Services of the Senate
 17 and the Committee on Armed Services of the House
 18 of Representatives, and the Defense Nuclear Facili-
 19 ties Safety Board,”; and

20 (2) by striking “the following:” and all that fol-
 21 lows and inserting “a report setting forth—

22 “(1) an assessment whether or not all materials
 23 present in the F-canyon facility as of the date of the
 24 report that required stabilization have been safely
 25 stabilized as of that date;

1 “(2) an assessment whether or not the require-
2 ments applicable to the F-canyon facility to meet
3 the future needs of the United States for fissile ma-
4 terials disposition can be met through full use of the
5 H-canyon facility at the Savannah River Site; and

6 “(3) if it appears that one or more of the re-
7 quirements described in paragraph (2) cannot be
8 met through full use of the H-canyon facility—

9 “(A) an identification by the Secretary of
10 each such requirement that cannot be met
11 through full use of the H-canyon facility; and

12 “(B) for each requirement so identified,
13 the reasons why such requirement cannot be
14 met through full use of the H-canyon facility
15 and a description of the alternative capability
16 for fissile materials disposition that is needed to
17 meet such requirement.”.

18 (c) REPEAL OF SUPERSEDED PLAN REQUIRE-
19 MENT.—Subsection (c) of such section is repealed.

1 **SEC. 3135. REQUIREMENT FOR SPECIFIC AUTHORIZATION**
 2 **OF CONGRESS FOR COMMENCEMENT OF EN-**
 3 **GINEERING DEVELOPMENT PHASE OR SUB-**
 4 **SEQUENT PHASE OF ROBUST NUCLEAR**
 5 **EARTH PENETRATOR.**

6 The Secretary of Energy may not commence the engi-
 7 neering development phase (phase 6.3) of the nuclear
 8 weapons development process, or any subsequent phase,
 9 of a Robust Nuclear Earth Penetrator weapon unless spe-
 10 cifically authorized by Congress.

11 **Subtitle C—Proliferation Matters**

12 **SEC. 3141. EXPANSION OF INTERNATIONAL MATERIALS**
 13 **PROTECTION, CONTROL, AND ACCOUNTING**
 14 **PROGRAM.**

15 (a) EXPANSION OF PROGRAM TO ADDITIONAL COUN-
 16 TRIES.—The Secretary of Energy may expand the Inter-
 17 national Materials, Protection, Control, and Accounting
 18 Program to carry out nuclear nonproliferation threat re-
 19 duction activities and projects outside the states of the
 20 former Soviet Union.

21 (b) NOTICE TO CONGRESS OF USE OF FUNDS.—Not
 22 later than 15 days before the Secretary obligates funds
 23 for the International Materials Protection, Control, and
 24 Accounting Program for a project or activity in or with
 25 respect to a country outside the former Soviet Union pur-
 26 suant to the authority in subsection (a), the Secretary

1 shall submit to the congressional defense committees a no-
 2 tice on the obligation of such funds for the project or activ-
 3 ity that shall specify—

4 (1) the project or activity, and forms of assist-
 5 ance, for which the Secretary proposes to obligate
 6 such funds;

7 (2) the amount of the proposed obligation; and

8 (3) the projected involvement (if any) of any
 9 United States department or agency (other than the
 10 Department of Energy), or the private sector, in the
 11 project, activity, or assistance for which the Sec-
 12 retary proposes to obligate such funds.

13 **SEC. 3142. SEMI-ANNUAL FINANCIAL REPORTS ON DE-**
 14 **FENSE NUCLEAR NONPROLIFERATION PRO-**
 15 **GRAM.**

16 (a) SEMIANNUAL REPORTS REQUIRED.—Not later
 17 than April 30 and October 30 each year, the Adminis-
 18 trator for Nuclear Security shall submit to the Committees
 19 on Armed Services of the Senate and the House of Rep-
 20 resentatives a report on the financial status during the
 21 half fiscal year ending at the end of the preceding month
 22 of all Department of Energy defense nuclear nonprolifera-
 23 tion programs for which funds were authorized to be ap-
 24 propriated for the fiscal year in which such half fiscal year
 25 falls.

1 (b) CONTENTS.—Each report on a half fiscal year
 2 under subsection (a) shall set forth for each Department
 3 of Energy defense nuclear nonproliferation program for
 4 which funds were authorized to be appropriated for the
 5 fiscal year in which such half fiscal year falls—

6 (1) the aggregate amount appropriated for such
 7 fiscal year for such program; and

8 (2) of the aggregate amount appropriated for
 9 such fiscal year for such program—

10 (A) the amounts obligated for such pro-
 11 gram as of the end of the half fiscal year;

12 (B) the amounts committed for such pro-
 13 gram as of the end of the half fiscal year;

14 (C) the amounts disbursed for such pro-
 15 gram as of the end of the half fiscal year; and

16 (D) the amounts that remain available for
 17 obligation for such program as of the end of the
 18 half fiscal year.

19 (c) APPLICABILITY.—This section shall apply with re-
 20 spect to fiscal years after fiscal year 2003.

21 **SEC. 3143. REPORT ON REDUCTION OF EXCESSIVE**
 22 **UNCOSTED BALANCES FOR DEFENSE NU-**
 23 **CLEAR NONPROLIFERATION ACTIVITIES.**

24 (a) CONTINGENT REQUIREMENT FOR REPORT.—If
 25 as of September 30, 2004, the aggregate amount obligated

1 but not expended for defense nuclear nonproliferation ac-
 2 tivities from amounts authorized to be appropriated for
 3 such activities in fiscal year 2004 exceeds an amount equal
 4 to 20 percent of the aggregate amount so obligated for
 5 such activities, the Administrator for Nuclear Security
 6 shall submit to the Committees on Armed Services of the
 7 Senate and the House of Representatives a report con-
 8 taining an aggressive plan to provide for the timely ex-
 9 penditure of amounts so obligated but not expended.

10 (b) SUBMITTAL DATE.—If required to be submitted
 11 under subsection (a), the submittal date for the report
 12 under that subsection shall be November 30, 2004.

13 **Subtitle D—Other Matters**

14 **SEC. 3151. MODIFICATION OF AUTHORITIES ON DEPART-** 15 **MENT OF ENERGY PERSONNEL SECURITY IN-** 16 **VESTIGATIONS.**

17 (a) IN GENERAL.—Subsection e. of section 145 of the
 18 Atomic Energy Act of 1954 (42 U.S.C. 2165) is amended
 19 by striking paragraph (2) and inserting the following new
 20 paragraph (2):

21 “(2) In the case of any program designated by the
 22 Secretary of Energy as sensitive, the Secretary may re-
 23 quire that any investigation required by subsections a., b.,
 24 and c. of an individual employed in the program be made
 25 by the Federal Bureau of Investigation.”.

1 (b) CONFORMING AMENDMENT.—Subsection f. of
 2 such section is amended by striking “a majority of the
 3 members of the Commission shall certify those specific po-
 4 sitions” and inserting “the Secretary of Energy may cer-
 5 tify specific positions (in addition to positions in programs
 6 designated as sensitive under subsection e.)”.

7 **SEC. 3152. RESPONSIBILITIES OF ENVIRONMENTAL MAN-**
 8 **AGEMENT PROGRAM AND NATIONAL NU-**
 9 **CLEAR SECURITY ADMINISTRATION OF DE-**
 10 **PARTMENT OF ENERGY FOR ENVIRON-**
 11 **MENTAL CLEANUP, DECONTAMINATION AND**
 12 **DECOMMISSIONING, AND WASTE MANAGE-**
 13 **MENT.**

14 (a) DELINEATION OF RESPONSIBILITIES.—The Sec-
 15 retary of Energy shall include in the budget justification
 16 materials submitted to Congress in support of the Depart-
 17 ment of Energy budget for fiscal year 2005 (as submitted
 18 with the budget of the President under section 1105(a)
 19 of title 31, United States Code) a report setting forth a
 20 delineation of responsibilities between and among the En-
 21 vironmental Management (EM) program and the National
 22 Nuclear Security Administration (NNSA) of the Depart-
 23 ment of Energy for activities on each of the following:

24 (1) Environmental cleanup.

1 (2) Decontamination and decommissioning
2 (D&D).

3 (3) Waste management.

4 (b) PLAN FOR IMPLEMENTATION OF DELINEATED
5 RESPONSIBILITIES.—(1) The Secretary shall include in
6 the budget justification materials submitted to Congress
7 in support of the Department of Energy budget for fiscal
8 year 2006 (as so submitted) a report setting forth a plan
9 to implement among the Environmental Management pro-
10 gram and the National Nuclear Security Administration
11 the responsibilities for activities referred to in subsection
12 (a) as delineated under that subsection.

13 (2) The report under paragraph (1) shall include
14 such recommendations for legislative action as the Sec-
15 retary considers appropriate in order to—

16 (A) clarify in law the responsibilities delineated
17 under subsection (a); and

18 (B) facilitate the implementation of the plan set
19 forth in the report.

20 (c) CONSULTATION.—The Secretary shall carry out
21 this section in consultation with the Administrator for Nu-
22 clear Security and the Under Secretary of Energy for En-
23 ergy, Science, and Environment.

1 **SEC. 3153. UPDATE OF REPORT ON STOCKPILE STEWARD-**
2 **SHIP CRITERIA.**

3 (a) UPDATE OF REPORT.—Not later than March 1,
4 2005, the Secretary of Energy shall submit to the commit-
5 tees referred to in subsection (c) of section 4202 of the
6 Atomic Energy Defense Act a report updating the report
7 submitted under subsection (a) of such section.

8 (b) ELEMENTS.—The report under subsection (a) of
9 this section shall—

10 (1) update any information or criteria described
11 in the report submitted under such section 4202;

12 (2) describe any additional information identi-
13 fied, or criteria established, on matters covered by
14 such section 4202 during the period beginning on
15 the date of the submittal of the report under such
16 section 4202 and ending on the date of the sub-
17 mittal of the report under subsection (a) of this sec-
18 tion; and

19 (3) for each science-based tool developed by the
20 Department of Energy during such period—

21 (A) a description of the relationship of
22 such science-based tool to the collection of in-
23 formation needed to determine that the nuclear
24 weapons stockpile is safe and reliable; and

1 (B) a description of the criteria for judging
2 whether or not such science-based tool provides
3 for the collection of such information.

4 **SEC. 3154. PROGRESS REPORTS ON ENERGY EMPLOYEES**
5 **OCCUPATIONAL ILLNESS COMPENSATION**
6 **PROGRAM.**

7 (a) REPORT ON ACCESS TO INFORMATION FOR PER-
8 FORMANCE OF RADIATION DOSE RECONSTRUCTIONS.—
9 (1) Not later than 90 days after the date of the enactment
10 of this Act, the National Institute for Occupational Safety
11 and Health shall submit to Congress a report on the abil-
12 ity of the Institute to obtain, in a timely, accurate, and
13 complete manner, information necessary for the purpose
14 of carrying out radiation dose reconstructions under the
15 Energy Employees Occupational Illness Compensation
16 Program Act of 2000 (42 U.S.C. 7384 et seq.), including
17 information requested from any element of the Depart-
18 ment of Energy.

19 (2) The report shall include the following:

20 (A) An identification of each matter adversely
21 affecting the ability of the Institute to obtain infor-
22 mation described in paragraph (1) in a timely, accu-
23 rate, and complete manner.

1 (B) For each facility with respect to which the
2 Institute is carrying out one or more dose recon-
3 structions described in paragraph (1)—

4 (i) a specification of the total number of
5 claims requiring dose reconstruction;

6 (ii) a specification of the number of claims
7 for which dose reconstruction has been ad-
8 versely affected by any matter identified under
9 paragraph (1); and

10 (iii) a specification of the number of claims
11 requiring dose reconstruction for which, because
12 of any matter identified under paragraph (1),
13 dose reconstruction has not been completed
14 within 150 days after the date on which the
15 Secretary of Labor submitted the claim to the
16 Secretary of Health and Human Services.

17 (b) REPORT ON DENIAL OF CLAIMS.—(1) Not later
18 than 90 days after the date of the enactment of this Act,
19 the Secretary of Labor shall submit to Congress a report
20 on the denial of claims under the Energy Employees Occu-
21 pational Illness Compensation Program Act of 2000 as of
22 the date of such report.

23 (2) The report shall include for each facility with re-
24 spect to which the Secretary has received one or more
25 claims under that Act the following:

1 (A) The number of claims received with respect
2 to such facility that have been denied, including the
3 percentage of total number of claims received with
4 respect to such facility that have been denied.

5 (B) The reasons for the denial of such claims,
6 including the number of claims denied for each such
7 reason.

8 **SEC. 3155. STUDY ON THE APPLICATION OF TECHNOLOGY**
9 **FROM THE ROBUST NUCLEAR EARTH PENE-**
10 **TRATOR PROGRAM TO CONVENTIONAL HARD**
11 **AND DEEPLY BURIED TARGET WEAPONS DE-**
12 **VELOPMENT PROGRAMS.**

13 (a) FINDINGS.—Much of the work that will be carried
14 out by the Secretary of Energy in the feasibility study for
15 the Robust Nuclear Earth Penetrator will have applica-
16 bility to a nuclear or a conventional earth penetrator, but
17 the Department of Energy does not have responsibility for
18 development of conventional earth penetrator or other con-
19 ventional programs for hard and deeply buried targets.

20 (b) PLAN.—The Secretary of Energy and the Sec-
21 retary of Defense shall develop, submit to Congress three
22 months after the date of enactment of this Act, and imple-
23 ment, a plan to coordinate the Robust Nuclear Earth Pen-
24 etrator feasibility study at the Department of Energy with
25 the ongoing conventional hard and deeply buried weapons

1 development programs at the Department of Defense.
 2 This plan shall ensure that over the course of the feasi-
 3 bility study for the Robust Nuclear Earth Penetrator the
 4 ongoing results of the work of the Department of Energy,
 5 with application to the Department of Defense programs,
 6 is shared with and integrated into the Department of De-
 7 fense programs.

8 **Subtitle E—Consolidation of Gen-**
 9 **eral Provisions on Department**
 10 **of Energy National Security**
 11 **Programs**

12 **SEC. 3161. CONSOLIDATION AND ASSEMBLY OF RECUR-**
 13 **RING AND GENERAL PROVISIONS ON DE-**
 14 **PARTMENT OF ENERGY NATIONAL SECURITY**
 15 **PROGRAMS.**

16 (a) PURPOSE.—

17 (1) IN GENERAL.—The purpose of this section
 18 is to assemble together, without substantive amend-
 19 ment but with technical and conforming amend-
 20 ments of a non-substantive nature, recurring and
 21 general provisions of law on Department of Energy
 22 national security programs that remain in force in
 23 order to consolidate and organize such provisions of
 24 law into a single Act intended to comprise general
 25 provisions of law on such programs.

1 (2) CONSTRUCTION OF TRANSFERS.—The
 2 transfer of a provision of law by this section shall
 3 not be construed as amending, altering, or otherwise
 4 modifying the substantive effect of such provision.

5 (3) TREATMENT OF SATISFIED REQUIRE-
 6 MENTS.—Any requirement in a provision of law
 7 transferred under this section that has been fully
 8 satisfied in accordance with the terms of such provi-
 9 sion of law as of the date of transfer under this sec-
 10 tion shall be treated as so fully satisfied, and shall
 11 not be treated as being revived solely by reason of
 12 transfer under this section.

13 (4) CLASSIFICATION.—The provisions of the
 14 Atomic Energy Defense Act, as amended by this sec-
 15 tion, shall be classified to the United States Code as
 16 a new chapter of title 50, United States Code.

17 (b) DIVISION HEADING.—The Bob Stump National
 18 Defense Authorization Act for Fiscal Year 2003 (Public
 19 Law 107–314) is amended by adding at the end the fol-
 20 lowing new division heading:

21 **“DIVISION D—ATOMIC ENERGY**
 22 **DEFENSE PROVISIONS”.**

23 (c) SHORT TITLE; DEFINITION.—

1 (1) SHORT TITLE.—Section 3601 of the Atomic
2 Energy Defense Act (title XXXVI of Public Law
3 107–314; 116 Stat. 2756) is—

4 (A) transferred to the end of the Bob
5 Stump National Defense Authorization Act for
6 Fiscal Year 2003;

7 (B) redesignated as section 4001;

8 (C) inserted after the heading for division
9 D of the Bob Stump National Defense Author-
10 ization Act for Fiscal Year 2003, as added by
11 subsection (b); and

12 (D) amended by striking “title” and in-
13 serting “division”.

14 (2) DEFINITION.—Division D of the Bob
15 Stump National Defense Authorization Act for Fis-
16 cal Year 2003, as amended by this section, is fur-
17 ther amended by adding at the end the following
18 new section:

19 **“SEC. 4002. DEFINITION.**

20 “In this division, the term ‘congressional defense
21 committees’ means—

22 “(1) the Committee on Armed Services and the
23 Committee on Appropriations of the Senate; and

“(2) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.”.

(d) ORGANIZATIONAL MATTERS.—

(1) TITLE HEADING.—Division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as amended by this section, is further amended by adding at the end the following:

“TITLE XLI—ORGANIZATIONAL MATTERS”.

(2) NAVAL NUCLEAR PROPULSION PROGRAM.—Section 1634 of the Department of Defense Authorization Act, 1985 (Public Law 98–525; 98 Stat. 2649) is—

(A) transferred to title XLI of division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as added by paragraph (1);

(B) inserted after the title heading for such title, as so added; and

(C) amended—

(i) by striking the section heading and inserting the following new section heading:

1 **“SEC. 4101. NAVAL NUCLEAR PROPULSION PROGRAM.”;**

2 and

3 (ii) by striking “SEC. 1634.”.

4 (3) MANAGEMENT STRUCTURE FOR FACILITIES
5 AND LABORATORIES.—Section 3140 of the National
6 Defense Authorization Act for Fiscal Year 1997
7 (Public Law 104–201; 110 Stat. 2833) is—

8 (A) transferred to title XLI of division D
9 of the Bob Stump National Defense Authoriza-
10 tion Act for Fiscal Year 2003, as amended by
11 this subsection;

12 (B) redesignated as section 4102;

13 (C) inserted after section 4101, as added
14 by paragraph (2); and

15 (D) amended in subsection (d)(2), by strik-
16 ing “120 days after the date of the enactment
17 of this Act,” and inserting “January 21,
18 1997,”.

19 (4) RESTRICTION ON LICENSING REQUIRE-
20 MENTS FOR CERTAIN ACTIVITIES AND FACILITIES.—
21 Section 210 of the Department of Energy National
22 Security and Military Applications of Nuclear En-
23 ergy Authorization Act of 1981 (Public Law 96–
24 540; 94 Stat. 3202) is—

25 (A) transferred to title XLI of division D
26 of the Bob Stump National Defense Authoriza-

1 tion Act for Fiscal Year 2003, as amended by
2 this subsection;

3 (B) inserted after section 4102, as added
4 by paragraph (3); and

5 (C) amended—

6 (i) by striking the section heading and
7 inserting the following new section head-
8 ing:

9 **“SEC. 4103. RESTRICTION ON LICENSING REQUIREMENT**
10 **FOR CERTAIN DEFENSE ACTIVITIES AND FA-**
11 **CILITIES.”;**

12 (ii) by striking “SEC. 210.”; and

13 (iii) by striking “this or any other
14 Act” and inserting “the Department of
15 Energy National Security and Military Ap-
16 plications of Nuclear Energy Authorization
17 Act of 1981 (Public Law 96–540) or any
18 other Act”.

19 (e) NUCLEAR WEAPONS STOCKPILE MATTERS.—

20 (1) HEADINGS.—Division D of the Bob Stump
21 National Defense Authorization Act for Fiscal Year
22 2003, as amended by this section, is further amend-
23 ed by adding at the end the following new headings:

1 **“TITLE XLII—NUCLEAR**
 2 **WEAPONS STOCKPILE MATTERS**
 3 **“Subtitle A—Stockpile Stewardship**
 4 **and Weapons Production”.**

5 (2) STOCKPILE STEWARDSHIP PROGRAM.—Sec-
 6 tion 3138 of the National Defense Authorization Act
 7 for Fiscal Year 1994 (Public Law 103–160; 107
 8 Stat. 1946), as amended by section 3152(e) of the
 9 National Defense Authorization Act for Fiscal Year
 10 1998 (Public Law 105–85; 111 Stat. 2042), is—

11 (A) transferred to title XLII of division D
 12 of the Bob Stump National Defense Authoriza-
 13 tion Act for Fiscal Year 2003, as added by
 14 paragraph (1);

15 (B) redesignated as section 4201; and

16 (C) inserted after the heading for subtitle
 17 A of such title, as so added.

18 (3) STOCKPILE STEWARDSHIP CRITERIA.—Sec-
 19 tion 3158 of the Strom Thurmond National Defense
 20 Authorization Act for Fiscal Year 1999 (Public Law
 21 105–261; 112 Stat. 2257), as amended, is—

22 (A) transferred to title XLII of division D
 23 of the Bob Stump National Defense Authoriza-
 24 tion Act for Fiscal Year 2003, as amended by
 25 this subsection;

1 (B) redesignated as section 4202; and

2 (C) inserted after section 4201, as added
3 by paragraph (2).

4 (4) PLAN FOR STEWARDSHIP, MANAGEMENT,
5 AND CERTIFICATION OF WARHEADS IN STOCK-
6 PILE.—Section 3151 of the National Defense Au-
7 thorization Act for Fiscal Year 1998 (Public Law
8 105–85; 111 Stat. 2041) is—

9 (A) transferred to title XLII of division D
10 of the Bob Stump National Defense Authoriza-
11 tion Act for Fiscal Year 2003, as amended by
12 this subsection;

13 (B) redesignated as section 4203; and

14 (C) inserted after section 4202, as added
15 by paragraph (3).

16 (5) STOCKPILE LIFE EXTENSION PROGRAM.—
17 Section 3133 of the National Defense Authorization
18 Act for Fiscal Year 2000 (Public Law 106–65; 113
19 Stat. 926) is—

20 (A) transferred to title XLII of division D
21 of the Bob Stump National Defense Authoriza-
22 tion Act for Fiscal Year 2003, as amended by
23 this subsection;

24 (B) redesignated as section 4204;

1 (C) inserted after section 4203, as added
 2 by paragraph (4); and

3 (D) amended in subsection (c)(1) by strik-
 4 ing “the date of the enactment of this Act” and
 5 inserting “October 5, 1999”.

6 (6) ANNUAL ASSESSMENTS AND REPORTS ON
 7 CONDITION OF STOCKPILE.—Section 3141 of the
 8 Bob Stump National Defense Authorization Act for
 9 Fiscal Year 2003 (Public Law 107–314; 116 Stat.
 10 2730) is—

11 (A) transferred to title XLII of division D
 12 of such Act, as amended by this subsection;

13 (B) redesignated as section 4205;

14 (C) inserted after section 4204, as added
 15 by paragraph (5); and

16 (D) amended in subsection (d)(3)(B) by
 17 striking “section 3137 of the National Defense
 18 Authorization Act for Fiscal Year 1996 (42
 19 U.S.C. 2121 note)” and inserting “section
 20 4213”.

21 (7) FORM OF CERTAIN CERTIFICATIONS RE-
 22 GARDING STOCKPILE.—Section 3194 of the Floyd D.
 23 Spence National Defense Authorization Act for Fis-
 24 cal Year 2001 (as enacted into law by Public Law
 25 106–398; 114 Stat. 1654A–481) is—

1 (A) transferred to title XLII of division D
 2 of the Bob Stump National Defense Authoriza-
 3 tion Act for Fiscal Year 2003, as amended by
 4 this subsection;

5 (B) redesignated as section 4206; and

6 (C) inserted after section 4205, as added
 7 by paragraph (6).

8 (8) NUCLEAR TEST BAN READINESS PRO-
 9 GRAM.—Section 1436 of the National Defense Au-
 10 thorization Act, Fiscal Year 1989 (Public Law 100–
 11 456; 102 Stat. 2075) is—

12 (A) transferred to title XLII of division D
 13 of the Bob Stump National Defense Authoriza-
 14 tion Act for Fiscal Year 2003, as amended by
 15 this subsection;

16 (B) redesignated as section 4207;

17 (C) inserted after section 4206, as added
 18 by paragraph (7); and

19 (D) amended in the section heading by
 20 adding a period at the end.

21 (9) STUDY ON NUCLEAR TEST READINESS POS-
 22 TURES.—Section 3152 of the National Defense Au-
 23 thorization Act for Fiscal Year 1996 (Public Law
 24 104–106; 110 Stat. 623), as amended by section
 25 3192 of the Floyd D. Spence National Defense Au-

1 thorization Act for Fiscal Year 2001 (as enacted
2 into law by Public Law 106–398; 114 Stat. 1654A–
3 480), is—

4 (A) transferred to title XLII of division D
5 of the Bob Stump National Defense Authoriza-
6 tion Act for Fiscal Year 2003, as amended by
7 this subsection;

8 (B) redesignated as section 4208; and

9 (C) inserted after section 4207, as added
10 by paragraph (8).

11 (10) REQUIREMENTS FOR REQUESTS FOR NEW
12 OR MODIFIED NUCLEAR WEAPONS.—Section 3143 of
13 the Bob Stump National Defense Authorization Act
14 for Fiscal Year 2003 (Public Law 107–314; 116
15 Stat. 2733) is—

16 (A) transferred to title XLII of division D
17 of such Act, as amended by this subsection;

18 (B) redesignated as section 4209; and

19 (C) inserted after section 4208, as added
20 by paragraph (9).

21 (11) LIMITATION ON UNDERGROUND NUCLEAR
22 WEAPONS TESTS.—Subsection (f) of section 507 of
23 the Energy and Water Development Appropriations
24 Act, 1993 (Public Law 102–337; 106 Stat. 1345)
25 is—

1 (A) transferred to title XLII of division D
 2 of the Bob Stump National Defense Authoriza-
 3 tion Act for Fiscal Year 2003, as amended by
 4 this subsection;

5 (B) inserted after section 4209, as added
 6 by paragraph (10); and

7 (C) amended—

8 (i) by inserting before the text the fol-
 9 lowing new section heading:

10 **“SEC. 4210. LIMITATION ON UNDERGROUND NUCLEAR**
 11 **WEAPONS TESTS.”;**

12 and

13 (ii) by striking “(f)”.

14 (12) PROHIBITION ON RESEARCH AND DEVEL-
 15 OPMENT OF LOW-YIELD NUCLEAR WEAPONS.—Sec-
 16 tion 3136 of the National Defense Authorization Act
 17 for Fiscal Year 1994 (Public Law 103–160; 107
 18 Stat. 1946) is—

19 (A) transferred to title XLII of division D
 20 of the Bob Stump National Defense Authoriza-
 21 tion Act for Fiscal Year 2003, as amended by
 22 this subsection;

23 (B) redesignated as section 4211;

24 (C) inserted after section 4210, as added
 25 by paragraph (11); and

1 (D) amended in subsection (b) by striking
 2 “the date of the enactment of this Act,” and in-
 3 serting “November 30, 1993,”.

4 (13) TESTING OF NUCLEAR WEAPONS.—Section
 5 3137 of the National Defense Authorization Act for
 6 Fiscal Year 1994 (Public Law 103–160; 107 Stat.
 7 1946) is—

8 (A) transferred to title XLII of division D
 9 of the Bob Stump National Defense Authoriza-
 10 tion Act for Fiscal Year 2003, as amended by
 11 this subsection;

12 (B) redesignated as section 4212;

13 (C) inserted after section 4211, as added
 14 by paragraph (12); and

15 (D) amended—

16 (i) in subsection (a), by inserting “of
 17 the National Defense Authorization Act for
 18 Fiscal Year 1994 (Public Law 103–160)”
 19 after “section 3101(a)(2)”; and

20 (ii) in subsection (b), by striking “this
 21 Act” and inserting “the National Defense
 22 Authorization Act for Fiscal Year 1994”.

23 (14) MANUFACTURING INFRASTRUCTURE FOR
 24 STOCKPILE.—Section 3137 of the National Defense
 25 Authorization Act for Fiscal Year 1996 (Public Law

1 104–106; 110 Stat. 620), as amended by section
 2 3132 of the National Defense Authorization Act for
 3 Fiscal Year 1997 (Public Law 104–201; 110 Stat.
 4 2829), is—

5 (A) transferred to title XLII of division D
 6 of the Bob Stump National Defense Authoriza-
 7 tion Act for Fiscal Year 2003, as amended by
 8 this subsection;

9 (B) redesignated as section 4213;

10 (C) inserted after section 4212, as added
 11 by paragraph (13); and

12 (D) amended in subsection (d) by inserting
 13 “of the National Defense Authorization Act for
 14 Fiscal Year 1996 (Public Law 104–106)” after
 15 “section 3101(b)”.

16 (15) REPORTS ON CRITICAL DIFFICULTIES AT
 17 LABORATORIES AND PLANTS.—Section 3159 of the
 18 National Defense Authorization Act for Fiscal Year
 19 1997 (Public Law 104–201; 110 Stat. 2842), as
 20 amended by section 1305 of the National Defense
 21 Authorization Act for Fiscal Year 1998 (Public Law
 22 105–85; 111 Stat. 1954) and section 3163 of the
 23 National Defense Authorization Act for Fiscal Year
 24 2000 (Public Law 106–65; 113 Stat. 944), is—

(A) transferred to title XLII of division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as amended by this subsection;

(B) redesignated as section 4214; and

(C) inserted after section 4213, as added by paragraph (14).

(16) SUBTITLE HEADING ON TRITIUM.—Title XLII of division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as amended by this subsection, is further amended by adding at the end the following new subtitle heading:

“Subtitle B—Tritium”.

(17) TRITIUM PRODUCTION PROGRAM.—Section 3133 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 618) is—

(A) transferred to title XLII of division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as amended by this subsection;

(B) redesignated as section 4231;

(C) inserted after the heading for subtitle B of such title XLII, as added by paragraph (16); and

1 (D) amended—

2 (i) by striking “the date of the enact-
3 ment of this Act” each place it appears
4 and inserting “February 10, 1996”; and

5 (ii) in subsection (b), by inserting “of
6 the National Defense Authorization Act for
7 Fiscal Year 1996 (Public Law 104–106)”
8 after “section 3101”.

9 (18) TRITIUM RECYCLING.—Section 3136 of
10 the National Defense Authorization Act for Fiscal
11 Year 1996 (Public Law 104–106; 110 Stat. 620)
12 is—

13 (A) transferred to title XLII of division D
14 of the Bob Stump National Defense Authoriza-
15 tion Act for Fiscal Year 2003, as amended by
16 this subsection;

17 (B) redesignated as section 4232; and

18 (C) inserted after section 4231, as added
19 by paragraph (17).

20 (19) TRITIUM PRODUCTION.—Subsections (c)
21 and (d) of section 3133 of the National Defense Au-
22 thorization Act for Fiscal Year 1997 (Public Law
23 104–201; 110 Stat. 2830) are—

24 (A) transferred to title XLII of division D
25 of the Bob Stump National Defense Authoriza-

1 tion Act for Fiscal Year 2003, as amended by
2 this subsection;

3 (B) inserted after section 4232, as added
4 by paragraph (18); and

5 (C) amended—

6 (i) by inserting before the text the fol-
7 lowing new section heading:

8 **“SEC. 4233. TRITIUM PRODUCTION.”;**

9 (ii) by redesignating such subsections
10 as subsections (a) and (b), respectively;
11 and

12 (iii) in subsection (a), as so redesign-
13 ated, by inserting “of Energy” after “The
14 Secretary”.

15 (20) MODERNIZATION AND CONSOLIDATION OF
16 TRITIUM RECYCLING FACILITIES.—Section 3134 of
17 the National Defense Authorization Act for Fiscal
18 Year 1997 (Public Law 104–201; 110 Stat. 2830)
19 is—

20 (A) transferred to title XLII of division D
21 of the Bob Stump National Defense Authoriza-
22 tion Act for Fiscal Year 2003, as amended by
23 this subsection;

24 (B) redesignated as section 4234;

1 (C) inserted after section 4233, as added
 2 by paragraph (19); and

3 (D) amended in subsection (b) by inserting
 4 “of the National Defense Authorization Act for
 5 Fiscal Year 1997 (Public Law 104–201)” after
 6 “section 3101”.

7 (21) PROCEDURES FOR MEETING TRITIUM PRO-
 8 Duction REQUIREMENTS.—Section 3134 of the Na-
 9 tional Defense Authorization Act for Fiscal Year
 10 2000 (Public Law 106–65; 113 Stat. 927) is—

11 (A) transferred to title XLII of division D
 12 of the Bob Stump National Defense Authoriza-
 13 tion Act for Fiscal Year 2003, as amended by
 14 this subsection;

15 (B) redesignated as section 4235; and

16 (C) inserted after section 4234, as added
 17 by paragraph (20).

18 (f) PROLIFERATION MATTERS.—

19 (1) TITLE HEADING.—Division D of the Bob
 20 Stump National Defense Authorization Act for Fis-
 21 cal Year 2003, as amended by this section, is fur-
 22 ther amended by adding at the end the following
 23 new title heading:

**“TITLE XLIII—PROLIFERATION
MATTERS”.**

(2) INTERNATIONAL COOPERATIVE STOCKPILE STEWARDSHIP.—Section 3133 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2036), as amended by sections 1069 and 3131 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2136, 2246), is—

(A) transferred to title XLIII of division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as added by paragraph (1);

(B) redesignated as section 4301;

(C) inserted after the heading for such title, as so added; and

(D) amended in subsection (b)(3) by striking “of this Act” and inserting “of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85)”.

(3) NONPROLIFERATION INITIATIVES AND ACTIVITIES.—Section 3136 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 927) is—

1 (A) transferred to title XLIII of division D
 2 of the Bob Stump National Defense Authoriza-
 3 tion Act for Fiscal Year 2003, as amended by
 4 this subsection;

5 (B) redesignated as section 4302;

6 (C) inserted after section 4301, as added
 7 by paragraph (2); and

8 (D) amended in subsection (b)(1) by strik-
 9 ing “this title” and inserting “title XXXI of the
 10 National Defense Authorization Act for Fiscal
 11 Year 2000 (Public Law 106–65)”.

12 (4) ANNUAL REPORT ON MATERIALS PROTEC-
 13 TION, CONTROL, AND ACCOUNTING PROGRAM.—Sec-
 14 tion 3171 of the Floyd D. Spence National Defense
 15 Authorization Act for Fiscal Year 2001 (as enacted
 16 into law by Public Law 106–398; 114 Stat. 1645A–
 17 475) is—

18 (A) transferred to title XLIII of division D
 19 of the Bob Stump National Defense Authoriza-
 20 tion Act for Fiscal Year 2003, as amended by
 21 this subsection;

22 (B) redesignated as section 4303;

23 (C) inserted after section 4302, as added
 24 by paragraph (3); and

1 (D) amended in subsection (c)(1) by strik-
 2 ing “this Act” and inserting “the Floyd D.
 3 Spence National Defense Authorization Act for
 4 Fiscal Year 2001 (as enacted into law by Public
 5 Law 106–398)”.

6 (5) NUCLEAR CITIES INITIATIVE.—Section
 7 3172 of the Floyd D. Spence National Defense Au-
 8 thorization Act for Fiscal Year 2001 (as enacted
 9 into law by Public Law 106–398; 114 Stat. 1645A–
 10 476) is—

11 (A) transferred to title XLIII of division D
 12 of the Bob Stump National Defense Authoriza-
 13 tion Act for Fiscal Year 2003, as amended by
 14 this subsection;

15 (B) redesignated as section 4304; and

16 (C) inserted after section 4303, as added
 17 by paragraph (4).

18 (6) PROGRAMS ON FISSILE MATERIALS.—Sec-
 19 tion 3131 of the National Defense Authorization Act
 20 for Fiscal Year 1996 (Public Law 104–106; 110
 21 Stat. 617), as amended by section 3152 of the Bob
 22 Stump National Defense Authorization Act for Fis-
 23 cal Year 2003 (Public Law 107–314; 116 Stat.
 24 2738), is—

1 (A) transferred to title XLIII of division D
 2 of the Bob Stump National Defense Authoriza-
 3 tion Act for Fiscal Year 2003, as amended by
 4 this subsection;

5 (B) redesignated as section 4305; and

6 (C) inserted after section 4304, as added
 7 by paragraph (5).

8 (7) DISPOSITION OF WEAPONS USABLE PLUTO-
 9 NIUM.—Section 3182 of the Bob Stump National
 10 Defense Authorization Act for Fiscal Year 2003
 11 (Public Law 107–314; 116 Stat. 2747) is—

12 (A) transferred to title XLIII of division D
 13 of such Act, as amended by this subsection;

14 (B) redesignated as section 4306; and

15 (C) inserted after section 4305, as added
 16 by paragraph (7).

17 (8) DISPOSITION OF SURPLUS DEFENSE PLUTO-
 18 NIUM.—Section 3155 of the National Defense Au-
 19 thorization Act for Fiscal Year 2002 (Public Law
 20 107–107; 115 Stat. 1378) is—

21 (A) transferred to title XLIII of division D
 22 of the Bob Stump National Defense Authoriza-
 23 tion Act for Fiscal Year 2003, as amended by
 24 this subsection;

25 (B) redesignated as section 4307; and

1 (C) inserted after section 4306, as added
 2 by paragraph (7).

3 (g) ENVIRONMENTAL RESTORATION AND WASTE
 4 MANAGEMENT MATTERS.—

5 (1) HEADINGS.—Division D of the Bob Stump
 6 National Defense Authorization Act for Fiscal Year
 7 2003, as amended by this section, is further amend-
 8 ed by adding at the end the following new headings:

9 **“TITLE XLIV—ENVIRONMENTAL**
 10 **RESTORATION AND WASTE**
 11 **MANAGEMENT MATTERS**

12 **“Subtitle A—Environmental Res-**
 13 **toration and Waste Manage-**
 14 **ment”.**

15 (2) DEFENSE ENVIRONMENTAL RESTORATION
 16 AND WASTE MANAGEMENT ACCOUNT.—Section 3134
 17 of the National Defense Authorization Act for Fiscal
 18 Years 1992 and 1993 (Public Law 102–190; 105
 19 Stat. 1575) is—

20 (A) transferred to title XLIV of division D
 21 of the Bob Stump National Defense Authoriza-
 22 tion Act for Fiscal Year 2003, as added by
 23 paragraph (1);

24 (B) redesignated as section 4401; and

1 (C) inserted after the heading for subtitle
 2 A of such title, as so added.

3 (3) FUTURE USE PLANS FOR ENVIRONMENTAL
 4 MANAGEMENT PROGRAM.—Section 3153 of the Na-
 5 tional Defense Authorization Act for Fiscal Year
 6 1997 (Public Law 104–201; 110 Stat. 2839) is—

7 (A) transferred to title XLIV of division D
 8 of the Bob Stump National Defense Authoriza-
 9 tion Act for Fiscal Year 2003, as amended by
 10 this subsection;

11 (B) redesignated as section 4402;

12 (C) inserted after section 4401, as added
 13 by paragraph (2); and

14 (D) amended—

15 (i) in subsection (d), by striking “the
 16 date of the enactment of this Act” and in-
 17 serting “September 23, 1996,”; and

18 (ii) in subsection (h)(1), by striking
 19 “the date of the enactment of this Act”
 20 and inserting “September 23, 1996”.

21 (4) INTEGRATED FISSILE MATERIALS MANAGE-
 22 MENT PLAN.—Section 3172 of the National Defense
 23 Authorization Act for Fiscal Year 2000 (Public Law
 24 106–65; 113 Stat. 948) is—

1 (A) transferred to title XLIV of division D
 2 of the Bob Stump National Defense Authoriza-
 3 tion Act for Fiscal Year 2003, as amended by
 4 this subsection;

5 (B) redesignated as section 4403; and

6 (C) inserted after section 4402, as added
 7 by paragraph (3).

8 (5) BASELINE ENVIRONMENTAL MANAGEMENT
 9 REPORTS.—Section 3153 of the National Defense
 10 Authorization Act for Fiscal Year 1994 (Public Law
 11 103–160; 107 Stat. 1950), as amended by section
 12 3160 of the National Defense Authorization Act for
 13 Fiscal Year 1995 (Public Law 103–337; 108 Stat.
 14 3094), section 3152 of the National Defense Author-
 15 ization Act for Fiscal Year 1997 (Public Law 104–
 16 201; 110 Stat. 2839), and section 3160 of the Na-
 17 tional Defense Authorization Act for Fiscal Year
 18 1998 (Public Law 105–85; 111 Stat. 2048), is—

19 (A) transferred to title XLIV of division D
 20 of the Bob Stump National Defense Authoriza-
 21 tion Act for Fiscal Year 2003, as amended by
 22 this subsection;

23 (B) redesignated as section 4404; and

24 (C) inserted after section 4403, as added
 25 by paragraph (4).

1 (6) ACCELERATED SCHEDULE FOR ENVIRON-
 2 MENTAL RESTORATION AND WASTE MANAGEMENT.—
 3 Section 3156 of the National Defense Authorization
 4 Act for Fiscal Year 1996 (Public Law 104–106; 110
 5 Stat. 625) is—

6 (A) transferred to title XLIV of division D
 7 of the Bob Stump National Defense Authoriza-
 8 tion Act for Fiscal Year 2003, as amended by
 9 this subsection;

10 (B) redesignated as section 4405;

11 (C) inserted after section 4404, as added
 12 by paragraph (5); and

13 (D) amended in subsection (b)(2) by in-
 14 serting before the period the following: “, the
 15 predecessor provision to section 4404 of this
 16 Act”.

17 (7) DEFENSE WASTE CLEANUP TECHNOLOGY
 18 PROGRAM.—Section 3141 of the National Defense
 19 Authorization Act for Fiscal Years 1990 and 1991
 20 (Public Law 101–189; 103 Stat. 1679) is—

21 (A) transferred to title XLIV of division D
 22 of the Bob Stump National Defense Authoriza-
 23 tion Act for Fiscal Year 2003, as amended by
 24 this subsection;

25 (B) redesignated as section 4406;

1 (C) inserted after section 4405, as added
 2 by paragraph (6); and

3 (D) amended in the section heading by
 4 adding a period at the end.

5 (8) REPORT ON ENVIRONMENTAL RESTORATION
 6 EXPENDITURES.—Section 3134 of the National De-
 7 fense Authorization Act for Fiscal Year 1991 (Pub-
 8 lic Law 101–510; 104 Stat. 1833) is—

9 (A) transferred to title XLIV of division D
 10 of the Bob Stump National Defense Authoriza-
 11 tion Act for Fiscal Year 2003, as amended by
 12 this subsection;

13 (B) redesignated as section 4407;

14 (C) inserted after section 4406, as added
 15 by paragraph (7); and

16 (D) amended in the section heading by
 17 adding a period at the end.

18 (9) PUBLIC PARTICIPATION IN PLANNING FOR
 19 ENVIRONMENTAL RESTORATION AND WASTE MAN-
 20 AGEMENT.—Subsection (e) of section 3160 of the
 21 National Defense Authorization Act for Fiscal Year
 22 1995 (Public Law 103–337; 108 Stat. 3095) is—

23 (A) transferred to title XLIV of division D
 24 of the Bob Stump National Defense Authoriza-

1 tion Act for Fiscal Year 2003, as amended by
2 this subsection;

3 (B) inserted after section 4407, as added
4 by paragraph (8); and

5 (C) amended—

6 (i) by inserting before the text the fol-
7 lowing new section heading:

8 **“SEC. 4408. PUBLIC PARTICIPATION IN PLANNING FOR EN-**
9 **VIRONMENTAL RESTORATION AND WASTE**
10 **MANAGEMENT AT DEFENSE NUCLEAR FA-**
11 **CILITIES.”;**

12 and

13 (ii) by striking “(e) PUBLIC PARTICI-
14 PATION IN PLANNING.—”.

15 (10) SUBTITLE HEADING ON CLOSURE OF FA-
16 CILITIES.—Title XLIV of division D of the Bob
17 Stump National Defense Authorization Act for Fis-
18 cal Year 2003, as amended by this subsection, is
19 further amended by adding at the end the following
20 new subtitle heading:

21 **“Subtitle B—Closure of Facilities”.**

22 (11) PROJECTS TO ACCELERATE CLOSURE AC-
23 TIVITIES AT DEFENSE NUCLEAR FACILITIES.—Sec-
24 tion 3143 of the National Defense Authorization Act

1 for Fiscal Year 1997 (Public Law 104–201; 110
2 Stat. 2836) is—

3 (A) transferred to title XLIV of division D
4 of the Bob Stump National Defense Authoriza-
5 tion Act for Fiscal Year 2003, as amended by
6 this subsection;

7 (B) redesignated as section 4421;

8 (C) inserted after the heading for subtitle
9 B of such title, as added by paragraph (10);
10 and

11 (D) amended in subsection (i), by striking
12 “the expiration of the 15-year period beginning
13 on the date of the enactment of this Act” and
14 inserting “September 23, 2011”.

15 (12) REPORTS IN CONNECTION WITH PERMA-
16 NENT CLOSURE OF DEFENSE NUCLEAR FACILI-
17 TIES.—Section 3156 of the National Defense Au-
18 thorization Act for Fiscal Years 1990 and 1991
19 (Public Law 101–189; 103 Stat. 1683) is—

20 (A) transferred to title XLIV of division D
21 of the Bob Stump National Defense Authoriza-
22 tion Act for Fiscal Year 2003, as amended by
23 this subsection;

24 (B) redesignated as section 4422;

1 (C) inserted after section 4421, as added
 2 by paragraph (11); and

3 (D) amended in the section heading by
 4 adding a period at the end.

5 (13) SUBTITLE HEADING ON PRIVATIZATION.—
 6 Title XLIV of division D of the Bob Stump National
 7 Defense Authorization Act for Fiscal Year 2003, as
 8 amended by this subsection, is further amended by
 9 adding at the end the following new subtitle heading:
 10 **“Subtitle C—Privatization”.**

11 (14) DEFENSE ENVIRONMENTAL MANAGEMENT
 12 PRIVATIZATION PROJECTS.—Section 3132 of the Na-
 13 tional Defense Authorization Act for Fiscal Year
 14 1998 (Public Law 105–85; 111 Stat. 2034) is—

15 (A) transferred to title XLIV of division D
 16 of the Bob Stump National Defense Authoriza-
 17 tion Act for Fiscal Year 2003, as amended by
 18 this subsection;

19 (B) redesignated as section 4431;

20 (C) inserted after the heading for subtitle
 21 C of such title, as added by paragraph (13);
 22 and

23 (D) amended—

24 (i) in subsections (a), (c)(1)(B)(i),
 25 and (d), by inserting “of the National De-

fense Authorization Act for Fiscal Year 1998 (Public Law 105–85)” after “section 3102(i)”;

and (ii) in subsections (c)(1)(B)(ii) and (f), by striking “the date of enactment of this Act” and inserting “November 18, 1997”.

(h) SAFEGUARDS AND SECURITY MATTERS.—

(1) HEADINGS.—Division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as amended by this section, is further amended by adding at the end the following new headings:

**“TITLE XLV—SAFEGUARDS AND
SECURITY MATTERS
“Subtitle A—Safeguards and
Security”.**

(2) PROHIBITION ON INTERNATIONAL INSPECTIONS OF FACILITIES WITHOUT PROTECTION OF RESTRICTED DATA.—Section 3154 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 624) is—

(A) transferred to title XLV of division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as added by paragraph (1);

1 (B) redesignated as section 4501;

2 (C) inserted after the heading for subtitle

3 A of such title, as so added; and

4 (D) amended—

5 (i) by striking “(1) The” and insert-
6 ing “The”; and

7 (ii) by striking “(2) For purposes of
8 paragraph (1),” and inserting “(c) RE-
9 STRICTED DATA DEFINED.—In this sec-
10 tion,”.

11 (3) RESTRICTIONS ON ACCESS TO LABORA-
12 TORIES BY FOREIGN VISITORS FROM SENSITIVE
13 COUNTRIES.—Section 3146 of the National Defense
14 Authorization Act for Fiscal Year 2000 (Public Law
15 106–65; 113 Stat. 935) is—

16 (A) transferred to title XLV of division D
17 of the Bob Stump National Defense Authoriza-
18 tion Act for Fiscal Year 2003, as amended by
19 this subsection;

20 (B) redesignated as section 4502;

21 (C) inserted after section 4501, as added
22 by paragraph (2); and

23 (D) amended—

24 (i) in subsection (b)(2)—

1 (I) in the matter preceding sub-
 2 paragraph (A), by striking “30 days
 3 after the date of the enactment of this
 4 Act” and inserting “on November 4,
 5 1999,”; and

6 (II) in subparagraph (A), by
 7 striking “The date that is 90 days
 8 after the date of the enactment of this
 9 Act” and inserting “January 3,
 10 2000”;

11 (ii) in subsection (d)(1), by striking
 12 “the date of the enactment of this Act,”
 13 and inserting “October 5, 1999,”; and

14 (iii) in subsection (g), by adding at
 15 the end the following new paragraphs:

16 “(3) The term ‘national laboratory’ means any
 17 of the following:

18 “(A) Lawrence Livermore National Lab-
 19 oratory, Livermore, California.

20 “(B) Los Alamos National Laboratory,
 21 Los Alamos, New Mexico.

22 “(C) Sandia National Laboratories, Albu-
 23 querque, New Mexico and Livermore, Cali-
 24 fornia.

1 “(4) The term ‘Restricted Data’ has the mean-
 2 ing given that term in section 11 y. of the Atomic
 3 Energy Act of 1954 (42 U.S.C. 2014(y)).”.

4 (4) BACKGROUND INVESTIGATIONS ON CERTAIN
 5 PERSONNEL.—Section 3143 of the National Defense
 6 Authorization Act for Fiscal Year 2000 (Public Law
 7 106–65; 113 Stat. 934) is—

8 (A) transferred to title XLV of division D
 9 of the Bob Stump National Defense Authoriza-
 10 tion Act for Fiscal Year 2003, as amended by
 11 this subsection;

12 (B) redesignated as section 4503;

13 (C) inserted after section 4502, as added
 14 by paragraph (3); and

15 (D) amended—

16 (i) in subsection (b), by striking “the
 17 date of the enactment of this Act” and in-
 18 serting “October 5, 1999,”; and

19 (ii) by adding at the end the following
 20 new subsection:

21 “(c) DEFINITIONS.—In this section, the terms ‘na-
 22 tional laboratory’ and ‘Restricted Data’ have the meanings
 23 given such terms in section 4502(g)).”.

24 (5) COUNTERINTELLIGENCE POLYGRAPH PRO-
 25 GRAM.—

(A) DEPARTMENT OF ENERGY COUNTER-INTELLIGENCE POLYGRAPH PROGRAM.—Section 3152 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1376) is—

(i) transferred to title XLV of division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as amended by this subsection;

(ii) redesignated as section 4504;

(iii) inserted after section 4503, as added by paragraph (4); and

(iv) amended in subsection (c) by striking “section 3154 of the Department of Energy Facilities Safeguards, Security, and Counterintelligence Enhancement Act of 1999 (subtitle D of title XXXI of Public Law 106–65; 42 U.S.C. 7383h)” and inserting “section 4504A”.

(B) COUNTERINTELLIGENCE POLYGRAPH PROGRAM.—Section 3154 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 941), as amended by section 3135 of the Floyd D. Spence National Defense Authorization Act for

1 Fiscal Year 2001 (as enacted into law by Public
2 Law 106–398; 114 Stat. 1654A–456), is—

3 (i) transferred to title XLV of division
4 D of the Bob Stump National Defense Au-
5 thorization Act for Fiscal Year 2003, as
6 amended by this subsection;

7 (ii) redesignated as section 4504A;

8 (iii) inserted after section 4504, as
9 added by subparagraph (A); and

10 (iv) amended in subsection (h) by
11 striking “180 days after the date of the
12 enactment of this Act,” and inserting
13 “April 5, 2000,”.

14 (6) NOTICE OF SECURITY AND COUNTERINTEL-
15 LIGENCE FAILURES.—Section 3150 of the National
16 Defense Authorization Act for Fiscal Year 2000
17 (Public Law 106–65; 113 Stat. 939) is—

18 (A) transferred to title XLV of division D
19 of the Bob Stump National Defense Authoriza-
20 tion Act for Fiscal Year 2003, as amended by
21 this subsection;

22 (B) redesignated as section 4505; and

23 (C) inserted after section 4504A, as added
24 by paragraph (5)(B).

1 (7) ANNUAL REPORT ON SECURITY FUNCTIONS
 2 AT NUCLEAR WEAPONS FACILITIES.—Section 3162
 3 of the National Defense Authorization Act for Fiscal
 4 Year 1998 (Public Law 105–85; 111 Stat. 2049)
 5 is—

6 (A) transferred to title XLV of division D
 7 of the Bob Stump National Defense Authoriza-
 8 tion Act for Fiscal Year 2003, as amended by
 9 this subsection;

10 (B) redesignated as section 4506;

11 (C) inserted after section 4505, as added
 12 by paragraph (6); and

13 (D) amended in subsection (b) by inserting
 14 “of the National Defense Authorization Act for
 15 Fiscal Year 1998 (Public Law 105–85; 111
 16 Stat. 2048; 42 U.S.C. 7251 note)” after “sec-
 17 tion 3161”.

18 (8) REPORT ON COUNTERINTELLIGENCE AND
 19 SECURITY PRACTICES AT LABORATORIES.—Section
 20 3152 of the National Defense Authorization Act for
 21 Fiscal Year 2000 (Public Law 106–65; 113 Stat.
 22 940) is—

23 (A) transferred to title XLV of division D
 24 of the Bob Stump National Defense Authoriza-

1 tion Act for Fiscal Year 2003, as amended by
2 this subsection;

3 (B) redesignated as section 4507;

4 (C) inserted after section 4506, as added
5 by paragraph (7); and

6 (D) amended by adding at the end the fol-
7 lowing new subsection:

8 “(c) NATIONAL LABORATORY DEFINED.—In this
9 section, the term ‘national laboratory’ has the meaning
10 given that term in section 4502(g)(3).”.

11 (9) REPORT ON SECURITY VULNERABILITIES
12 OF NATIONAL LABORATORY COMPUTERS.—Section
13 3153 of the National Defense Authorization Act for
14 Fiscal Year 2000 (Public Law 106–65; 113 Stat.
15 940) is—

16 (A) transferred to title XLV of division D
17 of the Bob Stump National Defense Authoriza-
18 tion Act for Fiscal Year 2003, as amended by
19 this subsection;

20 (B) redesignated as section 4508;

21 (C) inserted after section 4507, as added
22 by paragraph (8); and

23 (D) amended by adding at the end the fol-
24 lowing new subsection:

1 “(f) NATIONAL LABORATORY DEFINED.—In this sec-
 2 tion, the term ‘national laboratory’ has the meaning given
 3 that term in section 4502(g)(3).”.

4 (10) SUBTITLE HEADING ON CLASSIFIED IN-
 5 FORMATION.—Title XLV of division D of the Bob
 6 Stump National Defense Authorization Act for Fis-
 7 cal Year 2003, as amended by this subsection, is
 8 further amended by adding at the end the following
 9 new subtitle heading:

10 **“Subtitle B—Classified**
 11 **Information”.**

12 (11) REVIEW OF CERTAIN DOCUMENTS BEFORE
 13 DECLASSIFICATION AND RELEASE.—Section 3155 of
 14 the National Defense Authorization Act for Fiscal
 15 Year 1996 (Public Law 104–106; 110 Stat. 625)
 16 is—

17 (A) transferred to title XLV of division D
 18 of the Bob Stump National Defense Authoriza-
 19 tion Act for Fiscal Year 2003, as amended by
 20 this subsection;

21 (B) redesignated as section 4521; and

22 (C) inserted after the heading for subtitle
 23 B of such title, as added by paragraph (10).

24 (12) PROTECTION AGAINST INADVERTENT RE-
 25 LEASE OF RESTRICTED DATA AND FORMERLY RE-

1 STRICTED DATA.—Section 3161 of the Strom Thur-
 2 mond National Defense Authorization Act for Fiscal
 3 Year 1999 (Public Law 105–261; 112 Stat. 2259),
 4 as amended by section 1067(3) of the National De-
 5 fense Authorization Act for Fiscal Year 2000 (Pub-
 6 lic Law 106–65; 113 Stat. 774) and section 3193 of
 7 the Floyd D. Spence National Defense Authorization
 8 Act for Fiscal Year 2001 (as enacted into law by
 9 Public Law 106–398; 114 Stat. 1654A–480), is—

10 (A) transferred to title XLV of division D
 11 of the Bob Stump National Defense Authoriza-
 12 tion Act for Fiscal Year 2003, as amended by
 13 this subsection;

14 (B) redesignated as section 4522;

15 (C) inserted after section 4521, as added
 16 by paragraph (11); and

17 (D) amended—

18 (i) in subsection (c)(1), by striking
 19 “the date of the enactment of this Act”
 20 and inserting “October 17, 1998,”;

21 (ii) in subsection (f)(1), by striking
 22 “the date of the enactment of this Act”
 23 and inserting “October 17, 1998”; and

24 (iii) in subsection (f)(2), by striking
 25 “The Secretary” and inserting “Com-

1 mencing with inadvertent releases discov-
 2 ered on or after October 30, 2000, the
 3 Secretary”.

4 (13) SUPPLEMENT TO PLAN FOR DECLAS-
 5 SIFICATION OF RESTRICTED DATA AND FORMERLY
 6 RESTRICTED DATA.—Section 3149 of the National
 7 Defense Authorization Act for Fiscal Year 2000
 8 (Public Law 106–65; 113 Stat. 938) is—

9 (A) transferred to title XLV of division D
 10 of the Bob Stump National Defense Authoriza-
 11 tion Act for Fiscal Year 2003, as amended by
 12 this subsection;

13 (B) redesignated as section 4523;

14 (C) inserted after section 4522, as added
 15 by paragraph (12); and

16 (D) amended—

17 (i) in subsection (a), by striking “sub-
 18 section (a) of section 3161 of the Strom
 19 Thurmond National Defense Act for Fiscal
 20 Year 1999 (Public Law 105–261; 112
 21 Stat. 2260; 50 U.S.C. 435 note)” and in-
 22 serting “subsection (a) of section 4522”;

23 (ii) in subsection (b)—

24 (I) by striking “section
 25 3161(b)(1) of that Act” and inserting

1 “subsection (b)(1) of section 4522”;
 2 and

3 (II) by striking “the date of the
 4 enactment of that Act” and inserting
 5 “October 17, 1998,”;

6 (iii) in subsection (c)—

7 (I) by striking “section 3161(c)
 8 of that Act” and inserting “subsection
 9 (c) of section 4522”; and

10 (II) by striking “section 3161(a)
 11 of that Act” and inserting “subsection
 12 (a) of such section”; and

13 (iv) in subsection (d), by striking
 14 “section 3161(d) of that Act” and insert-
 15 ing “subsection (d) of section 4522”.

16 (14) PROTECTION OF CLASSIFIED INFORMA-
 17 TION DURING LABORATORY-TO-LABORATORY EX-
 18 CHANGES.—Section 3145 of the National Defense
 19 Authorization Act for Fiscal Year 2000 (Public Law
 20 106–65; 113 Stat. 935) is—

21 (A) transferred to title XLV of division D
 22 of the Bob Stump National Defense Authoriza-
 23 tion Act for Fiscal Year 2003, as amended by
 24 this subsection;

25 (B) redesignated as section 4524; and

1 (C) inserted after section 4523, as added
 2 by paragraph (13).

3 (15) IDENTIFICATION IN BUDGETS OF AMOUNT
 4 FOR DECLASSIFICATION ACTIVITIES.—Section 3173
 5 of the National Defense Authorization Act for Fiscal
 6 Year 2000 (Public Law 106–65; 113 Stat. 949) is—

7 (A) transferred to title XLV of division D
 8 of the Bob Stump National Defense Authoriza-
 9 tion Act for Fiscal Year 2003, as amended by
 10 this subsection;

11 (B) redesignated as section 4525;

12 (C) inserted after section 4524, as added
 13 by paragraph (14); and

14 (D) amended in subsection (b) by striking
 15 “the date of the enactment of this Act” and in-
 16 serting “October 5, 1999.”.

17 (16) SUBTITLE HEADING ON EMERGENCY RE-
 18 SPONSE.—Title XLV of division D of the Bob
 19 Stump National Defense Authorization Act for Fis-
 20 cal Year 2003, as amended by this subsection, is
 21 further amended by adding at the end the following
 22 new subtitle heading:

23 **“Subtitle C—Emergency Response”.**

24 (17) RESPONSIBILITY FOR DEFENSE PROGRAMS
 25 EMERGENCY RESPONSE PROGRAM.—Section 3158 of

the National Defense Authorization Act for Fiscal
Year 1996 (Public Law 104–106; 110 Stat. 626)
is—

(A) transferred to title XLV of division D
of the Bob Stump National Defense Authoriza-
tion Act for Fiscal Year 2003, as amended by
this subsection;

(B) redesignated as section 4541; and

(C) inserted after the heading for subtitle
C of such title, as added by paragraph (16).

(i) PERSONNEL MATTERS.—

(1) HEADINGS.—Division D of the Bob Stump
National Defense Authorization Act for Fiscal Year
2003, as amended by this section, is further amend-
ed by adding at the end the following new headings:

**“TITLE XLVI—PERSONNEL
MATTERS**

**“Subtitle A—Personnel
Management”.**

(2) AUTHORITY FOR APPOINTMENT OF CERTAIN
SCIENTIFIC, ENGINEERING, AND TECHNICAL PER-
SONNEL.—Section 3161 of the National Defense Au-
thorization Act for Fiscal Year 1995 (Public Law
103–337; 108 Stat. 3095), as amended by section
3139 of the National Defense Authorization Act for

1 Fiscal Year 1998 (Public Law 105–85; 111 Stat.
 2 2040), sections 3152 and 3155 of the Strom Thur-
 3 mond National Defense Authorization Act for Fiscal
 4 Year 1999 (Public Law 105–261; 112 Stat. 2253,
 5 2257), and section 3191 of the Floyd D. Spence Na-
 6 tional Defense Authorization Act for Fiscal Year
 7 2001 (as enacted into law by Public Law 106–398;
 8 114 Stat. 1654A–480), is—

9 (A) transferred to title XLVI of division D
 10 of the Bob Stump National Defense Authoriza-
 11 tion Act for Fiscal Year 2003, as added by
 12 paragraph (1);

13 (B) redesignated as section 4601; and

14 (C) inserted after the heading for subtitle
 15 A of such title, as so added.

16 (3) WHISTLEBLOWER PROTECTION PROGRAM.—

17 Section 3164 of the National Defense Authorization
 18 Act for Fiscal Year 2000 (Public Law 106–65; 113
 19 Stat. 946) is—

20 (A) transferred to title XLVI of division D
 21 of the Bob Stump National Defense Authoriza-
 22 tion Act for Fiscal Year 2003, as amended by
 23 this subsection;

24 (B) redesignated as section 4602;

1 (C) inserted after section 4601, as added
 2 by paragraph (2); and

3 (D) amended in subsection (n) by striking
 4 “60 days after the date of the enactment of this
 5 Act,” and inserting “December 5, 1999,”.

6 (4) EMPLOYEE INCENTIVES FOR WORKERS AT
 7 CLOSURE PROJECT FACILITIES.—Section 3136 of
 8 the Floyd D. Spence National Defense Authorization
 9 Act for Fiscal Year 2001 (as enacted into law by
 10 Public Law 106–398; 114 Stat. 1654A–458) is—

11 (A) transferred to title XLVI of division D
 12 of the Bob Stump National Defense Authoriza-
 13 tion Act for Fiscal Year 2003, as amended by
 14 this subsection;

15 (B) redesignated as section 4603;

16 (C) inserted after section 4602, as added
 17 by paragraph (3); and

18 (D) amended—

19 (i) in subsections (c) and (i)(1)(A), by
 20 striking “section 3143 of the National De-
 21 fense Authorization Act for Fiscal Year
 22 1997 (42 U.S.C. 7274n)” and inserting
 23 “section 4421”; and

24 (ii) in subsection (g), by striking “sec-
 25 tion 3143(h) of the National Defense Au-

1 thorization Act for Fiscal Year 1997” and
 2 inserting “section 4421(h)”.

3 (5) DEFENSE NUCLEAR FACILITY WORKFORCE
 4 RESTRUCTURING PLAN.—Section 3161 of the Na-
 5 tional Defense Authorization Act for Fiscal Year
 6 1993 (Public Law 102–484; 106 Stat. 2644), as
 7 amended by section 1070(c)(2) of the National De-
 8 fense Authorization Act for Fiscal Year 1995 (Pub-
 9 lic Law 103–337; 108 Stat. 2857), Public Law 105–
 10 277 (112 Stat. 2681–419, 2681–430), and section
 11 1048(h)(1) of the National Defense Authorization
 12 Act for Fiscal Year 2002 (Public Law 107–107; 115
 13 Stat. 1229), is—

14 (A) transferred to title XLVI of division D
 15 of the Bob Stump National Defense Authoriza-
 16 tion Act for Fiscal Year 2003, as amended by
 17 this subsection;

18 (B) redesignated as section 4604;

19 (C) inserted after section 4603, as added
 20 by paragraph (4); and

21 (D) amended—

22 (i) in subsection (a), by striking
 23 “(hereinafter in this subtitle referred to as
 24 the ‘Secretary’)”; and

1 (ii) by adding at the end the following
2 new subsection:

3 “(g) DEPARTMENT OF ENERGY DEFENSE NUCLEAR
4 FACILITY DEFINED.—In this section, the term ‘Depart-
5 ment of Energy defense nuclear facility’ means—

6 “(1) a production facility or utilization facility
7 (as those terms are defined in section 11 of the
8 Atomic Energy Act of 1954 (42 U.S.C. 2014)) that
9 is under the control or jurisdiction of the Secretary
10 and that is operated for national security purposes
11 (including the tritium loading facility at Savannah
12 River, South Carolina, the 236 H facility at Savan-
13 nah River, South Carolina; and the Mound Labora-
14 tory, Ohio), but the term does not include any facil-
15 ity that does not conduct atomic energy defense ac-
16 tivities and does not include any facility or activity
17 covered by Executive Order Number 12344, dated
18 February 1, 1982, pertaining to the naval nuclear
19 propulsion program;

20 “(2) a nuclear waste storage or disposal facility
21 that is under the control or jurisdiction of the Sec-
22 retary;

23 “(3) a testing and assembly facility that is
24 under the control or jurisdiction of the Secretary
25 and that is operated for national security purposes

1 (including the Nevada Test Site, Nevada; the
 2 Pinnellas Plant, Florida; and the Pantex facility,
 3 Texas);

4 “(4) an atomic weapons research facility that is
 5 under the control or jurisdiction of the Secretary
 6 (including Lawrence Livermore, Los Alamos, and
 7 Sandia National Laboratories); or

8 “(5) any facility described in paragraphs (1)
 9 through (4) that—

10 “(A) is no longer in operation;

11 “(B) was under the control or jurisdiction
 12 of the Department of Defense, the Atomic En-
 13 ergy Commission, or the Energy Research and
 14 Development Administration; and

15 “(C) was operated for national security
 16 purposes.”.

17 (6) AUTHORITY TO PROVIDE CERTIFICATE OF
 18 COMMENDATION TO EMPLOYEES.—Section 3195 of
 19 the Floyd D. Spence National Defense Authorization
 20 Act for Fiscal Year 2001 (as enacted into law by
 21 Public Law 106–398; 114 Stat. 1654A–481) is—

22 (A) transferred to title XLVI of division D
 23 of the Bob Stump National Defense Authoriza-
 24 tion Act for Fiscal Year 2003, as amended by
 25 this subsection;

1 (B) redesignated as section 4605; and

2 (C) inserted after section 4604, as added
3 by paragraph (5).

4 (7) SUBTITLE HEADING ON TRAINING AND
5 EDUCATION.—Title XLVI of division D of the Bob
6 Stump National Defense Authorization Act for Fis-
7 cal Year 2003, as amended by this subsection, is
8 further amended by adding at the end the following
9 new subtitle heading:

10 **“Subtitle B—Education and**
11 **Training”.**

12 (8) EXECUTIVE MANAGEMENT TRAINING.—Sec-
13 tion 3142 of the National Defense Authorization Act
14 for Fiscal Years 1990 and 1991 (Public Law 101–
15 189; 103 Stat. 1680) is—

16 (A) transferred to title XLVI of division D
17 of the Bob Stump National Defense Authoriza-
18 tion Act for Fiscal Year 2003, as amended by
19 this subsection;

20 (B) redesignated as section 4621;

21 (C) inserted after the heading for subtitle
22 B of such title, as added by paragraph (7); and

23 (D) amended in the section heading by
24 adding a period at the end.

1 (9) STOCKPILE STEWARDSHIP RECRUITMENT
 2 AND TRAINING PROGRAM.—Section 3131 of the Na-
 3 tional Defense Authorization Act for Fiscal Year
 4 1995 (Public Law 103–337; 108 Stat. 3085) is—

5 (A) transferred to title XLVI of division D
 6 of the Bob Stump National Defense Authoriza-
 7 tion Act for Fiscal Year 2003, as amended by
 8 this subsection;

9 (B) redesignated as section 4622;

10 (C) inserted after section 4621, as added
 11 by paragraph (8); and

12 (D) amended—

13 (i) in subsection (a)(1), by striking
 14 “section 3138 of the National Defense Au-
 15 thorization Act for Fiscal Year 1994 (Pub-
 16 lic Law 103–160; 107 Stat. 1946; 42
 17 U.S.C. 2121 note)” and inserting “section
 18 4201”; and

19 (ii) in subsection (b)(2), by inserting
 20 “of the National Defense Authorization
 21 Act for Fiscal Year 1995 (Public Law
 22 103–337)” after “section 3101(a)(1)”.

23 (10) FELLOWSHIP PROGRAM FOR DEVELOP-
 24 MENT OF SKILLS CRITICAL TO NUCLEAR WEAPONS
 25 COMPLEX.—Section 3140 of the National Defense

1 Authorization Act for Fiscal Year 1996 (Public Law
 2 104–106; 110 Stat 621), as amended by section
 3 3162 of the National Defense Authorization Act for
 4 Fiscal Year 2000 (Public Law 106–65; 113 Stat.
 5 943), is—

6 (A) transferred to title XLVI of division D
 7 of the Bob Stump National Defense Authoriza-
 8 tion Act for Fiscal Year 2003, as amended by
 9 this subsection;

10 (B) redesignated as section 4623; and

11 (C) inserted after section 4622, as added
 12 by paragraph (9).

13 (11) SUBTITLE HEADING ON WORKER SAFE-
 14 TY.—Title XLVI of division D of the Bob Stump
 15 National Defense Authorization Act for Fiscal Year
 16 2003, as amended by this subsection, is further
 17 amended by adding at the end the following new
 18 subtitle heading:

19 **“Subtitle C—Worker Safety”.**

20 (12) WORKER PROTECTION AT NUCLEAR WEAP-
 21 ONS FACILITIES.—Section 3131 of the National De-
 22 fense Authorization Act for Fiscal Years 1992 and
 23 1993 (Public Law 102–190; 105 Stat. 1571) is—

24 (A) transferred to title XLVI of division D
 25 of the Bob Stump National Defense Authoriza-

1 tion Act for Fiscal Year 2003, as amended by
2 this subsection;

3 (B) redesignated as section 4641;

4 (C) inserted after the heading for subtitle
5 C of such title, as added by paragraph (11);
6 and

7 (D) amended in subsection (e) by inserting
8 “of the National Defense Authorization Act for
9 Fiscal Years 1992 and 1993 (Public Law 102–
10 190)” after “section 3101(9)(A)”.

11 (13) SAFETY OVERSIGHT AND ENFORCEMENT
12 AT DEFENSE NUCLEAR FACILITIES.—Section 3163
13 of the National Defense Authorization Act for Fiscal
14 Year 1995 (Public Law 103–337; 108 Stat. 3097)
15 is—

16 (A) transferred to title XLVI of division D
17 of the Bob Stump National Defense Authoriza-
18 tion Act for Fiscal Year 2003, as amended by
19 this subsection;

20 (B) redesignated as section 4642;

21 (C) inserted after section 4641, as added
22 by paragraph (12); and

23 (D) amended in subsection (b) by striking
24 “90 days after the date of the enactment of this
25 Act,” and inserting “January 5, 1995,”.

1 (14) PROGRAM TO MONITOR WORKERS AT DE-
 2 FENSE NUCLEAR FACILITIES EXPOSED TO HAZ-
 3 ARDOUS AND RADIOACTIVE SUBSTANCES.—Section
 4 3162 of the National Defense Authorization Act for
 5 Fiscal Year 1993 (Public Law 102–484; 106 Stat.
 6 2646) is—

7 (A) transferred to title XLVI of division D
 8 of the Bob Stump National Defense Authoriza-
 9 tion Act for Fiscal Year 2003, as amended by
 10 this subsection;

11 (B) redesignated as section 4643;

12 (C) inserted after section 4642, as added
 13 by paragraph (13); and

14 (D) amended—

15 (i) in subsection (b)(6), by striking “1
 16 year after the date of the enactment of this
 17 Act” and inserting “October 23, 1993”;

18 (ii) in subsection (c), by striking “180
 19 days after the date of the enactment of
 20 this Act,” and inserting “April 23, 1993,”;
 21 and

22 (iii) by adding at the end the fol-
 23 lowing new subsection:

24 “(c) DEFINITIONS.—In this section:

1 “(1) The term ‘Department of Energy defense
2 nuclear facility’ has the meaning given that term in
3 section 4604(g).

4 “(2) The term ‘Department of Energy em-
5 ployee’ means any employee of the Department of
6 Energy employed at a Department of Energy de-
7 fense nuclear facility, including any employee of a
8 contractor of subcontractor of the Department of
9 Energy employed at such a facility.”.

10 (j) BUDGET AND FINANCIAL MANAGEMENT MAT-
11 TERS.—

12 (1) HEADINGS.—Division D of the Bob Stump
13 National Defense Authorization Act for Fiscal Year
14 2003, as amended by this section, is further amend-
15 ed by adding at the end the following new headings:

16 **“TITLE XLVII—BUDGET AND FI-**
17 **NANCIAL MANAGEMENT MAT-**
18 **TERS**

19 **“Subtitle A—Recurring National**
20 **Security Authorization Provisions”.**

21 (2) RECURRING NATIONAL SECURITY AUTHOR-
22 IZATION PROVISIONS.—Sections 3620 through 3631
23 of the Bob Stump National Defense Authorization
24 Act for Fiscal Year 2003 (Public Law 107–314; 116
25 Stat. 2756) are—

1 (A) transferred to title XLVII of division
 2 D of such Act, as added by paragraph (1);

3 (B) redesignated as sections 4701 through
 4 4712, respectively;

5 (C) inserted after the heading for subtitle
 6 A of such title, as so added; and

7 (D) amended—

8 (i) in section 4702, as so redesign-
 9 nated, by striking “sections 3629 and
 10 3630” and inserting “sections 4710 and
 11 4711”;

12 (ii) in section 4706(a)(3)(B), as so re-
 13 designated, by striking “section 3626” and
 14 inserting “section 4707”;

15 (iii) in section 4707(c), as so redesign-
 16 nated, by striking “section 3625(b)(2)”
 17 and inserting “section 4706(b)(2)”;

18 (iv) in section 4710(c), as so redesign-
 19 nated, by striking “section 3621” and in-
 20 serting “section 4702”;

21 (v) in section 4711(c), as so redesign-
 22 nated, by striking “section 3621” and in-
 23 serting “section 4702”; and

1 (vi) in section 4712, as so redesign-
 2 nated, by striking “section 3621” and in-
 3 serting “section 4702”.

4 (3) SUBTITLE HEADING ON PENALTIES.—Title
 5 XLVII of division D of the Bob Stump National De-
 6 fense Authorization Act for Fiscal Year 2003, as
 7 amended by this subsection, is further amended by
 8 adding at the end the following new subtitle heading:

9 **“Subtitle B—Penalties”.**

10 (4) RESTRICTION ON USE OF FUNDS TO PAY
 11 PENALTIES UNDER ENVIRONMENTAL LAWS.—Sec-
 12 tion 3132 of the National Defense Authorization Act
 13 for Fiscal Year 1987 (Public Law 99–661; 100 Stat.
 14 4063) is—

15 (A) transferred to title XLVII of division
 16 D of the Bob Stump National Defense Author-
 17 ization Act for Fiscal Year 2003, as amended
 18 by this subsection;

19 (B) redesignated as section 4721;

20 (C) inserted after the heading for subtitle
 21 B of such title, as added by paragraph (3); and

22 (D) amended in the section heading by
 23 adding a period at the end.

24 (5) RESTRICTION ON USE OF FUNDS TO PAY
 25 PENALTIES UNDER CLEAN AIR ACT.—Section 211 of

1 the Department of Energy National Security and
 2 Military Applications of Nuclear Energy Authoriza-
 3 tion Act of 1981 (Public Law 96–540; 94 Stat.
 4 3203) is—

5 (A) transferred to title XLVII of division
 6 D of the Bob Stump National Defense Author-
 7 ization Act for Fiscal Year 2003, as amended
 8 by this subsection;

9 (B) inserted after section 4721, as added
 10 by paragraph (4); and

11 (C) amended—

12 (i) by striking the section heading and
 13 inserting the following new section head-
 14 ing:

15 **“SEC. 4722. RESTRICTION ON USE OF FUNDS TO PAY PEN-**
 16 **ALTIES UNDER CLEAN AIR ACT.”;**

17 (ii) by striking SEC. 211.”; and

18 (iii) by striking “this or any other
 19 Act” and inserting “the Department of
 20 Energy National Security and Military Ap-
 21 plications of Nuclear Energy Authorization
 22 Act of 1981 (Public Law 96–540) or any
 23 other Act”.

24 (6) SUBTITLE HEADING ON OTHER MATTERS.—

25 Title XLVII of division D of the Bob Stump Na-

1 tional Defense Authorization Act for Fiscal Year
 2 2003, as amended by this subsection, is further
 3 amended by adding at the end the following new
 4 subtitle heading:

5 **“Subtitle C—Other Matters”.**

6 (7) SINGLE REQUEST FOR AUTHORIZATION OF
 7 APPROPRIATIONS FOR COMMON DEFENSE AND SECU-
 8 RITY PROGRAMS.—Section 208 of the Department of
 9 Energy National Security and Military Applications
 10 of Nuclear Energy Authorization Act of 1979 (Pub-
 11 lic Law 95–509; 92 Stat. 1779) is—

12 (A) transferred to title XLVII of division
 13 D of the Bob Stump National Defense Author-
 14 ization Act for Fiscal Year 2003, as amended
 15 by this subsection;

16 (B) inserted after the heading for subtitle
 17 C of such title, as added by paragraph (6); and

18 (C) amended—

19 (i) by striking the section heading and
 20 inserting the following new section head-
 21 ing:

22 **“SEC. 4731. SINGLE REQUEST FOR AUTHORIZATION OF AP-
 23 PROPRIATIONS FOR COMMON DEFENSE AND
 24 SECURITY PROGRAMS.”;**

25 and

1 (ii) by striking “SEC. 208.”.

2 (k) ADMINISTRATIVE MATTERS.—

3 (1) HEADINGS.—Division D of the Bob Stump
4 National Defense Authorization Act for Fiscal Year
5 2003, as amended by this section, is further amend-
6 ed by adding at the end the following new headings:

7 **“TITLE XLVIII—ADMINISTRATIVE**
8 **MATTERS**

9 **“Subtitle A—Contracts”.**

10 (2) COSTS NOT ALLOWED UNDER CERTAIN
11 CONTRACTS.—Section 1534 of the Department of
12 Defense Authorization Act, 1986 (Public Law 99–
13 145; 99 Stat. 774), as amended by section 3131 of
14 the National Defense Authorization Act for Fiscal
15 Years 1988 and 1989 (Public Law 100–180; 101
16 Stat. 1238), is—

17 (A) transferred to title XLVIII of division
18 D of the Bob Stump National Defense Author-
19 ization Act for Fiscal Year 2003, as added by
20 paragraph (1);

21 (B) redesignated as section 4801;

22 (C) inserted after the heading for subtitle
23 A of such title, as so added; and

24 (D) amended—

1 (i) in the section heading, by adding a
2 period at the end; and

3 (ii) in subsection (b)(1), by striking
4 “the date of the enactment of this Act,”
5 and inserting “November 8, 1985.”

6 (3) PROHIBITION ON BONUSES TO CONTRAC-
7 TORS OPERATING DEFENSE NUCLEAR FACILITIES.—
8 Section 3151 of the National Defense Authorization
9 Act for Fiscal Years 1990 and 1991 (Public Law
10 101–189; 103 Stat. 1682) is—

11 (A) transferred to title XLVIII of division
12 D of the Bob Stump National Defense Author-
13 ization Act for Fiscal Year 2003, as amended
14 by this subsection;

15 (B) redesignated as section 4802;

16 (C) inserted after section 4801, as added
17 by paragraph (2); and

18 (D) amended—

19 (i) in the section heading, by adding a
20 period at the end;

21 (ii) in subsection (a), by striking “the
22 date of the enactment of this Act” and in-
23 serting “November 29, 1989”;

24 (iii) in subsection (b), by striking “6
25 months after the date of the enactment of

1 this Act,” and inserting “May 29, 1990,”;
2 and

3 (iv) in subsection (d), by striking “90
4 days after the date of the enactment of
5 this Act” and inserting “March 1, 1990”.

6 (4) CONTRACTOR LIABILITY FOR INJURY OR
7 LOSS OF PROPERTY ARISING FROM ATOMIC WEAP-
8 ONS TESTING PROGRAMS.—Section 3141 of the Na-
9 tional Defense Authorization Act for Fiscal Year
10 1991 (Public Law 101–510; 104 Stat. 1837) is—

11 (A) transferred to title XLVIII of division
12 D of the Bob Stump National Defense Author-
13 ization Act for Fiscal Year 2003, as amended
14 by this subsection;

15 (B) redesignated as section 4803;

16 (C) inserted after section 4802, as added
17 by paragraph (3); and

18 (D) amended—

19 (i) in the section heading, by adding a
20 period at the end; and

21 (ii) in subsection (d), by striking “the
22 date of the enactment of this Act” each
23 place it appears and inserting “November
24 5, 1990,”.

(5) SUBTITLE HEADING ON RESEARCH AND DEVELOPMENT.—Title XLVIII of division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as amended by this subsection, is further amended by adding at the end the following new subtitle heading:

“Subtitle B—Research and Development”.

(6) LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.—Section 3132 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1832) is—

(A) transferred to title XLVIII of division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as amended by this subsection;

(B) redesignated as section 4811;

(C) inserted after the heading for subtitle B of such title, as added by paragraph (5); and

(D) amended in the section heading by adding a period at the end.

(7) LIMITATIONS ON USE OF FUNDS FOR LABORATORY DIRECTED RESEARCH AND DEVELOPMENT.—

(A) LIMITATIONS ON USE OF FUNDS FOR
 LABORATORY DIRECTED RESEARCH AND DE-
 VELOPMENT.—Section 3137 of the National
 Defense Authorization Act for Fiscal Year 1998
 (Public Law 105–85; 111 Stat. 2038) is—

(i) transferred to title XLVIII of divi-
 sion D of the Bob Stump National Defense
 Authorization Act for Fiscal Year 2003, as
 amended by this subsection;

(ii) redesignated as section 4812;

(iii) inserted after section 4811, as
 added by paragraph (6); and

(iv) amended—

(I) in subsection (b), by striking
 “section 3136(b) of the National De-
 fense Authorization Act for Fiscal
 Year 1997 (Public Law 104–201; 110
 Stat. 2831; 42 U.S.C. 7257b)” and
 inserting “section 4812A(b)”;

(II) in subsection (d)—

(aa) by striking “section
 3136(b)(1)” and inserting “sec-
 tion 4812A(b)(1)”;

(bb) by striking “section
 3132(c) of the National Defense

1 Authorization Act for Fiscal Year
 2 1991 (42 U.S.C. 7257a(c))” and
 3 inserting “section 4811(c)”;
 4 and
 5 (III) in subsection (e), by strik-
 6 ing “section 3132(d) of the National
 7 Defense Authorization Act for Fiscal
 8 Year 1991 (42 U.S.C. 7257a(d))” and
 9 inserting “section 4811(d)”.

10 (B) LIMITATION ON USE OF FUNDS FOR
 11 CERTAIN RESEARCH AND DEVELOPMENT PUR-
 12 POSES.—Section 3136 of the National Defense
 13 Authorization Act for Fiscal Year 1997 (Public
 14 Law 104–201; 110 Stat. 2830), as amended by
 15 section 3137 of the National Defense Author-
 16 ization Act for Fiscal Year 1998 (Public Law
 17 105–85; 111 Stat. 2038), is—

18 (i) transferred to title XLVIII of divi-
 19 sion D of the Bob Stump National Defense
 20 Authorization Act for Fiscal Year 2003, as
 21 amended by this subsection;

22 (ii) redesignated as section 4812A;

23 (iii) inserted after section 4812, as
 24 added by paragraph (7); and

25 (iv) amended in subsection (a) by in-
 serting “of the National Defense Author-

1 ization Act for Fiscal Year 1997 (Public
2 Law 104–201)” after “section 3101”.

3 (8) CRITICAL TECHNOLOGY PARTNERSHIPS.—
4 Section 3136 of the National Defense Authorization
5 Act for Fiscal Years 1992 and 1993 (Public Law
6 102–190; 105 Stat. 1577), as amended by section
7 203(b)(3) of Public Law 103–35 (107 Stat. 102),
8 is—

9 (A) transferred to title XLVIII of division
10 D of the Bob Stump National Defense Author-
11 ization Act for Fiscal Year 2003, as amended
12 by this subsection;

13 (B) redesignated as section 4813; and

14 (C) inserted after section 4812A, as added
15 by paragraph (7)(B).

16 (9) UNIVERSITY-BASED RESEARCH COLLABORA-
17 TION PROGRAM.—Section 3155 of the National De-
18 fense Authorization Act for Fiscal Year 1998 (Pub-
19 lic Law 105–85; 111 Stat. 2044) is—

20 (A) transferred to title XLVIII of division
21 D of the Bob Stump National Defense Author-
22 ization Act for Fiscal Year 2003, as amended
23 by this subsection;

24 (B) redesignated as section 4814;

1 (C) inserted after section 4813, as added
 2 by paragraph (8); and

3 (D) amended in subsection (c) by striking
 4 “this title” and inserting “title XXXI of the
 5 National Defense Authorization Act for Fiscal
 6 Year 1998 (Public Law 105–85)”.

7 (10) SUBTITLE HEADING ON FACILITIES MAN-
 8 AGEMENT.—Title XLVIII of division D of the Bob
 9 Stump National Defense Authorization Act for Fis-
 10 cal Year 2003, as amended by this subsection, is
 11 further amended by adding at the end the following
 12 new subtitle heading:

13 **“Subtitle C—Facilities**
 14 **Management”.**

15 (11) TRANSFERS OF REAL PROPERTY AT CER-
 16 TAIN FACILITIES.—Section 3158 of the National De-
 17 fense Authorization Act for Fiscal Year 1998 (Pub-
 18 lic Law 105–85; 111 Stat. 2046) is—

19 (A) transferred to title XLVIII of division
 20 D of the Bob Stump National Defense Author-
 21 ization Act for Fiscal Year 2003, as amended
 22 by this subsection;

23 (B) redesignated as section 4831; and

24 (C) inserted after the heading for subtitle
 25 C of such title, as added by paragraph (10).

1 (12) ENGINEERING AND MANUFACTURING RE-
 2 SEARCH, DEVELOPMENT, AND DEMONSTRATION AT
 3 CERTAIN NUCLEAR WEAPONS PRODUCTION
 4 PLANTS.—Section 3156 of the Floyd D. Spence Na-
 5 tional Defense Authorization Act for Fiscal Year
 6 2001 (as enacted into law by Public Law 106–398;
 7 114 Stat. 1654A–467) is—

8 (A) transferred to title XLVIII of division
 9 D of the Bob Stump National Defense Author-
 10 ization Act for Fiscal Year 2003, as amended
 11 by this subsection;

12 (B) redesignated as section 4832; and

13 (C) inserted after section 4831, as added
 14 by paragraph (11).

15 (13) PILOT PROGRAM ON USE OF PROCEEDS OF
 16 DISPOSAL OR UTILIZATION OF CERTAIN ASSETS.—
 17 Section 3138 of the National Defense Authorization
 18 Act for Fiscal Year 1998 (Public Law 105–85; 111
 19 Stat. 2039) is—

20 (A) transferred to title XLVIII of division
 21 D of the Bob Stump National Defense Author-
 22 ization Act for Fiscal Year 2003, as amended
 23 by this subsection;

24 (B) redesignated as section 4833;

1 (C) inserted after section 4832, as added
 2 by paragraph (12); and

3 (D) amended in subsection (d) by striking
 4 “sections 202 and 203(j) of the Federal Prop-
 5 erty and Administrative Services Act of 1949
 6 (40 U.S.C. 483 and 484(j))” and inserting
 7 “subchapter II of chapter 5 and section 549 of
 8 title 40, United States Code,”.

9 (14) SUBTITLE HEADING ON OTHER MAT-
 10 TERS.—Title XLVIII of division D of the Bob
 11 Stump National Defense Authorization Act for Fis-
 12 cal Year 2003, as amended by this subsection, is
 13 further amended by adding at the end the following
 14 new subtitle heading:

15 **“Subtitle D—Other Matters”.**

16 (15) SEMIANNUAL REPORTS ON LOCAL IMPACT
 17 ASSISTANCE.—Subsection (f) of section 3153 of the
 18 National Defense Authorization Act for Fiscal Year
 19 1998 (Public Law 105–85; 111 Stat. 2044) is—

20 (A) transferred to title XLVIII of division
 21 D of the Bob Stump National Defense Author-
 22 ization Act for Fiscal Year 2003, as amended
 23 by this subsection;

1 (B) inserted after the heading for subtitle
 2 D of such title, as added by paragraph (14);
 3 and

4 (C) amended—

5 (i) by inserting before the text the fol-
 6 lowing new section heading:

7 **“SEC. 4851. SEMIANNUAL REPORTS ON LOCAL IMPACT AS-**
 8 **SISTANCE.”;**

9 (ii) by striking “(f) SEMIANNUAL
 10 REPORTS ON LOCAL IMPACT ASSIST-
 11 ANCE.—”; and

12 (iii) by striking “section 3161(c)(6) of
 13 the National Defense Authorization Act of
 14 Fiscal Year 1993 (42 U.S.C.
 15 7274h(c)(6))” and inserting “section
 16 4604(c)(6)”.

17 (l) MATTERS RELATING TO PARTICULAR FACILI-
 18 TIES.—

19 (1) HEADINGS.—Division D of the Bob Stump
 20 National Defense Authorization Act for Fiscal Year
 21 2003, as amended by this section, is further amend-
 22 ed by adding at the end the following new headings:

1 **“TITLE XLIX—MATTERS RELAT-**
 2 **ING TO PARTICULAR FACILI-**
 3 **TIES**

4 **“Subtitle A—Hanford Reservation,**
 5 **Washington”.**

6 (2) SAFETY MEASURES FOR WASTE TANKS.—

7 Section 3137 of the National Defense Authorization
 8 Act for Fiscal Year 1991 (Public Law 101–510; 104
 9 Stat. 1833) is—

10 (A) transferred to title XLIX of division D
 11 of the Bob Stump National Defense Authoriza-
 12 tion Act for Fiscal Year 2003, as added by
 13 paragraph (1);

14 (B) redesignated as section 4901;

15 (C) inserted after the heading for subtitle
 16 A of such title, as so added; and

17 (D) amended—

18 (i) in the section heading, by adding a
 19 period at the end;

20 (ii) in subsection (a), by striking
 21 “Within 90 days after the date of the en-
 22 actment of this Act,” and inserting “Not
 23 later than February 3, 1991,”;

24 (iii) in subsection (b), by striking
 25 “Within 120 days after the date of the en-

actment of this Act,” and inserting “Not later than March 5, 1991,”;

(iv) in subsection (c), by striking “Beginning 120 days after the date of the enactment of this Act,” and inserting “Beginning March 5, 1991,”; and

(v) in subsection (d), by striking “Within six months of the date of the enactment of this Act,” and inserting “Not later than May 5, 1991,”.

(3) PROGRAMS FOR PERSONS WHO MAY HAVE BEEN EXPOSED TO RADIATION RELEASED FROM HANFORD RESERVATION.—Section 3138 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1834), as amended by section 3138 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 3087), is—

(A) transferred to title XLIX of division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as amended by this subsection;

(B) redesignated as section 4902;

(C) inserted after section 4901, as added by paragraph (2); and

1 (D) amended—

2 (i) in the section heading, by adding a
3 period at the end;

4 (ii) in subsection (a), by striking “this
5 title” and inserting “title XXXI of the Na-
6 tional Defense Authorization Act for Fiscal
7 Year 1991 (Public Law 101–510)”; and

8 (iii) in subsection (c)—

9 (I) in paragraph (2), by striking
10 “six months after the date of the en-
11 actment of this Act,” and inserting
12 “May 5, 1991,”; and

13 (II) in paragraph (3), by striking
14 “18 months after the date of the en-
15 actment of this Act,” and inserting
16 “May 5, 1992,”.

17 (4) WASTE TANK CLEANUP PROGRAM.—Section
18 3139 of the Strom Thurmond National Defense Au-
19 thorization Act for Fiscal Year 1999 (Public Law
20 105–261; 112 Stat. 2250), as amended by section
21 3141 of the Floyd D. Spence National Defense Au-
22 thorization Act for Fiscal Year 2001 (as enacted
23 into law by Public Law 106–398; 114 Stat. 1654A–
24 463) and section 3135 of the National Defense Au-

1 thorization Act for Fiscal Year 2002 (Public Law
2 107–107; 115 Stat. 1368), is—

3 (A) transferred to title XLIX of division D
4 of the Bob Stump National Defense Authoriza-
5 tion Act for Fiscal Year 2003, as amended by
6 this subsection;

7 (B) redesignated as section 4903;

8 (C) inserted after section 4902, as added
9 by paragraph (3); and

10 (D) amended in subsection (d) by striking
11 “30 days after the date of the enactment of the
12 Floyd D. Spence National Defense Authoriza-
13 tion Act for Fiscal Year 2001,” and inserting
14 “November 29, 2000,”.

15 (5) RIVER PROTECTION PROJECT.—Subsection
16 (a) of section 3141 of the Floyd D. Spence National
17 Defense Authorization Act for Fiscal Year 2001 (as
18 enacted into law by Public Law 106–398; 114 Stat.
19 1654A–462) is—

20 (A) transferred to title XLIX of division D
21 of the Bob Stump National Defense Authoriza-
22 tion Act for Fiscal Year 2003, as amended by
23 this subsection;

24 (B) inserted after section 4903, as added
25 by paragraph (4); and

1 (C) amended—

2 (i) by inserting before the text the fol-
3 lowing new section heading:

4 **“SEC. 4904. RIVER PROTECTION PROJECT.”;**

5 and

6 (ii) by striking “(a) REDESIGNATION
7 OF PROJECT.—”.

8 (6) FUNDING FOR TERMINATION COSTS OF
9 RIVER PROTECTION PROJECT.—Section 3131 of the
10 Floyd D. Spence National Defense Authorization
11 Act for Fiscal Year 2001 (as enacted into law by
12 Public Law 106–398; 114 Stat. 1654A–454) is—

13 (A) transferred to title XLIX of division D
14 of the Bob Stump National Defense Authoriza-
15 tion Act for Fiscal Year 2003, as amended by
16 this subsection;

17 (B) redesignated as section 4905;

18 (C) inserted after section 4904, as added
19 by paragraph (5); and

20 (D) amended—

21 (i) by striking “section 3141” and in-
22 serting “section 4904”; and

23 (ii) by striking “the date of the enact-
24 ment of this Act” and inserting “October
25 30, 2000”.

1 (7) SUBTITLE HEADING ON SAVANNAH RIVER
 2 SITE, SOUTH CAROLINA.—Title XLIX of division D
 3 of the Bob Stump National Defense Authorization
 4 Act for Fiscal Year 2003, as amended by this sub-
 5 section, is further amended by adding at the end the
 6 following new subtitle heading:

7 **“Subtitle B—Savannah River Site,**
 8 **South Carolina”.**

9 (8) ACCELERATED SCHEDULE FOR ISOLATING
 10 HIGH-LEVEL NUCLEAR WASTE AT DEFENSE WASTE
 11 PROCESSING FACILITY.—Section 3141 of the Na-
 12 tional Defense Authorization Act for Fiscal Year
 13 1997 (Public Law 104–201; 110 Stat. 2834) is—

14 (A) transferred to title XLIX of division D
 15 of the Bob Stump National Defense Authoriza-
 16 tion Act for Fiscal Year 2003, as amended by
 17 this subsection;

18 (B) redesignated as section 4911; and

19 (C) inserted after the heading for subtitle
 20 B of such title, as added by paragraph (7).

21 (9) MULTI-YEAR PLAN FOR CLEAN-UP.—Sub-
 22 section (e) of section 3142 of the National Defense
 23 Authorization Act for Fiscal Year 1997 (Public Law
 24 104–201; 110 Stat. 2834) is—

1 (A) transferred to title XLIX of division D
 2 of the Bob Stump National Defense Authoriza-
 3 tion Act for Fiscal Year 2003, as amended by
 4 this subsection;

5 (B) inserted after section 4911, as added
 6 by paragraph (8); and

7 (C) amended—

8 (i) by inserting before the text the fol-
 9 lowing new section heading:

10 **“SEC. 4912. MULTI-YEAR PLAN FOR CLEAN-UP.”;**

11 and

12 (ii) by striking “(e) MULTI-YEAR
 13 PLAN FOR CLEAN-UP AT SAVANNAH
 14 RIVER SITE.—The Secretary” and insert-
 15 ing “The Secretary of Energy”.

16 (10) CONTINUATION OF PROCESSING, TREAT-
 17 MENT, AND DISPOSAL OF LEGACY NUCLEAR MATE-
 18 RIALS.—

19 (A) FISCAL YEAR 2001.—Subsection (a) of
 20 section 3137 of the Floyd D. Spence National
 21 Defense Authorization Act for Fiscal Year 2001
 22 (as enacted into law by Public Law 106–398;
 23 114 Stat 1654A–460) is—

24 (i) transferred to title XLIX of divi-
 25 sion D of the Bob Stump National Defense

1 Authorization Act for Fiscal Year 2003, as
 2 amended by this subsection;

3 (ii) inserted after section 4912, as
 4 added by paragraph (9); and

5 (iii) amended—

6 (I) by inserting before the text
 7 the following new section heading:

8 **“SEC. 4913. CONTINUATION OF PROCESSING, TREATMENT,**
 9 **AND DISPOSAL OF LEGACY NUCLEAR MATE-**
 10 **RIALS.”;**

11 and

12 (II) by striking “(a) CONTINU-
 13 ATION.—”.

14 (B) FISCAL YEAR 2000.—Section 3132 of
 15 the National Defense Authorization Act for Fis-
 16 cal Year 2000 (Public Law 106–65; 113 Stat.
 17 924) is—

18 (i) transferred to title XLIX of divi-
 19 sion D of the Bob Stump National Defense
 20 Authorization Act for Fiscal Year 2003, as
 21 amended by this subsection;

22 (ii) redesignated as section 4913A;
 23 and

24 (iii) inserted after section 4913, as
 25 added by subparagraph (A).

(C) FISCAL YEAR 1999.—Section 3135 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2248) is—

(i) transferred to title XLIX of division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as amended by this subsection;

(ii) redesignated as section 4913B; and

(iii) inserted after section 4913A, as added by subparagraph (B).

(D) FISCAL YEAR 1998.—Subsection (b) of section 3136 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2038) is—

(i) transferred to title XLIX of division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as amended by this subsection;

(ii) inserted after section 4913B, as added by subparagraph (C); and

(iii) amended—

(I) by inserting before the text the following new section heading:

1 **“SEC. 4913C. CONTINUATION OF PROCESSING, TREAT-**
 2 **MENT, AND DISPOSAL OF LEGACY NUCLEAR**
 3 **MATERIALS.”;**

4 and

5 (II) by striking “(b) REQUIRE-
 6 MENT FOR CONTINUING OPERATIONS
 7 AT SAVANNAH RIVER SITE.—”.

8 (E) FISCAL YEAR 1997.—Subsection (f) of
 9 section 3142 of the National Defense Author-
 10 ization Act for Fiscal Year 1997 (Public Law
 11 104–201; 110 Stat. 2836) is—

12 (i) transferred to title XLIX of divi-
 13 sion D of the Bob Stump National Defense
 14 Authorization Act for Fiscal Year 2003, as
 15 amended by this subsection;

16 (ii) inserted after section 4913C, as
 17 added by subparagraph (D); and

18 (iii) amended—

19 (I) by inserting before the text
 20 the following new section heading:

21 **“SEC. 4913D. CONTINUATION OF PROCESSING, TREAT-**
 22 **MENT, AND DISPOSAL OF LEGACY NUCLEAR**
 23 **MATERIALS.”;**

24 (II) by striking “(f) REQUIRE-
 25 MENT FOR CONTINUING OPERATIONS
 26 AT SAVANNAH RIVER SITE.—The

1 Secretary” and inserting “The Sec-
2 retary of Energy”; and

3 (III) by striking “subsection (e)”
4 and inserting “section 4912”.

5 (11) LIMITATION ON USE OF FUNDS FOR DE-
6 COMMISSIONING F-CANYON FACILITY.—Subsection
7 (b) of section 3137 of the Floyd D. Spence National
8 Defense Authorization Act for Fiscal Year 2001 (as
9 enacted into law by Public Law 106–398; 114 Stat.
10 1654A–460) is—

11 (A) transferred to title XLIX of division D
12 of the Bob Stump National Defense Authoriza-
13 tion Act for Fiscal Year 2003, as amended by
14 this subsection;

15 (B) inserted after section 4913D, as added
16 by paragraph (10)(E); and

17 (C) amended—

18 (i) by inserting before the text the fol-
19 lowing new section heading:

20 **“SEC. 4914. LIMITATION ON USE OF FUNDS FOR DECOM-**
21 **MISSIONING F-CANYON FACILITY.”;**

22 (ii) by striking “(b) LIMITATION ON
23 USE OF FUNDS FOR DECOMMISSIONING
24 F-CANYON FACILITY.—”;

(iii) by striking “this or any other Act” and inserting “the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398) or any other Act”; and

(iv) by striking “the Secretary” in the matter preceding paragraph (1) and inserting “the Secretary of Energy”.

(12) SUBTITLE HEADING ON OTHER FACILITIES.—Title XLIX of division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as amended by this subsection, is further amended by adding at the end the following new subtitle heading:

“Subtitle C—Other Facilities”.

(13) PAYMENT OF COSTS OF OPERATION AND MAINTENANCE OF INFRASTRUCTURE AT NEVADA TEST SITE.—Section 3144 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2838) is—

(A) transferred to title XLIX of division D of such Act, as amended by this subsection;

(B) redesignated as section 4921; and

1 (C) inserted after the heading for subtitle
 2 C of such title, as added by paragraph (12).

3 (m) CONFORMING AMENDMENTS.—(1) Title XXXVI
 4 of the Bob Stump National Defense Authorization Act for
 5 Fiscal Year 2003 (Public Law 107–314; 116 Stat. 1756)
 6 is repealed.

7 (2) Subtitle E of title XXXI of the National Defense
 8 Authorization Act for Fiscal Year 1993 (Public Law 102–
 9 484; 42 U.S.C. 7274h et seq.) is repealed.

10 (3) Section 8905a(d)(5)(A) of title 5, United States
 11 Code, is amended by striking “section 3143 of the Na-
 12 tional Defense Authorization Act for Fiscal Year 1997 (42
 13 U.S.C. 7274n)” and inserting “section 4421 of the Atomic
 14 Energy Defense Act”.

15 **TITLE XXXII—DEFENSE NU-**
 16 **CLEAR FACILITIES SAFETY**
 17 **BOARD**

18 **SEC. 3201. AUTHORIZATION.**

19 There are authorized to be appropriated for fiscal
 20 year 2004, \$19,559,000 for the operation of the Defense

- 1 Nuclear Facilities Safety Board under chapter 21 of the
- 2 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

Passed the Senate May 22, 2003.

Attest:

Secretary.

108TH CONGRESS
1ST SESSION

S. 1049

AN ACT

To authorize appropriations for fiscal year 2004 for defense activities of the Department of Energy, and for other purposes.