§ 98h–2. Reports to Congress

(a) Not later than January 15 of each year, the President shall submit to the Congress an annual written report detailing operations under this subchapter. Each such report shall include—

(1) information with respect to foreign and domestic purchases of materials during the preceding fiscal year;
(2) information with respect to the acquisition and disposal of materials under this subchapter by barter, as provided for in section 98e (c) of this title, during such fiscal year;
(3) information with respect to the activities by the Stockpile Manager to encourage the conservation, substitution, and development of strategic and critical materials within the United States;
(4) information with respect to the research and development activities conducted under sections 98a and 98g of this title;
(5) a statement and explanation of the financial status of the National Defense Stockpile Transaction Fund and the anticipated appropriations to be made to the fund, and obligations to be made from the fund, during the current fiscal year; and
(6) such other pertinent information on the administration of this subchapter as will enable the Congress to evaluate the effectiveness of the program provided for under this subchapter and to determine the need for additional legislation.

(b) (1) Not later than February 15 of each year, the President shall submit to the appropriate committees of the Congress a report containing an annual materials plan for the operation of the stockpile during the next fiscal year and the succeeding four fiscal years.

(2) Each such report shall include details of all planned expenditures from the National Defense Stockpile Transaction Fund during such period (including expenditures to be made from appropriations from the general fund of the Treasury) and of anticipated receipts from proposed disposals of stockpile materials during such period. Each such report shall also contain details regarding the materials development and research projects to be conducted under section 98h (b)(2)(G) of this title during the fiscal years covered by the report. With respect to each development and research project, the report shall specify the amount planned to be expended from the fund, the material intended to be developed, the potential military or defense industrial applications for that material, and the development and research methodologies to be used.

(3) Any proposed expenditure or disposal detailed in the annual materials plan for any such fiscal year, and any expenditure or disposal proposed in connection with any transaction submitted for such fiscal year to the appropriate committees of Congress pursuant to section 98d (a)(2) of this title, that is not obligated or executed in that fiscal year may not be obligated or executed until such proposed expenditure or disposal is resubmitted in a subsequent annual materials plan or is resubmitted to the appropriate committees of Congress in accordance with section 98d (a)(2) of this title, as appropriate.

Prior Provisions


Provisions similar to those in this section were contained in former section 98c of this title prior to repeal by Pub. L. 96–41.

Amendments


1991—Subsec. (a). Pub. L. 102–190, § 3313(a)(1), substituted “Not later than January 15 of each year, the President” for “The President” and “an annual” for “every six months a”.

Subsec. (a)(1). Pub. L. 102–190, § 3313(a)(2), which directed the substitution of “fiscal year” for “6-month period”, could not be executed because the words “6-month period” did not appear in text.


Subsec. (a)(5). Pub. L. 102–190, § 3313(a)(4), substituted “current fiscal year” for “next fiscal year”.

Subsec. (b)(1). Pub. L. 102–190, § 3311(b)(1), designated first sentence of subsec. (b) relating to submission of report as par. (1).

Subsec. (b)(2). Pub. L. 102–190, § 3311(b), designated second sentence of subsec. (b) relating to contents of report as par. (2) and inserted at end “Each such report shall also contain details regarding the materials development and research projects to be conducted under section 98h (b)(2)(G) of this title during the fiscal years covered by the report. With respect to each development and research project, the report shall specify the amount planned to be expended from the fund, the material intended to be developed, the potential military or defense industrial applications for that material, and the development and research methodologies to be used.”

Subsec. (b)(3). Pub. L. 102–190, § 3311(b)(1), designated third sentence of subsec. (b) relating to resubmission of proposed expenditures and disposals not obligated or executed as par. (3).

1989—Subsec. (a)(5). Pub. L. 101–189 substituted “made to the fund, and obligations to be made from the fund,” for “made from the fund”.

1988—Subsec. (a)(3) to (6). Pub. L. 100–456, § 1503(a), added pars. (3) and (4) and redesignated former pars. (3) and (4) as (5) and (6), respectively.

Subsec. (b). Pub. L. 100–456, § 1503(b), substituted “the next fiscal year” for “such fiscal year” and “all planned expenditures from the National Defense Stockpile Transaction Fund” for “planned expenditures for acquisition of strategic and critical materials” and inserted at end “Any proposed expenditure or disposal detailed in the annual materials plan for any such fiscal year, and any expenditure or disposal proposed in connection with any transaction submitted for such fiscal year to the appropriate committees of Congress pursuant to section 98d (a)(2) of this title, that is not obligated or executed in that fiscal year may not be obligated or executed until such proposed expenditure or disposal is resubmitted in a subsequent annual materials plan or is resubmitted to the appropriate committees of Congress in accordance with section 98d (a)(2) of this title, as appropriate.”

1987—Subsec. (b). Pub. L. 100–180 substituted “Not later than February 15 of each year, the President” for “The President” and struck out “each year, at the time that the Budget is submitted to Congress pursuant to section 1105 of title 31 for the next fiscal year,” after “Congress”.

1986—Subsec. (b). Pub. L. 99–661 substituted “each year, at the time that the Budget is submitted to Congress pursuant to section 1105 of title 31 for the next fiscal year,” for each year with the Budget submitted to Congress pursuant to section 201a of the Budget and Accounting Act, 1921 (31 U.S.C. 11 (a)), for the next fiscal year”.

1981—Pub. L. 97–35 designated existing provisions as subsec. (a) and added subsec. (b).

Delegation of Functions

Functions of President under this section delegated to Secretary of Defense by section 1 of Ex. Ord. No. 12636, Feb. 25, 1988, 53 F.R. 6114, set out under section 98 of this title.