

DELEGATION OF AUTHORITY

Authority of President under this section delegated to Secretary of Defense by section 2 of Memorandum of President of the United States, Dec. 30, 1992, 58 F.R. 3193, set out as a note under section 5852 of this title.

SUBCHAPTER IV—JOINT RESEARCH AND DEVELOPMENT PROGRAMS

§ 5931. Programs with states of former Soviet Union

The Congress encourages the Secretary of Defense to participate actively in joint research and development programs with the independent states of the former Soviet Union through the nongovernmental foundation established for this purpose by section 5861 of this title. To that end, the Secretary of Defense may spend those funds authorized in section 5911(a)(1)(C) of this title for support, technical cooperation, in-kind assistance, and other activities with the following purposes:

(1) To advance defense conversion by funding civilian collaborative research and development projects between scientists and engineers in the United States and in the independent states of the former Soviet Union.

(2) To assist the establishment of a market economy in the independent states of the former Soviet Union by promoting, identifying, and partially funding joint research, development, and demonstration ventures between United States businesses and scientists, engineers, and entrepreneurs in those independent states.

(3) To provide a mechanism for scientists, engineers, and entrepreneurs in the independent states of the former Soviet Union to develop an understanding of commercial business practices by establishing linkages to United States scientists, engineers, and businesses.

(4) To provide access for United States businesses to sophisticated new technologies, talented researchers, and potential new markets within the independent states of the former Soviet Union.

(5) To provide productive research and development opportunities within the independent states of the former Soviet Union that offer scientists and engineers alternatives to emigration and help prevent proliferation of weapons technologies and the dissolution of the technological infrastructure of those states.

(Pub. L. 102-484, div. A, title XIV, §1441, Oct. 23, 1992, 106 Stat. 2566; Pub. L. 103-160, div. A, title XI, §1182(c)(4), Nov. 30, 1993, 107 Stat. 1772.)

AMENDMENTS

1993—Pub. L. 103-160 made technical amendment to reference to section 5861 of this title to correct reference to corresponding section of original Act.

CHAPTER 68A—COOPERATIVE THREAT REDUCTION WITH STATES OF FORMER SOVIET UNION

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§ 5951. Findings on cooperative threat reduction

The Congress finds that it is in the national security interest of the United States for the United States to do the following:

(1) Facilitate, on a priority basis, the transportation, storage, safeguarding, and elimination of nuclear and other weapons of the independent states of the former Soviet Union, including—

(A) the safe and secure storage of fissile materials derived from the elimination of nuclear weapons;

(B) the dismantlement of (i) intercontinental ballistic missiles and launchers for such missiles, (ii) submarine-launched ballistic missiles and launchers for such missiles, and (iii) heavy bombers; and

(C) the elimination of chemical, biological and other weapons capabilities.

(2) Facilitate, on a priority basis, the prevention of proliferation of weapons (and components of weapons) of mass destruction and destabilizing conventional weapons of the independent states of the former Soviet Union and the establishment of verifiable safeguards against the proliferation of such weapons and components.

(3) Facilitate, on a priority basis, the prevention of diversion of weapons-related scientific expertise of the independent states of the former Soviet Union to terrorist groups or third world countries.

(4) Support (A) the demilitarization of the defense-related industry and equipment of the independent states of the former Soviet Union, and (B) the conversion of such industry and equipment to civilian purposes and uses.

(5) Expand military-to-military and defense contacts between the United States and the independent states of the former Soviet Union.

(Pub. L. 103-160, div. A, title XII, §1202, Nov. 30, 1993, 107 Stat. 1777.)

SHORT TITLE OF 2003 AMENDMENT

Pub. L. 108-136, div. C, title XXXVI, §3601, Nov. 24, 2003, 117 Stat. 1822, provided that: “This title [enacting

provisions set out as notes under this section and sections 1928, 5959, and 6321 of this title] may be cited as the ‘Nuclear Security Initiative Act of 2003.’”

SHORT TITLE

Section 1201 of title XII of div. A of Pub. L. 103-160 provided that: “This title [enacting this chapter] may be cited as the ‘Cooperative Threat Reduction Act of 1993.’”

ESTABLISHMENT OF INTERPARLIAMENTARY THREAT REDUCTION WORKING GROUP

Pub. L. 108-136, div. C, title XXXVI, §3622, Nov. 24, 2003, 117 Stat. 1824, provided that:

“(a) ESTABLISHMENT OF WORKING GROUP.—There is hereby established a working group to be known as the ‘Threat Reduction Working Group’ as an inter-parliamentary group of the Congress of the United States and the legislature of the Russian Federation.

“(b) PURPOSE OF WORKING GROUP.—The purpose of the working group established by subsection (a) shall be to explore means to enhance cooperation between the United States and the Russian Federation with respect to nuclear nonproliferation and security and such other issues related to reducing the dangers of weapons of mass destruction as the members of the working group consider appropriate.

“(c) MEMBERSHIP.—(1) The majority leader of the Senate, after consultation with the minority leader of the Senate, shall appoint not more than 10 Senators to the working group established by subsection (a).

“(2) The Speaker of the House of Representatives, after consultation with the minority leader of the House of Representatives, shall appoint not more than 30 Members of the House to the working group.”

§ 5952. Authority for programs to facilitate cooperative threat reduction

(a) In general

Notwithstanding any other provision of law, the President may conduct programs described in subsection (b) of this section to assist the independent states of the former Soviet Union in the demilitarization of the former Soviet Union. Any such program may be carried out only to the extent that the President determines that the program will directly contribute to the national security interests of the United States.

(b) Authorized programs

The programs referred to in subsection (a) of this section are the following:

(1) Programs to facilitate the elimination, and the safe and secure transportation and storage, of nuclear, chemical, and other weapons and their delivery vehicles.

(2) Programs to facilitate the safe and secure storage of fissile materials derived from the elimination of nuclear weapons.

(3) Programs to prevent the proliferation of weapons, weapons components, and weapons-related technology and expertise.

(4) Programs to expand military-to-military and defense contacts.

(5) Programs to facilitate the demilitarization of defense industries and the conversion of military technologies and capabilities into civilian activities.

(6) Programs to assist in the environmental restoration of former military sites and installations when such restoration is necessary to the demilitarization or conversion programs authorized in paragraph (5).

(7) Programs to provide housing for former military personnel of the former Soviet Union released from military service in connection with the dismantlement of strategic nuclear weapons, when provision of such housing is necessary for dismantlement of strategic nuclear weapons and when no other funds are available for such housing.

(8) Other programs as described in section 212(b) of the Soviet Nuclear Threat Reduction Act of 1991 (title II of Public Law 102-228; 22 U.S.C. 2551 note) and section 5902(b) of this title.

(c) United States participation

The programs described in subsection (b) of this section should, to the extent feasible, draw upon United States technology and expertise, especially from the private sector of the United States.

(Pub. L. 103-160, div. A, title XII, §1203, Nov. 30, 1993, 107 Stat. 1778; Pub. L. 107-314, div. A, title XIII, §1306(c), formerly §1306(e), Dec. 2, 2002, 116 Stat. 2673, renumbered §1306(c), Pub. L. 109-163, div. A, title XIII, §1303(2), Jan. 6, 2006, 119 Stat. 3474; Pub. L. 110-53, title XVIII, §1811(2), Aug. 3, 2007, 121 Stat. 492; Pub. L. 110-181, div. A, title XIII, §1304(a)(2), Jan. 28, 2008, 122 Stat. 412.)

AMENDMENTS

2008—Subsec. (d). Pub. L. 110-181 made amendment identical to that made by Pub. L. 110-53. See 2007 Amendment note below.

2007—Subsec. (d). Pub. L. 110-53 struck out subsec. (d) which prohibited assistance unless the President had certified to Congress that the proposed recipient state was committed to meeting specified conditions relating to elimination of weapons of mass destruction, compliance with arms control agreements, and observation of internationally recognized human rights.

2002—Subsec. (d). Pub. L. 107-314, §1306(c), formerly §1306(e), as renumbered by Pub. L. 109-163, in introductory provisions, substituted “any fiscal year” for “any year” and “such fiscal year” for “that year”.

SHARING OF CLASSIFIED UNITED STATES BALLISTIC MISSILE DEFENSE INFORMATION WITH THE RUSSIAN FEDERATION

Pub. L. 112-81, div. A, title XII, §1244, Dec. 31, 2011, 125 Stat. 1646, provided that:

“(a) NOTIFICATION.—No classified United States ballistic missile defense information may be made available to the Russian Federation unless, 60 days prior to any instance in which the United States Government plans to provide such information to the Russian Federation, the President provides notification thereof to the appropriate congressional committees.

“(b) ELEMENTS OF NOTIFICATION.—Each notification provided pursuant to subsection (a) shall include the following:

“(1) A detailed description of the classified United States ballistic missile defense information to be provided.

“(2) An explanation of the national security interest in providing the information to the Russian Federation and any provisions for reciprocal sharing by the Russian Federation with the United States on its defensive systems.

“(3) A certification that providing the information is consistent with United States national disclosure policy as of the date of enactment of this Act [Dec. 31, 2011] and that the decision to provide the information was made pursuant to a national disclosure policy review.

“(4) If applicable, a detailed explanation of whether any exceptions to national disclosure policy were re-