

Sept. 23, 1996, 110 Stat. 2838; renumbered Pub. L. 107-314, div. D, title XLVIII, §4852, by Pub. L. 108-136, div. C, title XXXI, §3141(k)(16), Nov. 24, 2003, 117 Stat. 1786.)

**CHAPTER 43—PREVENTING WEAPONS OF MASS DESTRUCTION PROLIFERATION AND TERRORISM**

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**§ 2901. Findings**

The 9/11 Commission has made the following recommendations:

**(1) Strengthen “counter-proliferation” efforts**

The United States should work with the international community to develop laws and an international legal regime with universal jurisdiction to enable any state in the world to capture, interdict, and prosecute smugglers of nuclear material.

**(2) Expand the Proliferation Security Initiative**

In carrying out the Proliferation Security Initiative, the United States should—

- (A) use intelligence and planning resources of the North Atlantic Treaty Organization (NATO) alliance;  
(B) make participation open to non-NATO countries; and  
(C) encourage Russia and the People’s Republic of China to participate.

**(3) Support the Cooperative Threat Reduction program**

The United States should expand, improve, increase resources for, and otherwise fully support the Cooperative Threat Reduction program.

(Pub. L. 110-53, title XVIII, §1801, Aug. 3, 2007, 121 Stat. 491.)

**§ 2902. Definitions**

In this chapter:

(1) The terms “prevention of weapons of mass destruction proliferation and terrorism” and “prevention of WMD proliferation and terrorism” include activities under—

(A) the programs specified in section 1501(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201; 110 Stat. 2731; 50 U.S.C. 2362 note);

(B) the programs for which appropriations are authorized by section 3101(a)(2) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 116 Stat. 2729);

(C) programs authorized by section 5854 of title 22 and programs authorized by section 5902 of title 22; and

(D) a program of any agency of the Federal Government having a purpose similar to that of any of the programs identified in subparagraphs (A) through (C), as designated by the United States Coordinator for the Prevention of Weapons of Mass Destruction Proliferation and Terrorism and the head of the agency.

(2) The terms “weapons of mass destruction” and “WMD” mean chemical, biological, and nuclear weapons, and chemical, biological, and nuclear materials used in the manufacture of such weapons.

(3) The term “items of proliferation concern” means—

(A) equipment, materials, or technology listed in—

(i) the Trigger List of the Guidelines for Nuclear Transfers of the Nuclear Suppliers Group;

(ii) the Annex of the Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Materials, Software, and Related Technology of the Nuclear Suppliers Group; or

(iii) any of the Common Control Lists of the Australia Group; and

(B) any other sensitive items.

(Pub. L. 110-53, title XVIII, §1802, Aug. 3, 2007, 121 Stat. 491.)

**REFERENCES IN TEXT**

This chapter, referred to in text, was in the original “this title”, meaning title XVIII of Pub. L. 110-53, which enacted this chapter, amended section 402 of this title and sections 5952 and 5963 of Title 22, Foreign Relations and Intercourse, and amended provisions set out as notes under sections 2551 and 5952 of Title 22. For complete classification of title XVIII to the Code, see Tables.

Section 3101(a)(2) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314), referred to in par. (1)(B), is not classified to the Code.

**SUBCHAPTER I—PROLIFERATION SECURITY INITIATIVE**

**§ 2911. Proliferation Security Initiative improvements and authorities**

**(a) Sense of Congress**

It is the sense of Congress, consistent with the 9/11 Commission’s recommendations, that the