

**(3) Complementary access**

The term “complementary access” means the exercise of the IAEA’s access rights as set forth in Articles 4 to 6 of the Additional Protocol.

**(4) Executive agency**

The term “executive agency” has the meaning given such term in section 105 of title 5.

**(5) Facility**

The term “facility” has the meaning set forth in Article 18i. of the Additional Protocol.

**(6) IAEA**

The term “IAEA” means the International Atomic Energy Agency.

**(7) Judge of the United States**

The term “judge of the United States” means a United States district judge, or a United States magistrate judge appointed under the authority of chapter 43 of title 28.

**(8) Location**

The term “location” means any geographic point or area declared or identified by the United States or specified by the International Atomic Energy Agency.

**(9) Nuclear Non-Proliferation Treaty**

The term “Nuclear Non-Proliferation Treaty” means the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (21 UST 483).

**(10) Nuclear-weapon State Party and non-nuclear-weapon State Party**

The terms “nuclear-weapon State Party” and “non-nuclear-weapon State Party” have the meanings given such terms in the Nuclear Non-Proliferation Treaty.

**(11) Person**

The term “person”, except as otherwise provided, means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, any State or any political subdivision thereof, or any political entity within a State, any foreign government or nation or any agency, instrumentality, or political subdivision of any such government or nation, or other entity located in the United States.

**(12) Site**

The term “site” has the meaning set forth in Article 18b. of the Additional Protocol.

**(13) United States**

The term “United States”, when used as a geographic reference, means the several States of the United States, the District of Columbia, and the commonwealths, territories, and possessions of the United States and includes all places under the jurisdiction or control of the United States, including—

(A) the territorial sea and the overlying airspace;

(B) any civil aircraft of the United States or public aircraft, as such terms are defined in paragraphs (17) and (41), respectively, of section 40102(a) of title 49; and

(C) any vessel of the United States, as such term is defined in section 70502(b) of title 46.

**(14) Wide-area environmental sampling**

The term “wide-area environmental sampling” has the meaning set forth in Article 18g. of the Additional Protocol.

(Pub. L. 109–401, title II, §203, Dec. 18, 2006, 120 Stat. 2742.)

## CODIFICATION

In par. (13)(C), “section 70502(b) of title 46” substituted for “section 3(b) of the Maritime Drug Law Enforcement Act (46 U.S.C. App. 1903(b))” on authority of Pub. L. 109–304, §18(c), Oct. 6, 2006, 120 Stat. 1709, which Act enacted section 70502 of Title 46, Shipping.

## CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives and Committee on Science of House of Representatives changed to Committee on Science and Technology of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007. Committee on Science and Technology of House of Representatives changed to Committee on Science, Space, and Technology of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

**§ 8103. Severability**

If any provision of this chapter, or the application of such provision to any person or circumstance, is held invalid, the remainder of this chapter, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

(Pub. L. 109–401, title II, §204, Dec. 18, 2006, 120 Stat. 2743.)

## SUBCHAPTER I—GENERAL PROVISIONS

**§ 8111. Authority****(a) In general**

The President is authorized to implement and carry out the provisions of this chapter and the Additional Protocol and shall designate through Executive order which executive agency or agencies of the United States, which may include but are not limited to the Department of State, the Department of Defense, the Department of Justice, the Department of Commerce, the Department of Energy, and the Nuclear Regulatory Commission, shall issue or amend and enforce regulations in order to implement this chapter and the provisions of the Additional Protocol.

**(b) Included authority**

For any executive agency designated under subsection (a) that does not currently possess the authority to conduct site vulnerability assessments and related activities, the authority provided in subsection (a) includes such authority.

**(c) Exception**

The authority described in subsection (b) does not supersede or otherwise modify any existing authority of any Federal department or agency already having such authority.

(Pub. L. 109–401, title II, §211, Dec. 18, 2006, 120 Stat. 2743.)