

“(5) to continue and extend cooperative discussions with the appropriate authorities of the former Soviet military on means to maintain and improve secure command and control over nuclear forces;

“(6) in consultation with other member countries of the North Atlantic Treaty Organization and other allies, to initiate discussions to bring tactical nuclear weapons into the arms control process; and

“(7) to ensure that the United States assistance to securely transport and store, and ultimately dismantle, former Soviet nuclear weapons and missiles for such weapons is being properly and effectively utilized.

“(c) ANNUAL REPORT.—By February 1 of each year, the President shall submit to the Congress a report on—

“(1) the actions that the United States has taken, and the actions the United States plans to take during the next 12 months, to achieve each of the goals set forth in paragraphs (1) through (6) of subsection (b); and

“(2) the actions that have been taken by the Russian Federation, by other former Soviet republics, and by other countries to achieve those goals. Each such report shall be submitted in unclassified form, with a classified appendix if necessary.”

§ 5902. Authority for programs to facilitate demilitarization

(a) In general

Notwithstanding any other provision of law, the President is authorized, in accordance with this chapter, to establish and conduct programs described in subsection (b) of this section to assist the demilitarization of the independent states of the former Soviet Union.

(b) Types of programs

The programs referred to in subsection (a) of this section are limited to—

(1) transporting, storing, safeguarding, and destroying nuclear, chemical, and other weapons of the independent states of the former Soviet Union, as described in section 212(b) of the Soviet Nuclear Threat Reduction Act of 1991 (title II of Public Law 102-228);

(2) establishing verifiable safeguards against the proliferation of such weapons and their components;

(3) preventing diversion of weapons-related scientific expertise of the former Soviet Union to terrorist groups or third countries;

(4) facilitating the demilitarization of the defense industries of the former Soviet Union and the conversion of military technologies and capabilities into civilian activities;

(5) establishing science and technology centers in the independent states of the former Soviet Union for the purpose of engaging weapons scientists, engineers, and other experts previously involved with nuclear, chemical, and other weapons in productive, non-military undertakings; and

(6) expanding military-to-military contacts between the United States and the independent states of the former Soviet Union.

(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 United States private sector.

(d) Restrictions

United States assistance authorized by subsection (a) of this section may not be provided

unless the President certifies to the Congress, on an annual basis, that the proposed recipient country is committed to—

(1) making a substantial investment of its resources for dismantling or destroying such weapons of mass destruction, if such recipient has an obligation under a treaty or other agreement to destroy or dismantle any such weapons;

(2) forgoing any military modernization program that exceeds legitimate defense requirements and forgoing the replacement of destroyed weapons of mass destruction;

(3) forgoing any use in new nuclear weapons of fissionable or other components of destroyed nuclear weapons;

(4) facilitating United States verification of any weapons destruction carried out under this chapter or section 212 of the Soviet Nuclear Threat Reduction Act of 1991 (title II of Public Law 102-228);

(5) complying with all relevant arms control agreements; and

(6) observing internationally recognized human rights, including the protection of minorities.

(Pub. L. 102-484, div. A, title XIV, § 1412, Oct. 23, 1992, 106 Stat. 2563.)

REFERENCES IN TEXT

Section 212 of the Soviet Nuclear Threat Reduction Act of 1991 (title II of Public Law 102-228), referred to in subsecs. (b)(1) and (d)(4), is set out in a note under section 2551 of this title.

DELEGATION OF AUTHORITY

Authority of President under subsec. (a) of 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.

Authority of President under subsec. (d) of this section delegated to Secretary of State by section 1 of Memorandum of President of the United States, Dec. 30, 1992, 58 F.R. 3193.

SUBCHAPTER II—ADMINISTRATIVE AND FUNDING AUTHORITIES

§ 5911. Administration of demilitarization programs

(a) Funding

(1) In recognition of the direct contributions to the national security interests of the United States of the activities specified in section 5902 of this title, funds transferred under sections 108 and 109 of Public Law 102-229 (105 Stat. 1708) are authorized to be made available to carry out this chapter. Of the amount available to carry out this chapter—

(A) not more than \$40,000,000 may be made available for programs referred to in section 5902(b)(4) of this title relating to demilitarization of defense industries;

(B) not more than \$15,000,000 may be made available for programs referred to in section 5902(b)(6) of this title relating to military-to-military contacts;

(C) not more than \$25,000,000 may be made available for joint research development programs pursuant to section 5931 of this title;

(D) not more than \$10,000,000 may be made available for the study, assessment, and iden-

tification of nuclear waste disposal activities by the former Soviet Union in the Arctic region;

(E) not more than \$25,000,000 may be made available for Project PEACE; and

(F) not more than \$10,000,000 may be made available for the Volunteers Investing in Peace and Security (VIPS) program under chapter 89¹ of title 10.

(2), (3) Omitted.

(b) Omitted

(Pub. L. 102-484, div. A, title XIV, § 1421, Oct. 23, 1992, 106 Stat. 2564.)

REFERENCES IN TEXT

Sections 108 and 109 of Public Law 102-229 (105 Stat. 1708), referred to in subsec. (a)(1), are not classified to the Code.

Chapter 89 of title 10, referred to in subsec. (a)(1)(F), was repealed by Pub. L. 104-106, div. A, title X, § 1061(a)(1), Feb. 10, 1996, 110 Stat. 442.

CODIFICATION

Section is comprised of section 1421 of Pub. L. 102-484. Subsec. (a)(2) and (3) of section 1421 of Pub. L. 102-484 amended section 221 of Pub. L. 102-228 which is set out as a note under section 2551 of this title. Subsec. (b) of section 1421 of Pub. L. 102-484 amended sections 108 and 109 of Pub. L. 102-229 which are not classified to the Code.

SUBCHAPTER III—REPORTING
REQUIREMENTS

§ 5921. Prior notice to Congress of obligation of funds

(a) In general

Not less than 15 days before obligating any funds made available for a program under this chapter, the President shall transmit to the Congress a report on the proposed obligation. Each such report shall specify—

(1) the account, budget activity, and particular program or programs from which the funds proposed to be obligated are to be derived and the amount of the proposed obligation; and

(2) the activities and forms of assistance under this chapter for which the President plans to obligate such funds, including the projected involvement of United States Government departments and agencies and the United States private sector.

(b) Industrial demilitarization

Any report under subsection (a) of this section that covers proposed industrial demilitarization projects shall contain additional information to assist the Congress in determining the merits of the proposed projects. Such information shall include descriptions of—

(1) the facilities to be demilitarized;

(2) the types of activities conducted at those facilities and of the types of nonmilitary activities planned for those facilities;

(3) the forms of assistance to be provided by the United States Government and by the United States private sector;

(4) the extent to which military production capability will consequently be eliminated at those facilities; and

(5) the mechanisms to be established for monitoring progress on those projects.

(Pub. L. 102-484, div. A, title XIV, § 1431, Oct. 23, 1992, 106 Stat. 2565.)

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.

§ 5922. Quarterly reports on programs

Not later than 30 days after the end of the last fiscal year quarter of fiscal year 1992 and not later than 30 days after the end of each fiscal year quarter of fiscal year 1993, the President shall transmit to the Congress a report on the activities carried out under this chapter. Each such report shall set forth, for the preceding fiscal year quarter and cumulatively, the following:

(1) The amounts expended for such activities and the purposes for which they were expended.

(2) The source of the funds obligated for such activities, specified by program.

(3) A description of the participation of all United States Government departments and agencies and the United States private sector in such activities.

(4) A description of the activities carried out under this chapter and the forms of assistance provided under this chapter, including, with respect to proposed industrial demilitarization projects, additional information on the progress toward demilitarization of facilities and the conversion of the demilitarized facilities to civilian activities.

(5) Such other information as the President considers appropriate to fully inform the Congress concerning the operation of the programs authorized under this chapter.

(Pub. L. 102-484, div. A, title XIV, § 1432, Oct. 23, 1992, 106 Stat. 2566.)

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.

¹ See References in Text note below.