

§ 2344. Strengthened international security for nuclear materials and security of nuclear operations

(a) Report on options for international program to strengthen security

(1) Not later than 270 days after December 2, 2002, the Secretary of Energy shall submit to Congress a report on options for an international program to develop strengthened security for nuclear reactors and associated materials outside the United States.

(2) In evaluating options for purposes of the report, the Secretary shall consult with the Nuclear Regulatory Commission and the International Atomic Energy Agency on the feasibility and advisability of actions to reduce the risks associated with terrorist attacks on nuclear reactors outside the United States.

(b) Joint programs with Russia on proliferation-resistant nuclear energy technologies

(1) The Secretary shall pursue with the Ministry of Atomic Energy of the Russian Federation joint programs between the United States and the Russian Federation on the development of proliferation-resistant nuclear energy technologies, including advanced fuel cycles.

(2) Of the amount authorized to be appropriated by section 3101(a)(2)¹ for the Department of Energy for the National Nuclear Security Administration for defense nuclear nonproliferation, up to \$10,000,000 may be available for carrying out the joint programs referred to in paragraph (1).

(c) Assistance regarding hostile insiders

The Secretary may, utilizing appropriate expertise of the Department of Energy and the Nuclear Regulatory Commission, provide technical assistance to nuclear reactor facilities outside the United States with respect to the interdiction of hostile insiders at such facilities in order to prevent incidents arising from the disablement of the vital systems of such facilities.

(Pub. L. 107-314, div. C, title XXXI, §3158, Dec. 2, 2002, 116 Stat. 2741.)

REFERENCES IN TEXT

Section 3101(a)(2), referred to in subsec. (b)(2), is section 3101(a)(2) of Pub. L. 107-314, div. C, title XXXI, Dec. 2, 2002, 116 Stat. 2729, which is not classified to the Code.

CODIFICATION

Section was enacted as part of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, and not as part of the Defense Against Weapons of Mass Destruction Act of 1996 which comprises this chapter.

§ 2345. Export control programs

(a) Authority to pursue options for strengthening export control programs

The Secretary of Energy, in coordination with the Secretary of State, may pursue in the region of the former Soviet Union and other regions of concern options for accelerating programs that assist the countries in such regions in improving their domestic export control programs for ma-

terials, technologies, and expertise relevant to the construction or use of a nuclear or radiological dispersal device.

(b) Amount for activities

Of the amount authorized to be appropriated by section 3101(a)(2)¹ for the Department of Energy for the National Nuclear Security Administration for defense nuclear nonproliferation, up to \$5,000,000 may be available for carrying out this section.

(Pub. L. 107-314, div. C, title XXXI, §3159, Dec. 2, 2002, 116 Stat. 2741.)

REFERENCES IN TEXT

Section 3101(a)(2), referred to in subsec. (b), is section 3101(a)(2) of Pub. L. 107-314, div. C, title XXXI, Dec. 2, 2002, 116 Stat. 2729, which is not classified to the Code.

CODIFICATION

Section was enacted as part of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, and not as part of the Defense Against Weapons of Mass Destruction Act of 1996 which comprises this chapter.

SUBCHAPTER IV—COORDINATION OF POLICY AND COUNTERMEASURES AGAINST PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

§ 2351. National coordinator on nonproliferation

(a) Designation of position

The President shall designate an individual to serve in the Executive Office of the President as the National Coordinator for Nonproliferation Matters.

(b) Duties

The Coordinator, under the direction of the National Security Council, shall advise and assist the President by—

(1) advising the President on nonproliferation of weapons of mass destruction, including issues related to terrorism, arms control, and international organized crime;

(2) chairing the Committee on Nonproliferation of the National Security Council; and

(3) taking such actions as are necessary to ensure that there is appropriate emphasis in, cooperation on, and coordination of, nonproliferation research efforts of the United States, including activities of Federal agencies as well as activities of contractors funded by the Federal Government.

(c) Allocation of funds

Of the total amount authorized to be appropriated under section 301,¹ \$2,000,000 is available to the Department of Defense for carrying out research referred to in subsection (b)(3) of this section.

(Pub. L. 104-201, div. A, title XIV, §1441, Sept. 23, 1996, 110 Stat. 2727; Pub. L. 105-261, div. A, title X, §1069(c)(2), Oct. 17, 1998, 112 Stat. 2136.)

REFERENCES IN TEXT

Section 301, referred to in subsec. (c), is section 301 of Pub. L. 104-201, div. A, title III, Sept. 23, 1996, 110 Stat. 2475, which is not classified to the Code.

¹ See References in Text note below.

¹ See References in Text note below.

¹ See References in Text note below.

AMENDMENTS

1998—Subsec. (b)(2). Pub. L. 105-261 substituted “of the National Security Council” for “established under section 1342”.

COMMISSION TO ASSESS ORGANIZATION OF FEDERAL GOVERNMENT TO COMBAT PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

Pub. L. 104-293, title VII, subtitle A, Oct. 11, 1996, 110 Stat. 3470, as amended by Pub. L. 105-277, div. A, §101(f) [title VII, §708], Oct. 21, 1998, 112 Stat. 2681-337, 2681-390, established the Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction, directed the Commission to carry out a thorough study of the organization of the Federal Government, including the elements of the intelligence community, with respect to combating the proliferation of weapons of mass destruction and, not later than 18 months after Jan. 18, 1998, to submit to Congress a report containing a detailed statement of its findings and conclusions, and provided that the Commission terminate 60 days after the date on which it submitted such report.

§ 2352. National Security Council Committee on Nonproliferation

(a) Establishment

The Committee on Nonproliferation (in this section referred to as the “Committee”) is established as a committee of the National Security Council.

(b) Membership

(1) The Committee shall be composed of representatives of the following:

- (A) The Secretary of State.
- (B) The Secretary of Defense.
- (C) The Director of Central Intelligence.
- (D) The Attorney General.
- (E) The Secretary of Energy.
- (F) The Administrator of the Federal Emergency Management Agency.
- (G) The Secretary of the Treasury.
- (H) The Secretary of Commerce.
- (I) Such other members as the President may designate.

(2) The National Coordinator for Nonproliferation Matters shall chair the Committee on Nonproliferation.

(c) Responsibilities

The Committee has the following responsibilities:

- (1) To review and coordinate Federal programs, policies, and directives relating to the proliferation of weapons of mass destruction and related materials and technologies, including matters relating to terrorism and international organized crime.
- (2) To make recommendations through the National Security Council to the President regarding the following:
 - (A) Integrated national policies for countering the threats posed by weapons of mass destruction.
 - (B) Options for integrating Federal agency budgets for countering such threats.
 - (C) Means to ensure that Federal, State, and local governments have adequate capabilities to manage crises involving nuclear, radiological, biological, or chemical weapons or related materials or technologies, and to

manage the consequences of a use of such weapon or related materials or technologies, and that use of those capabilities is coordinated.

(D) Means to ensure appropriate cooperation on, and coordination of, the following:

- (i) Preventing the smuggling of weapons of mass destruction and related materials and technologies.
- (ii) Promoting domestic and international law enforcement efforts against proliferation-related efforts.
- (iii) Countering the involvement of organized crime groups in proliferation-related activities.
- (iv) Safeguarding weapons of mass destruction materials and related technologies.
- (v) Improving coordination and cooperation among intelligence activities, law enforcement, and the Departments of Defense, State, Commerce, and Energy in support of nonproliferation and counterproliferation efforts.
- (vi) Improving export controls over materials and technologies that can contribute to the acquisition of weapons of mass destruction.
- (vii) Reducing proliferation of weapons of mass destruction and related materials and technologies.

(Pub. L. 104-201, div. A, title XIV, §1442, Sept. 23, 1996, 110 Stat. 2727.)

CHANGE OF NAME

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 3001 of this title.

TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 2353. Comprehensive preparedness program

(a) Program required

The President, acting through the Committee on Nonproliferation established under section 2352 of this title, shall develop a comprehensive program for carrying out this chapter.

(b) Content of program

The program set forth in the report shall include specific plans as follows: