

ordination between public spending and private investment in defense conversion activities of the independent states of the former Soviet Union;

(4) provide guidance on arrangements that will coordinate, deconflict, and maximize the utility of United States public spending on nonproliferation and threat reduction programs, and particularly such efforts in the independent states of the former Soviet Union;

(5) encourage companies and nongovernmental organizations involved in nonproliferation efforts of the independent states of the former Soviet Union or other countries of concern to voluntarily report these efforts to it;

(6) direct the preparation of analyses on issues and problems relating to the coordination between the United States and other countries with respect to nonproliferation efforts, and particularly such efforts in the independent states of the former Soviet Union; and

(7) consider, and make recommendations to the President with respect to, proposals for such new legislation or regulations relating to United States nonproliferation efforts as may be necessary.

(Pub. L. 107-228, div. B, title XIII, § 1335, Sept. 30, 2002, 116 Stat. 1450.)

§ 2357d. Administrative support

All United States departments and agencies shall provide, to the extent permitted by law, such information and assistance as may be requested by the coordination mechanism established pursuant to section 2357b of this title, in carrying out its functions and activities under this subchapter.

(Pub. L. 107-228, div. B, title XIII, § 1336, Sept. 30, 2002, 116 Stat. 1451.)

§ 2357e. Confidentiality of information

Information which has been submitted to or received by the coordination mechanism established pursuant to section 2357b of this title in confidence shall not be publicly disclosed, except to the extent required by law, and such information shall be used by it only for the purpose of carrying out the functions set forth in this subchapter.

(Pub. L. 107-228, div. B, title XIII, § 1337, Sept. 30, 2002, 116 Stat. 1451.)

§ 2357f. Statutory construction

Nothing in this subchapter—

(1) applies to the data-gathering, regulatory, or enforcement authority of any existing United States department or agency over nonproliferation efforts in the independent states of the former Soviet Union, and the review of those efforts undertaken by the coordination mechanism established pursuant to section 2357b of this title shall not in any way supersede or prejudice any other process provided by law; or

(2) applies to any activity that is reportable pursuant to title V of the National Security Act of 1947 [50 U.S.C. 3091 et seq.].

(Pub. L. 107-228, div. B, title XIII, § 1338, Sept. 30, 2002, 116 Stat. 1451.)

REFERENCES IN TEXT

The National Security Act of 1947, referred to in par. (2), is act July 26, 1947, ch. 343, 61 Stat. 495, which was formerly classified principally to chapter 15 (§ 401 et seq.) of this title, prior to editorial reclassification in chapter 44 (§ 3001 et seq.) of this title. Title V of the Act is now classified generally to subchapter III (§ 3091 et seq.) of chapter 44 of this title. For complete classification of this Act to the Code, see Tables.

§ 2357g. Reporting and consultation

(a) Presidential report

Not later than 120 days after each inauguration of a President, the President shall submit a report to the Congress on his general and specific nonproliferation and threat reduction objectives and how the efforts of executive branch agencies will be coordinated most effectively, pursuant to section 2357b of this title, to achieve those objectives.

(b) Consultation

The President should consult with and brief, from time to time, the appropriate committees of Congress regarding the efficacy of the coordination mechanism established pursuant to section 2357b of this title in achieving its stated objectives.

(Pub. L. 107-228, div. B, title XIII, § 1339, Sept. 30, 2002, 116 Stat. 1451.)

SUBCHAPTER V—MISCELLANEOUS

§ 2361. Sense of Congress concerning contracting policy

It is the sense of Congress that the Secretary of Defense, the Secretary of Energy, the Secretary of the Treasury, and the Secretary of State, to the extent authorized by law, should—

(1) contract directly with suppliers in independent states of the former Soviet Union when such action would—

(A) result in significant savings of the programs referred to in subchapter III of this chapter; and

(B) substantially expedite completion of the programs referred to in subchapter III of this chapter; and

(2) seek means to use innovative contracting approaches to avoid delay and increase the effectiveness of such programs and of the exercise of such authorities.

(Pub. L. 104-201, div. A, title XIV, § 1451, Sept. 23, 1996, 110 Stat. 2730.)

§ 2362. Transfers of allocations among cooperative threat reduction programs

Congress finds that—

(1) the various Cooperative Threat Reduction programs are being carried out at different rates in the various countries covered by such programs; and

(2) it is necessary to authorize transfers of funding allocations among the various programs in order to maximize the effectiveness of United States efforts under such programs.

(Pub. L. 104-201, div. A, title XIV, § 1452, Sept. 23, 1996, 110 Stat. 2730.)

SPECIFICATION OF COOPERATIVE THREAT REDUCTION
PROGRAMS

Pub. L. 104-201, div. A, title XV, §1501, Sept. 23, 1996, 110 Stat. 2731, as amended by Pub. L. 105-261, div. A, title XIII, §1301(a)(2), Oct. 17, 1998, 112 Stat. 2161; Pub. L. 110-181, div. A, title XIII, §1303, Jan. 28, 2008, 122 Stat. 412, provided that:

“(a) IN GENERAL.—For purposes of section 301 [110 Stat. 2475] and other provisions of this Act [see Tables for classification], Cooperative Threat Reduction programs are the programs specified in subsections (b) and (c).

“(b) SPECIFIED PROGRAMS.—The programs referred to in subsection (a) are the following programs with respect to states of the former Soviet Union:

“(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, materials, and weapons-related technology and expertise.

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

“(c) SPECIFIED PROGRAMS WITH RESPECT TO STATES OUTSIDE THE FORMER SOVIET UNION.—The programs referred to in subsection (a) are the following programs with respect to states that are not states of the former Soviet Union:

“(1) Programs to facilitate the elimination, and the safe and secure transportation and storage, of chemical or biological weapons, weapons components, weapons-related materials, and their delivery vehicles.

“(2) Programs to facilitate safe and secure transportation and storage of nuclear weapons, weapons components, and their delivery vehicles.

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

“(4) Programs to prevent the proliferation of biological weapons, weapons components, and weapons-related military technology and expertise, which may include activities that facilitate detection and reporting of highly pathogenic diseases or other diseases that are associated with or that could be utilized as an early warning mechanism for disease outbreaks that could impact the Armed Forces of the United States or allies of the United States.

“(5) Programs to expand military-to-military and defense contacts.”

§ 2363. Sense of Congress concerning assistance to states of former Soviet Union

It is the sense of Congress that—

(1) the Cooperative Threat Reduction programs and other United States programs authorized in title XIV of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 22 U.S.C. 5901 et seq.) should be expanded by offering assistance under those programs to other independent states of the former Soviet Union in addition to Russia, Ukraine, Kazakstan, and Belarus; and

(2) the President should offer assistance to additional independent states of the former Soviet Union in each case in which the participation of such states would benefit national security interests of the United States by improving border controls and safeguards over materials and technology associated with weapons of mass destruction.

(Pub. L. 104-201, div. A, title XIV, §1453, Sept. 23, 1996, 110 Stat. 2730; Pub. L. 105-261, div. A, title X, §1069(c)(4), Oct. 17, 1998, 112 Stat. 2136.)

REFERENCES IN TEXT

Title XIV of the National Defense Authorization Act for Fiscal Year 1993, referred to in par. (1), is title XIV of div. A of Pub. L. 102-484, Oct. 23, 1992, 106 Stat. 2563, known as the Former Soviet Union Demilitarization Act of 1992, which is classified generally to chapter 68 (§5901 et seq.) of Title 22, Foreign Relations and Inter-course.

AMENDMENTS

1998—Par. (1). Pub. L. 105-261 substituted “title XIV of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 22 U.S.C. 5901 et seq.)” for “the National Defense Authorization Act for Fiscal Years 1993 and 1994”.

SPECIFICATION OF COOPERATIVE THREAT REDUCTION
PROGRAM

For specification of Cooperative Threat Reduction programs, see section 1501(b) of Pub. L. 104-201, set out as a note under section 2362 of this title.

§ 2364. Purchase of low-enriched uranium derived from Russian highly enriched uranium

(a) Sense of Congress

It is the sense of Congress that the allies of the United States and other nations should participate in efforts to ensure that stockpiles of weapons-grade nuclear material are reduced.

(b) Actions by Secretary of State

Congress urges the Secretary of State to encourage, in consultation with the Secretary of Energy, other countries to purchase low-enriched uranium that is derived from highly enriched uranium extracted from Russian nuclear weapons.

(Pub. L. 104-201, div. A, title XIV, §1454, Sept. 23, 1996, 110 Stat. 2730.)

§ 2365. Sense of Congress concerning purchase, packaging, and transportation of fissile materials at risk of theft

It is the sense of Congress that—

(1) the Secretary of Defense, the Secretary of Energy, the Secretary of the Treasury, and the Secretary of State should purchase, package, and transport to secure locations weapons-grade nuclear materials from a stockpile of such materials if such officials determine that—

(A) there is a significant risk of theft of such materials; and

(B) there is no reasonable and economically feasible alternative for securing such materials; and

(2) if it is necessary to do so in order to secure the materials, the materials should be imported into the United States, subject to the laws and regulations that are applicable to the importation of such materials into the United States.

(Pub. L. 104-201, div. A, title XIV, §1455, Sept. 23, 1996, 110 Stat. 2731.)