

country to prevent the transport and transshipment of items of proliferation concern in its national territory or airspace, or in vessels under its control or registry, including through the development of a legal framework in that country to enhance such capability by criminalizing proliferation, enacting strict export controls, and securing sensitive materials within its borders, and to enhance the ability of the recipient country to cooperate in PSI operations.

(f) Limitation on ship or aircraft transfers

(1) Limitation

Except as provided in paragraph (2), the President may not transfer any excess defense article that is a vessel or an aircraft to a country that has not agreed, in connection with such transfer, that it will support and assist efforts by the United States, consistent with international law, to interdict items of proliferation concern until 30 days after the date on which the President has provided notice of the proposed transfer to the committees described in subsection (c) in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1(a)), in addition to any other requirement of law.

(2) Exception

The limitation in paragraph (1) shall not apply to any transfer, not involving significant military equipment, in which the primary use of the aircraft or vessel will be for counternarcotics, counterterrorism, or counter-proliferation purposes.

(Pub. L. 110-53, title XVIII, §1822, Aug. 3, 2007, 121 Stat. 495.)

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (b)(2), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424. Chapters 4 and 5 of part II of the Act are classified generally to parts IV (§2346 et seq.) and V (§2347 et seq.), respectively, of subchapter II of chapter 32 of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of Title 22 and Tables.

SUBCHAPTER II—ASSISTANCE TO ACCELERATE PROGRAMS TO PREVENT WEAPONS OF MASS DESTRUCTION PROLIFERATION AND TERRORISM

§ 2921. Statement of policy

It shall be the policy of the United States, consistent with the 9/11 Commission's recommendations, to eliminate any obstacles to timely obligating and executing the full amount of any appropriated funds for threat reduction and nonproliferation programs in order to accelerate and strengthen progress on preventing weapons of mass destruction (WMD) proliferation and terrorism. Such policy shall be implemented with concrete measures, such as those described in this chapter, including the removal and modification of statutory limits to executing funds, the expansion and strengthening of the Proliferation Security Initiative, the establishment of the Office of the United States Coordinator for the Prevention of Weapons of Mass Destruction

Proliferation and Terrorism under subchapter III, and the establishment of the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism under subtitle E.¹ As a result, Congress intends that any funds authorized to be appropriated to programs for preventing WMD proliferation and terrorism under this subchapter will be executed in a timely manner.

(Pub. L. 110-53, title XVIII, §1831, Aug. 3, 2007, 121 Stat. 496.)

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 3021 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.

Subtitle E, referred to in text, is subtitle E (§§1851-1859) of title XVIII of Pub. L. 110-53, Aug. 3, 2007, 121 Stat. 501, which is not classified to the Code.

§ 2922. Authorization of appropriations for the Department of Defense Cooperative Threat Reduction Program

(a) Fiscal year 2008

(1) In general

Subject to paragraph (2), there are authorized to be appropriated to the Department of Defense Cooperative Threat Reduction Program such sums as may be necessary for fiscal year 2008 for the following purposes:

(A) Chemical weapons destruction at Shchuch'ye, Russia.

(B) Biological weapons proliferation prevention.

(C) Acceleration, expansion, and strengthening of Cooperative Threat Reduction Program activities.

(2) Limitation

The sums appropriated pursuant to paragraph (1) may not exceed the amounts authorized to be appropriated by any national defense authorization Act for fiscal year 2008 (whether enacted before or after August 3, 2007) to the Department of Defense Cooperative Threat Reduction Program for such purposes.

(b) Future years

It is the sense of Congress that in fiscal year 2008 and future fiscal years, the President should accelerate and expand funding for Cooperative Threat Reduction programs administered by the Department of Defense and such efforts should include, beginning upon August 3, 2007, encouraging additional commitments by the Russian Federation and other partner nations, as recommended by the 9/11 Commission.

(Pub. L. 110-53, title XVIII, §1832, Aug. 3, 2007, 121 Stat. 497.)

¹ See References in Text below.