

(1) the term “Administrator” means the Administrator of the Agency for International Development; and

(2) the term “Board” means the Board of Directors of the Democracy Corps.

(Pub. L. 102-511, title IV, §401, Oct. 24, 1992, 106 Stat. 3335.)

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (j), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended. Chapter 11 of part I of the Act is classified generally to part XI (§2295 et seq.) of subchapter I of chapter 32 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

SUBCHAPTER IV—NONPROLIFERATION AND DISARMAMENT PROGRAMS AND ACTIVITIES

§ 5851. Findings

The Congress finds that it is in the national security interest of the United States—

(1) to facilitate, on a priority basis—

(A) the transportation, storage, safeguarding, and destruction of nuclear and other weapons of mass destruction of the independent states of the former Soviet Union;

(B) the prevention of proliferation of weapons of mass destruction and destabilizing conventional weapons of the independent states, and the establishment of verifiable safeguards against the proliferation of such weapons;

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

(D) other efforts designed to reduce the military threat from the former Soviet Union;

(2) to support the conversion of the massive defense-related industry and equipment of the independent states of the former Soviet Union for civilian purposes and uses; and

(3) to expand military-to-military contacts between the United States and the independent states.

(Pub. L. 102-511, title V, §501, Oct. 24, 1992, 106 Stat. 3338.)

§ 5852. Eligibility

Funds may be obligated for a fiscal year for assistance or other programs or activities for an independent state of the former Soviet Union under sections 5853 and 5854 of this title only if the President has certified to the Congress, during that fiscal year, that such independent state is committed to—

(1) making a substantial investment of its resources for dismantling or destroying such weapons of mass destruction, if that independent state 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; and

(4) facilitating United States verification of any weapons destruction carried out under section 5853(a) or 5854(a) of this title or section 212 of the Soviet Nuclear Threat Reduction Act of 1991 (title II of Public Law 102-228; 22 U.S.C. 2551 note).

(Pub. L. 102-511, title V, §502, Oct. 24, 1992, 106 Stat. 3338.)

REFERENCES IN TEXT

Section 212 of the Soviet Nuclear Threat Reduction Act of 1991, referred to in par. (4), is section 212 of Pub. L. 102-228, title II, Dec. 12, 1991, 105 Stat. 1693, which was set out in a note under section 2551 of this title, and was repealed by Pub. L. 113-291, div. A, title XIII, §1351(1), Dec. 19, 2014, 128 Stat. 3606.

DELEGATION OF AUTHORITY

Memorandum of President of the United States, Dec. 30, 1992, 58 F.R. 3193, provided:

Memorandum for the Secretary of State, the Secretary of Defense [and] the Director, Office of Management & Budget

By the authority vested in me by the Constitution and the laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate:

1. to the Secretary of State the authority and duty vested in the President under section 1412(d) of the Former Soviet Union Demilitarization Act of 1992 (title XIV of the National Defense Authorization Act for Fiscal Year 1993, Public Law 102-484) [former 22 U.S.C. 5902(d)] and section 502 of the Freedom Support Act (Public Law 102-511 [22 U.S.C. 5852]).

2. to the Secretary of Defense the authorities and duties vested in the President under sections 1412(a), 1431, and 1432 of Public Law 102-484 [22 U.S.C. former 5902(a), former 5921, 5922] and sections 503 and 508 of Public Law 102-511 [22 U.S.C. 5853, 5858].

The Secretary of Defense shall not exercise authority delegated by paragraph 2 hereof with respect to any former Soviet republic unless the Secretary of State has exercised his authority and performed the duty delegated by paragraph 1 hereof with respect to that former Soviet Republic. The Secretary of Defense shall not obligate funds in the exercise of authority delegated by paragraph 2 hereof unless the Director of the Office of Management and Budget has determined that expenditures during fiscal year 1993 pursuant to such obligation shall be counted against the defense category of discretionary spending limits for that fiscal year (as defined in section 601(a)(2) of the Congressional Budget Act of 1974 [2 U.S.C. 665(a)(2)]) for purposes of Part C of the Balanced Budget and Emergency Deficit Control Act of 1985 [2 U.S.C. 900 et seq.].

The Secretary of State is directed to publish this memorandum in the Federal Register.

GEORGE BUSH.

INAPPLICABILITY TO COOPERATIVE THREAT REDUCTION PROGRAMS

Pub. L. 110-181, div. A, title XIII, §1304(b), Jan. 28, 2008, 122 Stat. 413, provided that: “Section 502 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5852) shall not apply to any Cooperative Threat Reduction program.”

DEFINITION OF COOPERATIVE THREAT REDUCTION PROGRAMS FOR PURPOSES OF PUB. L. 110-181

Pub. L. 110-181, div. A, title XIII, §1301(a), Jan. 28, 2008, 122 Stat. 410, provided that: “For purposes of section 301 [122 Stat. 53] and other provisions of this Act [see Tables for classification], Cooperative Threat Re-