

(15) The term “special nuclear material” has the meaning given the term in section 2014(aa) of title 42.

(16) The term “unsafeguarded nuclear fuel-cycle activity” means research on, or development, design, manufacture, construction, operation, or maintenance of—

(A) any existing or future reactor, critical facility, conversion plant, fabrication plant, reprocessing plant, plant for the separation of isotopes of source or special fissionable material, or separate storage installation with respect to which there is no obligation to accept IAEA safeguards at the relevant reactor, facility, plant, or installation that contains source or special fissionable material; or

(B) any existing or future heavy water production plant with respect to which there is no obligation to accept IAEA safeguards on any nuclear material produced by or used in connection with any heavy water produced therefrom.

(Pub. L. 109–401, title I, § 110, Dec. 18, 2006, 120 Stat. 2739.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title I of Pub. L. 109–401, Dec. 18, 2006, 120 Stat. 2726, which is classified principally to this chapter. For complete classification of title I to the Code, see Short Title note set out under section 8001 of this title and Tables.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

CHAPTER 88—NUCLEAR NON-PROLIFERATION TREATY—UNITED STATES ADDITIONAL PROTOCOL IMPLEMENTATION

Sec.	
8101.	Findings.
8102.	Definitions.
8103.	Severability.

SUBCHAPTER I—GENERAL PROVISIONS

8111. Authority.

SUBCHAPTER II—COMPLEMENTARY ACCESS

8121.	Requirement for authority to conduct complementary access.
8122.	Procedures for complementary access.
8123.	Consents, warrants, and complementary access.
8124.	Prohibited acts relating to complementary access.

SUBCHAPTER III—CONFIDENTIALITY OF INFORMATION

8131. Protection of confidentiality of information.

SUBCHAPTER IV—ENFORCEMENT

8141.	Recordkeeping violations.
8142.	Penalties.
8143.	Specific enforcement.

SUBCHAPTER V—ENVIRONMENTAL SAMPLING

8151. Notification to Congress of IAEA Board approval of wide-area environmental sampling.

Sec.	
8152.	Application of national security exclusion to wide-area environmental sampling.
8153.	Application of national security exclusion to location-specific environmental sampling.
8154.	Rule of construction.

SUBCHAPTER VI—PROTECTION OF NATIONAL SECURITY INFORMATION AND ACTIVITIES

8161.	Protection of certain information.
8162.	IAEA inspections and visits.

SUBCHAPTER VII—REPORTS

8171.	Report on initial United States declaration.
8172.	Report on revisions to initial United States declaration.
8173.	Content of reports on United States declarations.
8174.	Report on efforts to promote the implementation of additional protocols.
8175.	Notice of IAEA notifications.

SUBCHAPTER VIII—AUTHORIZATION OF APPROPRIATIONS

8181. Authorization of appropriations.

§ 8101. Findings

Congress makes the following findings:

(1) The proliferation of nuclear weapons and other nuclear explosive devices poses a grave threat to the national security of the United States and its vital national interests.

(2) The Nuclear Non-Proliferation Treaty has proven critical to limiting such proliferation.

(3) For the Nuclear Non-Proliferation Treaty to be effective, each of the non-nuclear-weapon State Parties must conclude a comprehensive safeguards agreement with the IAEA, and such agreements must be honored and enforced.

(4) Recent events emphasize the urgency of strengthening the effectiveness and improving the efficiency of the safeguards system. This can best be accomplished by providing IAEA inspectors with more information about, and broader access to, nuclear activities within the territory of non-nuclear-weapon State Parties.

(5) The proposed scope of such expanded information and access has been negotiated by the member states of the IAEA in the form of a Model Additional Protocol to its existing safeguards agreements, and universal acceptance of Additional Protocols by non-nuclear weapons states is essential to enhancing the effectiveness of the Nuclear Non-Proliferation Treaty.

(6) On June 12, 1998, the United States, as a nuclear-weapon State Party, signed an Additional Protocol that is based on the Model Additional Protocol, but which also contains measures, consistent with its existing safeguards agreements with its members, that protect the right of the United States to exclude the application of IAEA safeguards to locations and activities with direct national security significance or to locations or information associated with such activities.

(7) Implementation of the Additional Protocol in the United States in a manner consistent with United States obligations under the Nuclear Non-Proliferation Treaty may encourage other parties to the Nuclear Non-Pro-