

(Pub. L. 111-383, div. C, title XXXI, §3124, Jan. 7, 2011, 124 Stat. 4515.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011, and not as part of the Atomic Energy Defense Act which comprises this chapter.

PART D—OTHER MATTERS

§ 2821. Repealed. Pub. L. 112-239, div. C, title XXXI, §3131(q)(2), Jan. 2, 2013, 126 Stat. 2183

Section, Pub. L. 107-314, div. D, title XLVIII, §4851, formerly Pub. L. 105-85, div. C, title XXXI, §3153(f), Nov. 18, 1997, 111 Stat. 2044; renumbered Pub. L. 107-314, div. D, title XLVIII, §4851, and amended Pub. L. 108-136, div. C, title XXXI, §3141(k)(15), Nov. 24, 2003, 117 Stat. 1786, required Secretary of Energy to submit to Congress semiannual reports on local impact assistance provided during the preceding six months.

§ 2822. Payment of costs of operation and maintenance of infrastructure at Nevada National Security Site

Notwithstanding any other provision of law and effective as of September 30, 1996, the costs associated with operating and maintaining the infrastructure at the Nevada National Security Site, Nevada, with respect to any activities initiated at the site after that date by the Department of Defense pursuant to a work-for-others agreement may be paid for from funds authorized to be appropriated to the Department of Energy for activities at the Nevada National Security Site.

(Pub. L. 107-314, div. D, title XLVIII, §4852, formerly Pub. L. 104-201, div. C, title XXXI, §3144, Sept. 23, 1996, 110 Stat. 2838; renumbered Pub. L. 107-314, div. D, title XLVIII, §4852, by Pub. L. 108-136, div. C, title XXXI, §3141(k)(16), Nov. 24, 2003, 117 Stat. 1786; Pub. L. 112-239, div. C, title XXXI, §3131(bb)(1)(B), (C), Jan. 2, 2013, 126 Stat. 2185.)

Editorial Notes

AMENDMENTS

2013—Pub. L. 112-239 substituted “Nevada National Security Site” for “Nevada Test Site” in section catchline and in two places in text.

§ 2823. University-based defense nuclear policy collaboration program

(a) Program

The Administrator shall carry out a program under which the Administrator establishes a policy research consortium of institutions of higher education and nonprofit entities in support of implementing and innovating the defense nuclear policy programs of the Administration. The Administrator shall establish and carry out such program in a manner similar to the program established under section 2795 of this title.

(b) Purposes

The purposes of the consortium under subsection (a) are as follows:

- (1) To shape the formulation and application of policy through the conduct of research and

analysis regarding defense nuclear policy programs.

(2) To maintain open-source databases on issues relevant to understanding defense nuclear nonproliferation, arms control, nuclear deterrence, foreign nuclear programs, and nuclear security.

(3) To facilitate the collaboration of research centers of excellence relating to defense nuclear policy to better distribute expertise to specific issues and scenarios regarding such threats.

(c) Duties

(1) Support

The Administrator shall ensure that the consortium established under subsection (a) provides support to individuals described in paragraph (2) through the use of nongovernmental fellowships, scholarships, research internships, workshops, short courses, summer schools, and research grants.

(2) Individuals described

The individuals described in this paragraph are graduate students, academics, and policy specialists, who are focused on policy innovation related to—

- (A) defense nuclear nonproliferation;
- (B) arms control;
- (C) nuclear deterrence;
- (D) the study of foreign nuclear programs;
- (E) nuclear security; or
- (F) educating and training the next generation of defense nuclear policy experts.

(Pub. L. 107-314, div. D, title XLVIII, §4853, as added Pub. L. 117-81, div. C, title XXXI, §3113, Dec. 27, 2021, 135 Stat. 2221.)

CHAPTER 43—PREVENTING WEAPONS OF MASS DESTRUCTION PROLIFERATION AND TERRORISM

| | |
|-------|--------------|
| Sec. | |
| 2901. | Findings. |
| 2902. | Definitions. |

SUBCHAPTER I—PROLIFERATION SECURITY INITIATIVE

- 2911. Proliferation Security Initiative improvements and authorities.
- 2912. Authority to provide assistance to cooperative countries.

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

- 2921. Statement of policy.
- 2922. Authorization of appropriations for the Department of Defense Cooperative Threat Reduction Program.
- 2923. Authorization of appropriations for the Department of Energy programs to prevent weapons of mass destruction proliferation and terrorism.

SUBCHAPTER III—OFFICE OF THE UNITED STATES COORDINATOR FOR THE PREVENTION OF WEAPONS OF MASS DESTRUCTION PROLIFERATION AND TERRORISM

- 2931. Office of the United States Coordinator for the Prevention of Weapons of Mass Destruction Proliferation and Terrorism.
- 2932. Sense of Congress on United States-Russia cooperation and coordination on the prevention of weapons of mass destruction proliferation and terrorism.

§ 2901. Findings

The 9/11 Commission has made the following recommendations:

(1) Strengthen “counter-proliferation” efforts

The United States should work with the international community to develop laws and an international legal regime with universal jurisdiction to enable any state in the world to capture, interdict, and prosecute smugglers of nuclear material.

(2) Expand the Proliferation Security Initiative

In carrying out the Proliferation Security Initiative, the United States should—

(A) use intelligence and planning resources of the North Atlantic Treaty Organization (NATO) alliance;

(B) make participation open to non-NATO countries; and

(C) encourage Russia and the People’s Republic of China to participate.

(3) Support the Cooperative Threat Reduction program

The United States should expand, improve, increase resources for, and otherwise fully support the Cooperative Threat Reduction program.

(Pub. L. 110–53, title XVIII, §1801, Aug. 3, 2007, 121 Stat. 491.)

§ 2902. Definitions

In this chapter:

(1) The terms “prevention of weapons of mass destruction proliferation and terrorism” and “prevention of WMD proliferation and terrorism” include activities under—

(A) the programs specified in section 1501(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2731; 50 U.S.C. 2362 note);¹

(B) the programs for which appropriations are authorized by section 3101(a)(2) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2729);

(C) programs authorized by section 5854 of title 22 and programs authorized by section 5902 of title 22; and

(D) a program of any agency of the Federal Government having a purpose similar to that of any of the programs identified in subparagraphs (A) through (C), as designated by the United States Coordinator for the Prevention of Weapons of Mass Destruction Proliferation and Terrorism and the head of the agency.

(2) The terms “weapons of mass destruction” and “WMD” mean chemical, biological, and nuclear weapons, and chemical, biological, and nuclear materials used in the manufacture of such weapons.

(3) The term “items of proliferation concern” means—

(A) equipment, materials, or technology listed in—

(i) the Trigger List of the Guidelines for Nuclear Transfers of the Nuclear Suppliers Group;

(ii) the Annex of the Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Materials, Software, and Related Technology of the Nuclear Suppliers Group; or

(iii) any of the Common Control Lists of the Australia Group; and

(B) any other sensitive items.

(Pub. L. 110–53, title XVIII, §1802, Aug. 3, 2007, 121 Stat. 491.)

Editorial Notes

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.

Section 1501(b) of the National Defense Authorization Act for Fiscal Year 1997, referred to in par. (1)(A), is section 1501(b) of Pub. L. 104–201, which was set out in a note under section 2362 of this title, prior to repeal by Pub. L. 113–291, div. A, title XIII, §1351(5), Dec. 19, 2014, 128 Stat. 3607.

Section 3101(a)(2) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314), referred to in par. (1)(B), is not classified to the Code.

SUBCHAPTER I—PROLIFERATION
SECURITY INITIATIVE**§ 2911. Proliferation Security Initiative improvements and authorities****(a) Sense of Congress**

It is the sense of Congress, consistent with the 9/11 Commission’s recommendations, that the President should strive to expand and strengthen the Proliferation Security Initiative (in this subchapter referred to as “PSI”) announced by the President on May 31, 2003, with a particular emphasis on the following:

(1) Issuing a presidential directive to the relevant United States Government agencies and departments that directs such agencies and departments to—

(A) establish clear PSI authorities, responsibilities, and structures;

(B) include in the budget request for each such agency or department for each fiscal year, a request for funds necessary for United States PSI-related activities; and

(C) provide other necessary resources to achieve more efficient and effective performance of United States PSI-related activities.

(2) Increasing PSI cooperation with all countries.

(3) Implementing the recommendations of the Government Accountability Office (GAO) in the September 2006 report titled “Better Controls Needed to Plan and Manage Proliferation Security Initiative Activities” (GAO–06–937C) regarding the following:

(A) The Department of Defense and the Department of State should establish clear PSI roles and responsibilities, policies and procedures, interagency communication mecha-

¹ See References in Text note below.