

## CODIFICATION

Section was enacted as part of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, and not as part of the Defense Against Weapons of Mass Destruction Act of 1996 which comprises this chapter.

**§ 2345. Export control programs****(a) Authority to pursue options for strengthening export control programs**

The Secretary of Energy, in coordination with the Secretary of State, may pursue in the region of the former Soviet Union and other regions of concern options for accelerating programs that assist the countries in such regions in improving their domestic export control programs for materials, technologies, and expertise relevant to the construction or use of a nuclear or radiological dispersal device.

**(b) Amount for activities**

Of the amount authorized to be appropriated by section 3101(a)(2)<sup>1</sup> for the Department of Energy for the National Nuclear Security Administration for defense nuclear nonproliferation, up to \$5,000,000 may be available for carrying out this section.

(Pub. L. 107-314, div. C, title XXXI, §3159, Dec. 2, 2002, 116 Stat. 2741.)

**Editorial Notes**

## REFERENCES IN TEXT

Section 3101(a)(2), referred to in subsec. (b), is section 3101(a)(2) of Pub. L. 107-314, div. C, title XXXI, Dec. 2, 2002, 116 Stat. 2729, which is not classified to the Code.

## CODIFICATION

Section was enacted as part of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, and not as part of the Defense Against Weapons of Mass Destruction Act of 1996 which comprises this chapter.

## SUBCHAPTER IV—COORDINATION OF POLICY AND COUNTERMEASURES AGAINST PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

**§ 2351. National coordinator on nonproliferation****(a) Designation of position**

The President shall designate an individual to serve in the Executive Office of the President as the National Coordinator for Nonproliferation Matters.

**(b) Duties**

The Coordinator, under the direction of the National Security Council, shall advise and assist the President by—

- (1) advising the President on nonproliferation of weapons of mass destruction, including issues related to terrorism, arms control, and international organized crime;
- (2) chairing the Committee on Nonproliferation of the National Security Council; and
- (3) taking such actions as are necessary to ensure that there is appropriate emphasis in, cooperation on, and coordination of, nonproliferation research efforts of the United States, including activities of Federal agen-

cies as well as activities of contractors funded by the Federal Government.

**(c) Allocation of funds**

Of the total amount authorized to be appropriated under section 301,<sup>1</sup> \$2,000,000 is available to the Department of Defense for carrying out research referred to in subsection (b)(3).

(Pub. L. 104-201, div. A, title XIV, §1441, Sept. 23, 1996, 110 Stat. 2727; Pub. L. 105-261, div. A, title X, §1069(c)(2), Oct. 17, 1998, 112 Stat. 2136.)

**Editorial Notes**

## REFERENCES IN TEXT

Section 301, referred to in subsec. (c), is section 301 of Pub. L. 104-201, div. A, title III, Sept. 23, 1996, 110 Stat. 2475, which is not classified to the Code.

## AMENDMENTS

1998—Subsec. (b)(2). Pub. L. 105-261 substituted “of the National Security Council” for “established under section 1342”.

**Statutory Notes and Related Subsidiaries**

## COMMISSION TO ASSESS ORGANIZATION OF FEDERAL GOVERNMENT TO COMBAT PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

Pub. L. 104-293, title VII, subtitle A, Oct. 11, 1996, 110 Stat. 3470, as amended by Pub. L. 105-277, div. A, §101(f) [title VII, §708], Oct. 21, 1998, 112 Stat. 2681-337, 2681-390, established the Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction, directed the Commission to carry out a thorough study of the organization of the Federal Government, including the elements of the intelligence community, with respect to combatting the proliferation of weapons of mass destruction and, not later than 18 months after Jan. 18, 1998, to submit to Congress a report containing a detailed statement of its findings and conclusions, and provided that the Commission terminate 60 days after the date on which it submitted such report.

**§ 2352. National Security Council Committee on Nonproliferation****(a) Establishment**

The Committee on Nonproliferation (in this section referred to as the “Committee”) is established as a committee of the National Security Council.

**(b) Membership**

(1) The Committee shall be composed of representatives of the following:

- (A) The Secretary of State.
- (B) The Secretary of Defense.
- (C) The Director of Central Intelligence.
- (D) The Attorney General.
- (E) The Secretary of Energy.
- (F) The Administrator of the Federal Emergency Management Agency.
- (G) The Secretary of the Treasury.
- (H) The Secretary of Commerce.
- (I) Such other members as the President may designate.

(2) The National Coordinator for Nonproliferation Matters shall chair the Committee on Nonproliferation.

**(c) Responsibilities**

The Committee has the following responsibilities:

<sup>1</sup> See References in Text note below.

<sup>1</sup> See References in Text note below.

(1) To review and coordinate Federal programs, policies, and directives relating to the proliferation of weapons of mass destruction and related materials and technologies, including matters relating to terrorism and international organized crime.

(2) To make recommendations through the National Security Council to the President regarding the following:

(A) Integrated national policies for countering the threats posed by weapons of mass destruction.

(B) Options for integrating Federal agency budgets for countering such threats.

(C) Means to ensure that Federal, State, and local governments have adequate capabilities to manage crises involving nuclear, radiological, biological, or chemical weapons or related materials or technologies, and to manage the consequences of a use of such weapon or related materials or technologies, and that use of those capabilities is coordinated.

(D) Means to ensure appropriate cooperation on, and coordination of, the following:

(i) Preventing the smuggling of weapons of mass destruction and related materials and technologies.

(ii) Promoting domestic and international law enforcement efforts against proliferation-related efforts.

(iii) Countering the involvement of organized crime groups in proliferation-related activities.

(iv) Safeguarding weapons of mass destruction materials and related technologies.

(v) Improving coordination and cooperation among intelligence activities, law enforcement, and the Departments of Defense, State, Commerce, and Energy in support of nonproliferation and counterproliferation efforts.

(vi) Improving export controls over materials and technologies that can contribute to the acquisition of weapons of mass destruction.

(vii) Reducing proliferation of weapons of mass destruction and related materials and technologies.

(Pub. L. 104-201, div. A, title XIV, § 1442, Sept. 23, 1996, 110 Stat. 2727.)

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 3001 of this title.

##### TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including

the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### § 2353. Comprehensive preparedness program

##### (a) Program required

The President, acting through the Committee on Nonproliferation established under section 2352 of this title, shall develop a comprehensive program for carrying out this chapter.

##### (b) Content of program

The program set forth in the report shall include specific plans as follows:

(1) Plans for countering proliferation of weapons of mass destruction and related materials and technologies.

(2) Plans for training and equipping Federal, State, and local officials for managing a crisis involving a use or threatened use of a weapon of mass destruction, including the consequences of the use of such a weapon.

(3) Plans for providing for regular sharing of information among intelligence, law enforcement, and customs agencies.

(4) Plans for training and equipping law enforcement units, customs services, and border security personnel to counter the smuggling of weapons of mass destruction and related materials and technologies.

(5) Plans for establishing appropriate centers for analyzing seized nuclear, radiological, biological, and chemical weapons, and related materials and technologies.

(6) Plans for establishing in the United States appropriate legal controls and authorities relating to the exporting of nuclear, radiological, biological, and chemical weapons, and related materials and technologies.

(7) Plans for encouraging and assisting governments of foreign countries to implement and enforce laws that set forth appropriate penalties for offenses regarding the smuggling of weapons of mass destruction and related materials and technologies.

(8) Plans for building the confidence of the United States and Russia in each other's controls over United States and Russian nuclear weapons and fissile materials, including plans for verifying the dismantlement of nuclear weapons.

(9) Plans for reducing United States and Russian stockpiles of excess plutonium, reflecting—

(A) consideration of the desirability and feasibility of a United States-Russian agreement governing fissile material disposition and the specific technologies and approaches to be used for disposition of excess plutonium; and

(B) an assessment of the options for United States cooperation with Russia in the disposition of Russian plutonium.