

TITLE 22 - FOREIGN RELATIONS AND INTERCOURSE
CHAPTER 68A - COOPERATIVE THREAT REDUCTION WITH STATES OF FORMER
SOVIET UNION

§ 5963. Authority to use Cooperative Threat Reduction funds outside the former Soviet Union

(a) Authority

Subject to the provisions of this section, the President may obligate and expend Cooperative Threat Reduction funds for a fiscal year, and any Cooperative Threat Reduction funds for a fiscal year before such fiscal year that remain available for obligation, for a proliferation threat reduction project or activity outside the states of the former Soviet Union if the President determines each of the following:

- (1) That such project or activity will—
 - (A) (i) assist the United States in the resolution of a critical emerging proliferation threat; or
 - (ii) permit the United States to take advantage of opportunities to achieve long-standing nonproliferation goals; and
- (B) be completed in a short period of time.
- (2) That the Department of Defense is the entity of the Federal Government that is most capable of carrying out such project or activity.

(b) Scope of authority

The authority in subsection (a) of this section to obligate and expend funds for a project or activity includes authority to provide equipment, goods, and services for such project or activity utilizing such funds, but does not include authority to provide cash directly to such project or activity.

(c) Limitation on total amount of obligation

The amount that may be obligated in a fiscal year under the authority in subsection (a) of this section may not exceed \$50,000,000.

(d) Limitation on availability of funds

- (1) The President may not obligate funds for a project or activity under the authority in subsection (a) of this section until the President makes each determination specified in that subsection with respect to such project or activity.
- (2) Not later than 10 days after obligating funds under the authority in subsection (a) of this section for a project or activity, the President shall notify Congress in writing of the determinations made under paragraph (1) with respect to such project or activity, together with—
 - (A) a justification for such determinations; and
 - (B) a description of the scope and duration of such project or activity.

(e) Additional limitations and requirements

Except as otherwise provided in subsections (a) and (b) of this section, the exercise of the authority in subsection (a) of this section shall be subject to any requirement or limitation under another provision of law as follows:

- (1) Any requirement for prior notice or other reports to Congress on the use of Cooperative Threat Reduction funds or on Cooperative Threat Reduction projects or activities.
- (2) Any limitation on the obligation or expenditure of Cooperative Threat Reduction funds.
- (3) Any limitation on Cooperative Threat Reduction projects or activities.

(Pub. L. 108–136, div. A, title XIII, § 1308, Nov. 24, 2003, 117 Stat. 1662.)

NB: This unofficial compilation of the U.S. Code is current as of Jan. 3, 2005 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

Codification

Section was enacted as part of the National Defense Authorization Act for Fiscal Year 2004, and not as part of the Cooperative Threat Reduction Act of 1993 which comprises this chapter.