

107TH CONGRESS
1ST SESSION

S. 673

To establish within the executive branch of the Government an interagency committee to review and coordinate United States nonproliferation efforts in the independent states of the former Soviet Union.

IN THE SENATE OF THE UNITED STATES

APRIL 2 (legislative day, MARCH 30), 2001

Mr. HAGEL (for himself, Mr. BIDEN, and Mr. LUGAR) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To establish within the executive branch of the Government an interagency committee to review and coordinate United States nonproliferation efforts in the independent states of the former Soviet Union.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nonproliferation As-

5 sistance Coordination Act of 2001”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) United States nonproliferation efforts in the
2 independent states of the former Soviet Union have
3 achieved important results in ensuring that weapons
4 of mass destruction, weapons-usable material and
5 technology, and weapons-related knowledge remain
6 beyond the reach of terrorists and weapons-prolifer-
7 ating states;

8 (2) although these efforts are in the United
9 States national security interest, the effectiveness of
10 these efforts suffers from a lack of coordination
11 within and among United States Government agen-
12 cies;

13 (3) increased spending and investment by the
14 United States private sector on nonproliferation ef-
15 forts in the independent states of the former Soviet
16 Union, specifically, spending and investment by the
17 United States private sector in job creation initia-
18 tives and proposals for unemployed Russian weapons
19 scientists and technicians, is making an important
20 contribution in ensuring that knowledge related to
21 weapons of mass destruction remains beyond the
22 reach of terrorists and weapons-proliferating states;
23 and

24 (4) increased spending and investment by the
25 United States private sector on nonproliferation ef-

1 forts in the independent states of the former Soviet
2 Union requires the establishment of a coordinating
3 body to ensure that United States public and private
4 efforts are not in conflict, and to ensure that public
5 spending on efforts by the independent states of the
6 former Soviet Union is maximized to ensure effi-
7 ciency and further United States national security
8 interests.

9 **SEC. 3. INDEPENDENT STATES OF THE FORMER SOVIET**
10 **UNION DEFINED.**

11 In this Act, the term “independent states of the
12 former Soviet Union” has the meaning given the term in
13 section 3 of the FREEDOM Support Act (22 U.S.C.
14 5801).

15 **SEC. 4. ESTABLISHMENT OF COMMITTEE ON NON-**
16 **PROLIFERATION ASSISTANCE TO THE INDE-**
17 **PENDENT STATES OF THE FORMER SOVIET**
18 **UNION.**

19 (a) ESTABLISHMENT.—There is established within
20 the executive branch of the Government an interagency
21 committee known as the “Committee on Nonproliferation
22 Assistance to the Independent States of the Former Soviet
23 Union” (in this Act referred to as the “Committee”).

24 (b) MEMBERSHIP.—

1 (1) IN GENERAL.—The Committee shall be
2 composed of five members, as follows:

3 (A) A representative of the Department of
4 State designated by the Secretary of State.

5 (B) A representative of the Department of
6 Energy designated by the Secretary of Energy.

7 (C) A representative of the Department of
8 Defense designated by the Secretary of De-
9 fense.

10 (D) A representative of the Department of
11 Commerce designated by the Secretary of Com-
12 merce.

13 (E) A representative of the Assistant to
14 the President for National Security Affairs des-
15 igned by the Assistant to the President.

16 (2) LEVEL OF REPRESENTATION.—The Sec-
17 retary of a department named in subparagraph (A),
18 (B), (C), or (D) of paragraph (1) shall designate as
19 the department's representative an official of that
20 department who is not below the level of an Assist-
21 ant Secretary of the department.

22 (b) CHAIR.—The representative of the Assistant to
23 the President for National Security Affairs shall serve as
24 Chair of the Committee. The Chair may invite the head
25 of any other department or agency of the United States

1 to designate a representative of that department or agency
2 to participate from time to time in the activities of the
3 Committee.

4 **SEC. 5. DUTIES OF COMMITTEE.**

5 (a) IN GENERAL.—The Committee shall have pri-
6 mary continuing responsibility within the executive branch
7 of the Government for—

8 (1) monitoring United States nonproliferation
9 efforts in the independent states of the former So-
10 viet Union; and

11 (2) coordinating the implementation of United
12 States policy with respect to such efforts.

13 (b) DUTIES SPECIFIED.—In carrying out the respon-
14 sibilities described in subsection (a), the Committee
15 shall—

16 (1) arrange for the preparation of analyses on
17 the issues and problems relating to coordination
18 within and among United States departments and
19 agencies on nonproliferation efforts of the inde-
20 pendent states of the former Soviet Union;

21 (2) arrange for the preparation of analyses on
22 the issues and problems relating to coordination be-
23 tween the United States public and private sectors
24 on nonproliferation efforts in the independent states
25 of the former Soviet Union, including coordination

1 between public and private spending on nonprolifera-
2 tion programs of the independent states of the
3 former Soviet Union and coordination between pub-
4 lic spending and private investment in defense con-
5 version activities of the independent states of the
6 former Soviet Union;

7 (3) provide guidance on arrangements that will
8 coordinate, de-conflict, and maximize the utility of
9 United States public spending on nonproliferation
10 programs of the independent states of the former
11 Soviet Union to ensure efficiency and further United
12 States national security interests;

13 (4) encourage companies and nongovernmental
14 organizations involved in nonproliferation efforts of
15 the independent states of the former Soviet Union to
16 voluntarily report these efforts to the Committee;

17 (5)(A) arrange for the preparation of analyses
18 on the issues and problems relating to the coordina-
19 tion between the United States and other countries
20 with respect to nonproliferation efforts in the inde-
21 pendent states of the former Soviet Union; and

22 (B) provide guidance and arrangements that
23 will coordinate, de-conflict, and maximize the utility
24 of United States public spending on nonproliferation
25 programs of the independent states of the former

1 Soviet Union to ensure efficiency and further United
2 States national security interests; and

3 (6) consider, and make recommendations to the
4 President and Congress with respect to, proposals
5 for new legislation or regulations relating to United
6 States nonproliferation efforts in the independent
7 states of the former Soviet Union as may be nec-
8 essary.

9 **SEC. 6. ADMINISTRATIVE SUPPORT.**

10 All United States departments and agencies shall
11 provide, to the extent permitted by law, such information
12 and assistance as may be requested by the Committee or
13 the Secretary of State in carrying out their functions and
14 activities under this Act.

15 **SEC. 7. CONFIDENTIALITY OF INFORMATION.**

16 Information which has been submitted or received in
17 confidence shall not be publicly disclosed, except to the
18 extent required by law, and such information shall be used
19 by the Committee only for the purpose of carrying out the
20 functions and activities set forth in this Act.

21 **SEC. 8. STATUTORY CONSTRUCTION.**

22 Nothing in this Act—

23 (1) applies to the data-gathering, regulatory, or
24 enforcement authority of any existing United States
25 department or agency over nonproliferation efforts

1 in the independent states of the former Soviet
2 Union, and the review of those efforts undertaken by
3 the Committee shall not in any way supersede or
4 prejudice any other process provided by law; or

5 (2) applies to any activity that is reportable
6 pursuant to title V of the National Security Act of
7 1947 (50 U.S.C. 413 et seq.).

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