

## REVISION OF CHEMICAL DEMILITARIZATION PROGRAM

Pub. L. 100-180, div. A, title I, §125, Dec. 4, 1987, 101 Stat. 1043, which directed the Secretary of Defense to issue an environmental impact statement, submit to congressional committees an alternative concept plan for the chemical stockpile demilitarization program, and conduct ongoing surveillance and assessment of the stockpile, was repealed by Pub. L. 111-383, div. A, title XIV, §1421(b)(1), Jan. 7, 2011, 124 Stat. 4420.

**§ 1521a. Destruction of existing stockpile of lethal chemical agents and munitions**

**(a) Program management**

The Secretary of Defense shall ensure that the program for destruction of the United States stockpile of lethal chemical agents and munitions is managed as a major defense acquisition program (as defined in section 2430 of title 10) in accordance with the essential elements of such programs as may be determined by the Secretary.

**(b) Requirement for Under Secretary of Defense (Comptroller) annual certification**

Beginning with respect to the budget request for fiscal year 2004, the Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees on an annual basis a certification that the budget request for the chemical agents and munitions destruction program has been submitted in accordance with the requirements of section 1521 of this title.

(Pub. L. 107-314, div. A, title I, §141, Dec. 2, 2002, 116 Stat. 2477.)

## CODIFICATION

Section was enacted as part of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, and not as part of Pub. L. 91-121, title IV, §409, Nov. 19, 1969, 83 Stat. 209, which comprises this chapter.

## “CONGRESSIONAL DEFENSE COMMITTEES” DEFINED

Congressional defense committees means the Committees on Armed Services and Appropriations of the Senate and the House of Representatives, see section 3 of Pub. L. 107-314, 116 Stat. 2471. See note under section 101 of Title 10, Armed Forces.

**§ 1522. Conduct of chemical and biological defense program**

**(a) General**

The Secretary of Defense shall carry out the chemical and biological defense program of the United States in accordance with the provisions of this section.

**(b) Management and oversight**

In carrying out his responsibilities under this section, the Secretary of Defense shall do the following:

(1) Assign responsibility for overall coordination and integration of the chemical and biological warfare defense program and the chemical and biological medical defense program to a single office within the Office of the Secretary of Defense.

(2) Take those actions necessary to ensure close and continuous coordination between (A) the chemical and biological warfare defense program, and (B) the chemical and biological medical defense program.

(3) Exercise oversight over the chemical and biological defense program through the Defense Acquisition Board process.

**(c) Coordination of program**

(1) The Secretary of Defense shall designate the Army as executive agent for the Department of Defense to coordinate and integrate research, development, test, and evaluation, and acquisition, requirements of the military departments for chemical and biological warfare defense programs of the Department of Defense.

(2) The Director of the Defense Advanced Research Projects Agency may conduct a program of basic and applied research and advanced technology development on chemical and biological warfare defense technologies and systems. In conducting such program, the Director shall seek to avoid unnecessary duplication of the activities under the program with chemical and biological warfare defense activities of the military departments and defense agencies and shall coordinate the activities under the program with those of the military departments and defense agencies.

**(d) Funding**

(1) The budget for the Department of Defense for each fiscal year after fiscal year 1994 shall reflect a coordinated and integrated chemical and biological defense program for the Department of Defense.

(2) Funding requests for the program (other than for activities under the program conducted by the Defense Advanced Research Projects Agency under subsection (c)(2) of this section) shall be set forth in the budget of the Department of Defense for each fiscal year as a separate account, with a single program element for each of the categories of research, development, test, and evaluation, acquisition, and military construction. Amounts for military construction projects may be set forth in the annual military construction budget. Funds for military construction for the program in the military construction budget shall be set forth separately from other funds for military construction projects. Funding requests for the program may not be included in the budget accounts of the military departments.

(3) The program conducted by the Defense Advanced Research Projects Agency under subsection (c)(2) of this section shall be set forth as a separate program element in the budget of that agency.

(4) All funding requirements for the chemical and biological defense program shall be reviewed by the Secretary of the Army as executive agent pursuant to subsection (c) of this section.

**(e) Management review and report**

(1) The Secretary of Defense shall conduct a review of the management structure of the Department of Defense chemical and biological warfare defense program, including—

- (A) research, development, test, and evaluation;
- (B) procurement;
- (C) doctrine development;
- (D) policy;
- (E) training;
- (F) development of requirements;