

and chairman of Committee on Foreign Relations of Senate a report on Agency's fulfillment of primary functions described in section 2551 of this title and directed President to submit comments on any recommendations contained in the report dealing with executive branch organization and direction, prior to repeal by Pub. L. 103-236, title I, §139(18), Apr. 30, 1994, 108 Stat. 398.

CONVENTIONAL ARMS TRADE

Pub. L. 93-559, §51, Dec. 30, 1974, 88 Stat. 1817, as amended by Pub. L. 97-113, title VII, §734(a)(8), Dec. 29, 1981, 95 Stat. 1560, provided that:

“(a) It is the sense of the Congress that the recent growth in international transfers of conventional arms to developing nations—

“(1) is a cause for grave concern for the United States and other nations in that in particular areas of the world it increases the danger of potential violence among nations, and diverts scarce world resources from more peaceful uses; and

“(2) could be controlled progressively through negotiations and agreements among supplier and recipient nations.

“(b) Therefore, the President is urged to propose to the Geneva Conference of the Committee on Disarmament that it consider as a high priority agenda item discussions among participating nations of that Conference for the purposes of—

“(1) agreeing to workable limitations on conventional arms transfers; and

“(2) establishing a mechanism through which such limitations could be effectively monitored.

“(c) [Repealed. Pub. L. 97-113, title VII, §734(a)(8), Dec. 29, 1981, 95 Stat. 1560.]”

EXECUTIVE ORDER NO. 12946

Ex. Ord. No. 12946, Jan. 20, 1995, 60 F.R. 4829, which established within Department of Defense the President's Advisory Board on Arms Proliferation Policy, was revoked by Ex. Ord. No. 13062, §3(c), Sept. 29, 1997, 62 F.R. 51756, formerly set out as a note under section 14 of the Federal Advisory Committee Act in the Appendix to Title 5, Government Organization and Employees.

§ 2552. Definitions

As used in this chapter—

(a) The terms “arms control” and “disarmament” mean the identification, verification, inspection, limitation, control, reduction, or elimination, of armed forces and armaments of all kinds under international agreement including the necessary steps taken under such an agreement to establish an effective system of international control, or to create and strengthen international organizations for the maintenance of peace.

(b) The term “Government agency” means any executive department, commission, agency, independent establishment, corporation wholly or partly owned by the United States which is an instrumentality of the United States, or any board, bureau, division, service, office, officer, authority, administration, or other establishment in the executive branch of Government.

(Pub. L. 87-297, title I, §103, formerly §3, Sept. 26, 1961, 75 Stat. 631; renumbered §103 and amended Pub. L. 105-277, div. G, subd. A, title XII, §1223(2), (21), Oct. 21, 1998, 112 Stat. 2681-769, 2681-772.)

AMENDMENTS

1998—Subsec. (c). Pub. L. 105-277, §1223(2), struck out subsec. (c) which read as follows: “The term ‘Agency’

means the United States Arms Control and Disarmament Agency.”

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-277 effective Apr. 1, 1999, see section 1201 of Pub. L. 105-277, set out as an Effective Date note under section 6511 of this title.

SUBCHAPTER II—SPECIAL REPRESENTATIVES AND VISITING SCHOLARS

§§ 2561 to 2566. Repealed. Pub. L. 105-277, div. G, subd. A, title XII, §1222, Oct. 21, 1998, 112 Stat. 2681-768

Section 2561, Pub. L. 87-297, title II, §21, Sept. 26, 1961, 75 Stat. 632, related to establishment of United States Arms Control and Disarmament Agency.

Section 2562, Pub. L. 87-297, title II, §22, Sept. 26, 1961, 75 Stat. 632; Pub. L. 88-426, title III, §305(17)(A), Aug. 14, 1964, 78 Stat. 424; Pub. L. 94-141, title I, §145, Nov. 29, 1975, 89 Stat. 758; Pub. L. 96-66, §1(a), Sept. 21, 1979, 93 Stat. 414; Pub. L. 98-202, §2, Dec. 2, 1983, 97 Stat. 1381; Pub. L. 103-236, title VII, §705, Apr. 30, 1994, 108 Stat. 492, related to appointment and duties of Director.

Section 2563, Pub. L. 87-297, title II, §23, Sept. 26, 1961, 75 Stat. 632; Pub. L. 88-426, title III, §305(17)(B), Aug. 14, 1964, 78 Stat. 424; Pub. L. 96-66, §1(b), Sept. 21, 1979, 93 Stat. 414; Pub. L. 101-216, title I, §102, Dec. 11, 1989, 103 Stat. 1853, related to appointment and powers and duties of Deputy Director.

Section 2564, Pub. L. 87-297, title II, §24, Sept. 26, 1961, 75 Stat. 632; Pub. L. 88-426, title III, §305(17)(C), Aug. 14, 1964, 78 Stat. 424, related to number, appointment, and powers and duties of Assistant Directors.

Section 2565, Pub. L. 87-297, title II, §25, Sept. 26, 1961, 75 Stat. 632; Pub. L. 103-236, title VII, §706, Apr. 30, 1994, 108 Stat. 492, related to establishment of bureaus, offices, and divisions within Agency.

Section 2566, Pub. L. 87-297, title II, §26, Sept. 26, 1961, 75 Stat. 632; Pub. L. 103-236, title VII, §707, Apr. 30, 1994, 108 Stat. 493, related to appointment, function, and term of Scientific and Policy Advisory Committee.

EFFECTIVE DATE OF REPEAL

Repeal effective Apr. 1, 1999, see section 1201 of Pub. L. 105-277, set out as an Effective Date note under section 6511 of this title.

§ 2567. Presidential Special Representatives

The President may appoint, by and with the advice and consent of the Senate, Special Representatives of the President for arms control, nonproliferation, and disarmament matters. Each Presidential Special Representative shall hold the rank of ambassador. Presidential Special Representatives appointed under this section shall perform their duties and exercise their powers under the direction of the President and the Secretary of State. The Department of State shall be the Government agency responsible for providing administrative support, including funding, staff, and office space, to all Presidential Special Representatives.

(Pub. L. 87-297, title II, §201, formerly §27, as added Pub. L. 95-108, §2(a), Aug. 17, 1977, 91 Stat. 871; amended Pub. L. 98-202, §6(a), Dec. 2, 1983, 97 Stat. 1382; Pub. L. 101-216, title I, §103(a), Dec. 11, 1989, 103 Stat. 1853; Pub. L. 103-236, title VII, §708(a), Apr. 30, 1994, 108 Stat. 493; renumbered §201 and amended Pub. L. 105-277, div. G, subd. A, title XII, §1223(4), (21), Oct. 21, 1998, 112 Stat. 2681-769, 2681-772.)

AMENDMENTS

1998—Pub. L. 105-277, §1223(4), struck out “One such Representative may serve in the Agency as Chief

Science Advisor.” after “rank of ambassador,” and “, acting through the Director” after “Secretary of State”, and substituted “Department of State” for “Agency”.

1994—Pub. L. 103-236 amended section generally. Prior to amendment, section read as follows: “The President may appoint, by and with the advice and consent of the Senate, two Special Representatives for Arms Control and Disarmament Negotiations, one of whom should serve as special representative for conventional arms control negotiations, and the other should serve as special representative and chief science advisor to the Director. The two Special Representatives shall perform their duties and exercise their powers under the direction of the President and the Secretary of State, acting through the Director.”

1989—Pub. L. 101-216 substituted “, one of whom should serve as special representative for conventional arms control negotiations, and the other should serve as special representative and chief science advisor to the Director. The two Special Representatives shall perform their duties and exercise their powers under the direction of the President and the Secretary of State, acting through the Director” for “who shall perform such duties and exercise such powers (under the direction of the President and the Secretary of State, acting through the Director) as the Director may prescribe with respect to international arms control and disarmament negotiations and matters relating thereto”.

1983—Pub. L. 98-202 substituted “two Special Representatives” for “a Special Representative”.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-277 effective Apr. 1, 1999, see section 1201 of Pub. L. 105-277, set out as an Effective Date note under section 6511 of this title.

EFFECTIVE DATE OF 1989 AMENDMENT

Pub. L. 101-216, title I, §103(b), Dec. 11, 1989, 103 Stat. 1853, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to individuals who are appointed as Special Representatives on or after the date of enactment of this Act [Dec. 11, 1989].”

§ 2568. Program for visiting scholars

A program for visiting scholars in the fields of arms control, nonproliferation, and disarmament shall be established by the Secretary of State in order to obtain the services of scholars from the faculties of recognized institutions of higher learning. The purpose of the program will be to give specialists in the physical sciences and other disciplines relevant to the Department of State’s activities an opportunity for active participation in the arms control, nonproliferation, and disarmament activities of the Department of State and to gain for the Department of State the perspective and expertise such persons can offer. Each fellow in the program shall be appointed for a term of one year, except that such term may be extended for a 1-year period.

(Pub. L. 87-297, title II, §202, formerly §28, as added Pub. L. 98-202, §3, Dec. 2, 1983, 97 Stat. 1381; amended Pub. L. 103-236, title VII, §719(b), Apr. 30, 1994, 108 Stat. 501; renumbered §202 and amended Pub. L. 105-277, div. G, subdiv. A, title XII, §1223(5), (21), Oct. 21, 1998, 112 Stat. 2681-769, 2681-772.)

AMENDMENTS

1998—Pub. L. 105-277, §1223(5), substituted “Secretary of State” for “Director” and “Department of State’s”

for “Agency’s”, substituted “Department of State” for “Agency” in two places, and struck out at end “Fellows shall be chosen by a board consisting of the Director, who shall be the chairperson, and all former Directors of the Agency.”

1994—Pub. L. 103-236 substituted “fields of arms control, nonproliferation, and disarmament” for “field of arms control and disarmament” in first sentence and inserted “, nonproliferation,” after “participation in the arms control” in second sentence.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-277 effective Apr. 1, 1999, see section 1201 of Pub. L. 105-277, set out as an Effective Date note under section 6511 of this title.

SUBCHAPTER III—FUNCTIONS

§ 2571. Research, development and other studies

The Secretary of State is authorized and directed to exercise his powers in this subchapter in such manner as to ensure the acquisition of a fund of theoretical and practical knowledge concerning disarmament and nonproliferation. To this end, the Secretary of State is authorized and directed, under the direction of the President, (1) to ensure the conduct of research, development, and other studies in the fields of arms control, nonproliferation, and disarmament; (2) to make arrangements (including contracts, agreements, and grants) for the conduct of research, development, and other studies in the fields of arms control, nonproliferation, and disarmament by private or public institutions or persons; and (3) to coordinate the research, development, and other studies conducted in the fields of arms control, nonproliferation, and disarmament by or for other Government agencies. In carrying out his responsibilities under this chapter, the Secretary of State shall, to the maximum extent feasible, make full use of available facilities, Government and private. The authority of the Secretary under this chapter with respect to research, development, and other studies concerning arms control, nonproliferation, and disarmament shall be limited to participation in the following:

(a) Control, reduction and elimination of armed forces and armaments

the detection, identification, inspection, monitoring, limitation, reduction, control, and elimination of armed forces and armaments, including thermonuclear, nuclear, missile, conventional, bacteriological, chemical, and radiological weapons;

(b) Weapon detection and identification tests

the techniques and systems of detecting, identifying, inspecting, and monitoring of tests of nuclear, thermonuclear, and other weapons;

(c) Analysis of national budgets and economic indicators

the analysis of national budgets, levels of industrial production, and economic indicators to determine the amounts spent by various countries for armaments¹ and of all aspects of anti-satellite activities;

(d) Space, earth’s surface and underwater regions

the control, reduction, and elimination of armed forces and armaments in space, in areas

¹ So in original. Probably should be followed by a comma.