

and, in concluding provisions, struck out “, in accordance with the procedures established pursuant to section 2575 of this title,” after “detailed information”.

1994—Pub. L. 103–236, §719(e), substituted “information” for “impact information and analysis” in section catchline, redesignated subsec. (a) as entire section, and inserted “, nonproliferation,” after “arms control” in introductory provisions and par. (3).

Subsecs. (b), (c). Pub. L. 103–236, §704(1), struck out subsec. (b) which required the Director to assess and analyze certain legislative and budgetary proposals with respect to their impact on arms control and disarmament policy and negotiations and subsec. (c) which prohibited courts from compelling performance of any requirement under this section.

1978—Subsec. (a)(3). Pub. L. 95–338, §1(1), substituted “technology with potential military application or weapons systems” for “weapons systems or technology”.

Subsec. (b)(2). Pub. L. 95–338, §1(2), inserted provisions requiring requests to be transmitted either as an individual program or as an aggregation of related programs, and classification requirements for transmitted statements.

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.

§ 2577. Verification of compliance

(a) In general

In order to ensure that arms control, nonproliferation, and disarmament agreements can be verified, the Secretary of State shall report to Congress, on a timely basis, or upon request by an appropriate committee of the Congress—

(1) in the case of any arms control, nonproliferation, or disarmament agreement that has been concluded by the United States, the determination of the Secretary of State as to the degree to which the components of such agreement can be verified;

(2) in the case of any arms control, nonproliferation, or disarmament agreement that has entered into force, any significant degradation or alteration in the capacity of the United States to verify compliance of the components of such agreement;

(3) the amount and percentage of research funds expended by the Department of State for the purpose of analyzing issues relating to arms control, nonproliferation, and disarmament verification; and

(4) the number of professional personnel assigned to arms control verification on a full-time basis by each Government agency.

(b) Assessments upon request

Upon the request of the chairman or ranking minority member of the Committee on Foreign Relations of the Senate or the Committee on International Relations of the House of Representatives, in case of an arms control, nonproliferation, or disarmament proposal presented to a foreign country by the United States or presented to the United States by a foreign country, the Secretary of State shall submit a report to the Committee on the degree to which elements of the proposal are capable of being verified.

(c) Standard for verification of compliance

In making determinations under paragraphs (1) and (2) of subsection (a), the Secretary of

State shall assume that all measures of concealment not expressly prohibited could be employed and that standard practices could be altered so as to impede verification.

(d) Rule of construction

Except as otherwise provided for by law, nothing in this section may be construed as requiring the disclosure of sensitive information relating to intelligence sources or methods or persons employed in the verification of compliance with arms control, nonproliferation, and disarmament agreements.

(Pub. L. 87–297, title III, §306, formerly §37, as added Pub. L. 95–108, §4, Aug. 17, 1977, 91 Stat. 871; amended Pub. L. 103–236, title VII, §712, Apr. 30, 1994, 108 Stat. 495; renumbered §306 and amended Pub. L. 105–277, div. G, subdiv. A, title XII, §1223(11), (21), Oct. 21, 1998, 112 Stat. 2681–770, 2681–772; Pub. L. 106–113, div. B, §1000(a)(7) [div. B, title XI, §1115], Nov. 29, 1999, 113 Stat. 1536, 1501A–489.)

AMENDMENTS

1999—Subsec. (a). Pub. L. 106–113, §1000(a)(7) [title XI, §1115(a)], struck out “adequately” before “verified” in introductory provisions.

Subsecs. (b) to (d). Pub. L. 106–113, §1000(a)(7) [title XI, §1115(b)], added subsec. (b) and redesignated former subsecs. (b) and (c) as (c) and (d), respectively. Language in section 1000(a)(7) [title XI, §1115(b)] directing redesignation of subsec. (d) as (e) could not be executed. See 1998 Amendment note below.

1998—Subsec. (a). Pub. L. 105–277, §1223(11)(A), substituted “Secretary of State” for “Director” in introductory provisions and par. (1) and substituted “Department of State” for “Agency” in par. (3).

Subsec. (b). Pub. L. 105–277, §1223(11)(A), substituted “Secretary of State” for “Director”.

Subsec. (d). Pub. L. 105–277, §1223(11)(B), struck out heading and text of subsec. (d). Text read as follows: “In order to ensure adherence of the United States to obligations or commitments undertaken in arms control, nonproliferation, and disarmament agreements, and in order for the Director to make the assessment required by section 2593a(a)(5) of this title, the Director, or the Director’s designee, shall participate in all interagency groups or organizations within the executive branch of Government that assess, analyze, or review United States planned or ongoing policies, programs, or actions that have a direct bearing on United States adherence to obligations undertaken in arms control, nonproliferation, or disarmament agreements.”

1994—Pub. L. 103–236 substituted “Verification of compliance” for “Verification of Arms Control Agreements” as section catchline and amended text generally. Prior to amendment, text consisted of subsecs. (a) to (c) requiring the Director to report to Congress relating to verification of arms control proposals and agreements.

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

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.

§ 2577a. Arms control verification

(a) Establishment of working group

The President should establish a working group—