

the Pan American Airways Flight 103 terrorist disaster over Lockerbie, Scotland, on December 21, 1988, any tax imposed by subtitle A of title 26 shall not apply—

(A) with respect to the taxable year which includes December 21, 1988, and

(B) with respect to the prior taxable year.

(2) Limitation

In no case may the tax benefit pursuant to paragraph (1) for any taxable year, for any individual, exceed an amount equal to 28 percent of the annual rate of basic pay at Level V of the Executive Schedule of the United States as of December 21, 1988.

(Pub. L. 101-604, title II, §211, Nov. 16, 1990, 104 Stat. 3085.)

REFERENCES IN TEXT

Level V of the Executive Schedule, referred to in subsec. (c)(2), is set out in section 5316 of Title 5, Government Organization and Employees.

§ 5511. Overseas Security Electronic Bulletin Board

Not later than 60 days after November 16, 1990, the Secretary of State shall issue such rules and regulations as may be necessary to establish, under the Bureau of Consular Affairs, an electronic bulletin board accessible to the general public. Such bulletin board shall contain all information, updated daily, which is available on the Overseas Security Electronic Bulletin Board of the Bureau of Diplomatic Security.

(Pub. L. 101-604, title II, §212, Nov. 16, 1990, 104 Stat. 3086.)

AUTHORITY OF SECRETARY OF STATE

Except as otherwise provided, Secretary of State to have and exercise any authority vested by law in any official or office of Department of State and references to such officials or offices deemed to refer to Secretary of State or Department of State, as appropriate, see section 2651a of this title and section 161(d) of Pub. L. 103-236, set out as a note under section 2651a of this title.

§ 5512. Antiterrorism measures

(a) Guidelines for international aviation travelers

For the purpose of notifying the public, the Secretary of State, in consultation with the Secretary of Transportation, shall develop and publish guidelines for thwarting efforts by international terrorists to enlist the unwitting assistance of international aviation travelers in terrorist activities. Notices concerning such guidelines shall be posted and prominently displayed domestically and abroad in international airports.

(b) Development of international standards

The Secretary of State and the Secretary of Transportation in all appropriate fora, particularly talks and meetings related to international civil aviation, shall enter into negotiations with other nations for the establishment of international standards regarding guidelines for thwarting efforts by international terrorists to enlist the unwitting assistance of international aviation travelers in terrorist activities.

(c) Publication of rewards for terrorism-related information

For the purpose of notifying the public, the Secretary of State shall publish the availability of United States Government rewards for information on international terrorist-related activities, including rewards available under section 2708(a)¹ of this title and chapter 204 of title 18. To the extent appropriate and feasible, notices making such publication shall be posted and prominently displayed domestically and abroad in international airports.

(d) Sense of Congress

It is the sense of Congress that the Secretary of Transportation should take appropriate measures to utilize and train properly the officers and employees of other United States Government agencies who have functions at international airports in the United States and abroad in the detection of explosives and firearms which could be a threat to international civil aviation.

(Pub. L. 101-604, title II, §214, Nov. 16, 1990, 104 Stat. 3087.)

REFERENCES IN TEXT

Section 2708 of this title, referred to in subsec. (c), was amended generally by Pub. L. 105-323, title I, §101, Oct. 30, 1998, 112 Stat. 3029, and, as so amended, provisions authorizing awards, formerly contained in section 2708(a), are now contained in section 2708(b).

§ 5513. Proposal for consideration by International Civil Aviation Organization

Not later than 60 days after November 16, 1990, the Secretary of State, in consultation with the Secretary of Transportation, shall propose to the International Civil Aviation Organization the establishment of a comprehensive aviation security program which shall include (1) training for airport security personnel, (2) grants for security equipment acquisition for certain nations, and (3) expansion of the appropriate utilization of canine teams in the detection of explosive devices in all airport areas, including use in passenger screening areas and nonpublic baggage assembly and processing areas.

(Pub. L. 101-604, title II, §215, Nov. 16, 1990, 104 Stat. 3087.)

CHAPTER 65—CONTROL AND ELIMINATION OF CHEMICAL AND BIOLOGICAL WEAPONS

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PRIOR PROVISIONS

A prior chapter 65, enacted by Pub. L. 102-138, title V, Oct. 28, 1991, 105 Stat. 722, contained provisions substantially identical to those enacted by Pub. L. 102-182, title III, Dec. 4, 1991, 105 Stat. 1245, prior to repeal by Pub. L. 102-182, title III, §309(a), Dec. 4, 1991, 105 Stat. 1258.

¹ See References in Text note below.

§ 5601. Purposes

The purposes of this chapter are—

(1) to mandate United States sanctions, and to encourage international sanctions, against countries that use chemical or biological weapons in violation of international law or use lethal chemical or biological weapons against their own nationals, and to impose sanctions against companies that aid in the proliferation of chemical and biological weapons;

(2) to support multilaterally coordinated efforts to control the proliferation of chemical and biological weapons;

(3) to urge continued close cooperation with the Australia Group and cooperation with other supplier nations to devise ever more effective controls on the transfer of materials, equipment, and technology applicable to chemical or biological weapons production; and

(4) to require Presidential reports on efforts that threaten United States interests or regional stability by Iran, Iraq, Syria, Libya, and others to acquire the materials and technology to develop, produce, stockpile, deliver, transfer, or use chemical or biological weapons.

(Pub. L. 102-182, title III, §302, Dec. 4, 1991, 105 Stat. 1245.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title III of Pub. L. 102-182, Dec. 4, 1991, 105 Stat. 1245, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note below and Tables.

SHORT TITLE

Pub. L. 102-182, title III, §301, Dec. 4, 1991, 105 Stat. 1245, provided that: “This title [enacting this chapter, section 2798 of this title, and section 4613 of Title 50, War and National Defense, amending sections 2798 and 5604 of this title and sections 4605 and 4613 of Title 50, and repealing provisions which enacted this chapter, section 2798 of this title, and section 4613 of Title 50, and which amended section 4605 of Title 50] may be cited as the ‘Chemical and Biological Weapons Control and Warfare Elimination Act of 1991’.”

Pub. L. 102-138, title V, §501, Oct. 28, 1991, 105 Stat. 722, which provided that title V of Pub. L. 102-138, which enacted this chapter, section 2798 of this title, and section 4613 of Title 50, War and National Defense, and amended section 4605 of Title 50, was to be cited as the “Chemical and Biological Weapons Control and Warfare Elimination Act of 1991”, was repealed by Pub. L. 102-182, title III, §309(a), Dec. 4, 1991, 105 Stat. 1258.

MATTERS RELATING TO THE CONTROL OF BIOLOGICAL WEAPONS

Pub. L. 106-113, div. B, §1000(a)(7) [div. B, title XI, chapter 2], Nov. 29, 1999, 113 Stat. 1536, 1501A-490, provided that:

“SEC. 1121. SHORT TITLE.

“This chapter may be cited as the ‘National Security and Corporate Fairness under the Biological Weapons Convention Act’.

“SEC. 1122. DEFINITIONS.

“In this chapter:

“(1) **BIOLOGICAL WEAPONS CONVENTION.**—The term ‘Biological Weapons Convention’ means the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.

“(2) **COMPLIANCE PROTOCOL.**—The term ‘compliance protocol’ means that segment of a bilateral or multilateral agreement that enables investigation of questions of compliance entailing written data or visits to facilities to monitor compliance.

“(3) **INDUSTRY.**—The term ‘industry’ means any corporate or private sector entity engaged in the research, development, production, import, and export of peaceful pharmaceuticals and bio-technological and related products.

“SEC. 1123. FINDINGS.

“Congress makes the following findings:

“(1) The threat of biological weapons and their proliferation is one of the greatest national security threats facing the United States.

“(2) The threat of biological weapons and materials represents a serious and increasing danger to people around the world.

“(3) Biological weapons are relatively inexpensive to produce, can be made with readily available expertise and equipment, do not require much space to make and can therefore be readily concealed, do not require unusual raw materials or materials not readily available for legitimate purposes, do not require the maintenance of stockpiles, or can be delivered with low-technology mechanisms, and can effect widespread casualties even in small quantities.

“(4) Unlike other weapons of mass destruction, biological materials capable of use as weapons can occur naturally in the environment and are also used for medicinal or other beneficial purposes.

“(5) Biological weapons are morally reprehensible, prompting the United States Government to halt its offensive biological weapons program in 1969, subsequently destroy its entire biological weapons arsenal, and maintain henceforth only a robust defensive capacity.

“(6) The Senate gave its advice and consent to ratification of the Biological Weapons Convention in 1974.

“(7) The Director of the Arms Control and Disarmament Agency explained, at the time of the Senate’s consideration of the Biological Weapons Convention, that the treaty contained no verification provisions because verification would be ‘difficult’.

“(8) A compliance protocol has now been proposed to strengthen the 1972 Biological Weapons Convention.

“(9) The resources needed to produce, stockpile, and store biological weapons are the same as those used in peaceful industry facilities to discover, develop, and produce medicines.

“(10) The raw materials of biological agents are difficult to use as an indicator of an offensive military program because the same materials occur in nature or can be used to produce a wide variety of products.

“(11) Some biological products are genetically manipulated to develop new commercial products, optimizing production and ensuring the integrity of the product, making it difficult to distinguish between legitimate commercial activities and offensive military activities.

“(12) Only a small culture of a biological agent and some growth medium are needed to produce a large amount of biological agents with the potential for offensive purposes.

“(13) The United States pharmaceutical and biotechnology industries are a national asset and resource that contribute to the health and well-being of the American public as well as citizens around the world.

“(14) One bacterium strain can represent a large proportion of a company’s investment in a pharmaceutical product and thus its potential loss during an arms control monitoring activity could conceivably be worth billions of dollars.

“(15) Biological products contain proprietary genetic information.

“(16) The proposed compliance regime for the Biological Weapons Convention entails new data reporting and investigation requirements for industry.