

arms control, nonproliferation, and disarmament agreements;

**(g) Danger of war from accident, miscalculation, or surprise attack**

the reduction and elimination of the danger of war resulting from accident, miscalculation, or possible surprise attack, including (but not limited to) improvements in the methods of communications between nations;

**(h) Economic and political consequences of disarmament**

the economic and political consequences of arms control, nonproliferation, and disarmament, including the problems of readjustment arising in industry and the reallocation of national resources;

**(i) Disarmament implications of foreign and national security policies of United States**

the arms control, nonproliferation, and disarmament implications of foreign and national security policies of the United States with a view to a better understanding of the significance of such policies for the achievement of arms control, nonproliferation, and disarmament;

**(j) National security and foreign policy implications of disarmament**

the national security and foreign policy implications of arms control, nonproliferation, and disarmament proposals with a view to a better understanding of the effect of such proposals upon national security and foreign policy;

**(k) Methods for maintenance of peace and security during stages of disarmament**

methods for the maintenance of peace and security during different stages of arms control, nonproliferation, and disarmament;

**(l) War prevention factors**

the scientific, economic, political, legal, social, psychological, military, and technological factors related to the prevention of war with a view to a better understanding of how the basic structure of a lasting peace may be established; and

**(m) Other related problems**

such related problems as the Secretary of State may determine to be in need of research, development, or study in order to carry out the provisions of this chapter.

(Pub. L. 87-297, title III, § 301, formerly § 31, Sept. 26, 1961, 75 Stat. 633; Pub. L. 88-186, § 5, Nov. 26, 1963, 77 Stat. 342; Pub. L. 95-108, § 3, Aug. 17, 1977, 91 Stat. 871; Pub. L. 97-339, § 4, Oct. 15, 1982, 96 Stat. 1636; Pub. L. 103-236, title VII, § 719(c), Apr. 30, 1994, 108 Stat. 501; renumbered § 301 and amended Pub. L. 105-277, div. G, subdiv. A, title XII, § 1223(6), (21), Oct. 21, 1998, 112 Stat. 2681-769, 2681-772.)

AMENDMENTS

1998—Pub. L. 105-277, § 1223(6)(A)-(E), in introductory provisions, inserted “this subchapter in” after “powers in”, substituted “Secretary of State” for “Director” wherever appearing and “ensure” for “insure” in two places, struck out “in accordance with procedures established under section 2575 of this title” after “other Government agencies”, and substituted “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:” for “The authority of the Director with respect to research, development, and other studies shall be limited to participation in the following insofar as they relate to arms control, nonproliferation, and disarmament:”.

Subsec. (l). Pub. L. 105-277, § 1223(6)(F), inserted “and” at end.

Subsec. (m). Pub. L. 105-277, § 1223(6)(B), substituted “Secretary of State” for “Director”.

1994—Pub. L. 103-236, in introductory provisions, substituted “fields of arms control, nonproliferation, and disarmament” for “field of arms control and disarmament” in three places, in first sentence, inserted “and nonproliferation” after “disarmament”, and in fourth sentence, inserted “, nonproliferation,” after “arms control” wherever appearing.

1982—Subsec. (c). Pub. L. 97-339 inserted “and of all aspects of antisatellite activities”.

1977—Pub. L. 95-108 struck out “United States” before “private” in cl. (2) of opening par.

1963—Pub. L. 88-186 inserted “United States” before “private” in cl. (2) of opening par.

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.

REPORT ON INTERNATIONAL TRANSFER OF CONVENTIONAL ARMS

Pub. L. 92-352, title III, § 302, July 13, 1972, 86 Stat. 495, directed Arms Control and Disarmament Agency, with cooperation of other agencies, to prepare a comprehensive report on international transfer of conventional arms and submit this report no later than one year after July 13, 1972, with an interim report submitted no later than six months after July 13, 1972.

**§ 2572. Patents; availability to general public; protection of background rights**

All research within the United States contracted for, sponsored, cosponsored, or authorized under authority of this chapter, shall be provided for in such manner that all information as to uses, products, processes, patents, and other developments resulting from such research developed by Government expenditure will (with such exceptions and limitations, if any, as the Secretary of State may find to be necessary in the public interest) be available to the general public. This section shall not be so construed as to deprive the owner of any background patent relating thereto of such rights as he may have thereunder.

(Pub. L. 87-297, title III, § 302, formerly § 32, Sept. 26, 1961, 75 Stat. 634; renumbered § 302 and amended Pub. L. 105-277, div. G, subdiv. A, title XII, § 1223(7), (21), Oct. 21, 1998, 112 Stat. 2681-769, 2681-772.)

AMENDMENTS

1998—Pub. L. 105-277, § 1223(7), substituted “Secretary of State” for “Director” and “section” for “subsection”.

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.

**§ 2573. Policy formulation**

**(a) Formulation**

The Secretary of State shall prepare for the President, and the heads of such other Govern-

ment agencies as the President may determine, recommendations and advice concerning United States arms control, nonproliferation, and disarmament policy.

**(b) Prohibition**

No action shall be taken pursuant to this chapter or any other Act that would obligate the United States to reduce or limit the Armed Forces or armaments of the United States in a militarily significant manner, except pursuant to the treaty-making power of the President set forth in Article II, Section 2, Clause 2 of the Constitution or unless authorized by the enactment of further affirmative legislation by the Congress of the United States.

**(c) Statutory construction**

Nothing contained in this chapter shall be construed to authorize any policy or action by any Government agency which would interfere with, restrict, or prohibit the acquisition, possession, or use of firearms by an individual for the lawful purpose of personal defense, sport, recreation, education, or training.

(Pub. L. 87-297, title III, §303, formerly §33, Sept. 26, 1961, 75 Stat. 634; Pub. L. 88-186, §3, Nov. 26, 1963, 77 Stat. 342; Pub. L. 103-236, title VII, §709, Apr. 30, 1994, 108 Stat. 494; renumbered §303 and amended Pub. L. 105-277, div. G, subdiv. A, title XII, §1223(8), (21), subdiv. B, title XXVI, §2602, Oct. 21, 1998, 112 Stat. 2681-769, 2681-772, 2681-839.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (c), was in the original “this chapter” and was translated as reading “this Act”, meaning Pub. L. 87-297, Sept. 26, 1961, 75 Stat. 631, known as the Arms Control and Disarmament Act, which is classified generally to this chapter, to reflect the probable intent of Congress.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-277, §1223(8), substituted “Secretary of State” for “Director” and struck out “the Secretary of State,” after “the President.”

Subsec. (c). Pub. L. 105-277, §2602, added subsec. (c).

1994—Pub. L. 103-236 amended section generally. Prior to amendment, section read as follows: “The Director is authorized and directed to prepare for the President, the Secretary of State, and the heads of such other Government agencies, as the President may determine, recommendations concerning United States arms control and disarmament policy: *Provided, however,* That no action shall be taken under this chapter or any other law that will obligate the United States to disarm or to reduce or to limit the Armed Forces or armaments of the United States, except pursuant to the treaty making power of the President under the Constitution or unless authorized by further affirmative legislation by the Congress of the United States. Nothing contained in this chapter shall be construed to authorize any policy or action by any Government agency which would interfere with, restrict, or prohibit the acquisition, possession, or use of firearms by an individual for the lawful purpose of personal defense, sport, recreation, education, or training.”

1963—Pub. L. 88-186 inserted provision precluding construction of this chapter to authorize the regulation of the possession of firearms by an individual.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by section 1223(8), (21) of 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.

**§ 2574. Negotiation management**

**(a) Responsibilities**

The Secretary of State, under the direction of the President, shall have primary responsibility for the preparation, conduct, and management of United States participation in all international negotiations and implementation fora in the field of arms control, nonproliferation, and disarmament. In furtherance of these responsibilities, Special Representatives of the President appointed pursuant to section 2567 of this title, shall, as directed by the President, serve as United States Government representatives to international organizations, conferences, and activities relating to the field of nonproliferation, such as the preparations for and conduct of the review relating to the Treaty on the Non-Proliferation of Nuclear Weapons.

**(b) Authority**

The Secretary of State is authorized—

(1) to formulate plans and make preparations for the establishment, operation, and funding of inspections and control systems which may become part of the United States arms control, nonproliferation, and disarmament activities; and

(2) as authorized by law, to put into effect, direct, or otherwise assume United States responsibility for such systems.

(Pub. L. 87-297, title III, §304, formerly §34, Sept. 26, 1961, 75 Stat. 634; Pub. L. 103-236, title VII, §710, Apr. 30, 1994, 108 Stat. 494; renumbered §304 and amended Pub. L. 105-277, div. G, subdiv. A, title XII, §1223(9), (21), Oct. 21, 1998, 112 Stat. 2681-769, 2681-772.)

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-277, §1223(9)(A)(v), (vi), made technical amendment to reference in original act which appears in text as reference to section 2567 of this title, and struck out “the” after “serve as” in second sentence.

Pub. L. 105-277, §1223(9)(A)(iv), which directed amendment of subsec. (a) by striking “and shall have primary responsibility, whenever directed by the President, for the preparation, conduct, and management of the United States participation in international negotiations and implementation fora in the field of nonproliferation” before period at end of first sentence, was executed by striking language which did not include the word “the” before “United States” to reflect the probable intent of Congress.

Pub. L. 105-277, §1223(9)(A)(i), (ii), in first sentence, substituted “The Secretary of State” for “The Director” and struck out “and the Secretary of State” after “the President”.

Pub. L. 105-277, §1223(9)(A)(iii), which directed the insertion of “, nonproliferation,” after “fields of arms control”, was executed by making the insertion after “field of arms control” to reflect the probable intent of Congress.

Subsec. (b). Pub. L. 105-277, §1223(9)(D), in introductory provisions, substituted “Secretary of State” for “Director”, redesignated pars. (2) and (3) as (1) and (2), respectively, and struck out former par. (1) which read as follows: “for the purpose of conducting negotiations concerning arms control, nonproliferation, or disarmament or for the purpose of exercising any other authority given him by this chapter—

“(A) to consult and communicate with, or to direct the consultation and communication with, representatives of other nations or of international organizations, and