

Sec.	
5602.	Multilateral efforts.
5603.	United States export controls.
5604.	Determinations regarding use of chemical or biological weapons.
5605.	Sanctions against use of chemical or biological weapons.
5606.	Repealed.

Editorial Notes

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.

§ 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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

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.