

L. 105-277, Oct. 21, 1998, 112 Stat. 2681-765, known as the Foreign Affairs Agencies Consolidation Act of 1998. For complete classification of this subdivision to the Code, see Short Title note set out under section 6501 of this title and Tables.

CHAPTER 75—CHEMICAL WEAPONS CONVENTION IMPLEMENTATION

Sec.	
6701.	Definitions.
	SUBCHAPTER I—GENERAL PROVISIONS
6711.	Designation of United States National Authority.
6712.	No abridgement of constitutional rights.
6713.	Civil liability of United States.
	SUBCHAPTER II—INSPECTIONS
6721.	Definitions.
6722.	Facility agreements.
6723.	Authority to conduct inspections.
6724.	Procedures for inspections.
6725.	Warrants.
6726.	Prohibited acts relating to inspections.
6727.	National security exception.
6728.	Annual report on inspections.
6729.	United States assistance in inspections at private facilities.
	SUBCHAPTER III—REPORTS
6741.	Reports required by United States National Authority.
6742.	Prohibition relating to low concentrations of Schedules 2 and 3 chemicals.
6743.	Prohibition relating to unscheduled discrete organic chemicals and coincidental byproducts in waste streams.
6744.	Confidentiality of information.
6745.	Recordkeeping violations.
	SUBCHAPTER IV—ENFORCEMENT
6761.	Penalties.
6762.	Specific enforcement.
6763.	Expedited judicial review.
	SUBCHAPTER V—MISCELLANEOUS PROVISIONS
6771.	Prohibition.

§ 6701. Definitions

In this chapter:

(1) Chemical weapon

The term “chemical weapon” means the following, together or separately:

(A) A toxic chemical and its precursors, except where intended for a purpose not prohibited under this chapter as long as the type and quantity is consistent with such a purpose.

(B) A munition or device, specifically designed to cause death or other harm through toxic properties of those toxic chemicals specified in subparagraph (A), which would be released as a result of the employment of such munition or device.

(C) Any equipment specifically designed for use directly in connection with the employment of munitions or devices specified in subparagraph (B).

(2) Chemical Weapons Convention; Convention

The terms “Chemical Weapons Convention” and “Convention” mean the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, opened for signature on January 13, 1993.

(3) Key component of a binary or multicomponent chemical system

The term “key component of a binary or multicomponent chemical system” means the precursor which plays the most important role in determining the toxic properties of the final product and reacts rapidly with other chemicals in the binary or multicomponent system.

(4) National of the United States

The term “national of the United States” has the same meaning given such term in section 1101(a)(22) of title 8.

(5) Organization

The term “Organization” means the Organization for the Prohibition of Chemical Weapons.

(6) Person

The term “person”, except as otherwise provided, means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, any State or any political subdivision thereof, or any political entity within a State, any foreign government or nation or any agency, instrumentality or political subdivision of any such government or nation, or other entity located in the United States.

(7) Precursor

(A) In general

The term “precursor” means any chemical reactant which takes part at any stage in the production by whatever method of a toxic chemical. The term includes any key component of a binary or multicomponent chemical system.

(B) List of precursors

Precursors which have been identified for the application of verification measures under Article VI of the Convention are listed in schedules contained in the Annex on Chemicals of the Chemical Weapons Convention.

(8) Purposes not prohibited by this chapter

The term “purposes not prohibited by this chapter” means the following:

(A) Peaceful purposes

Any peaceful purpose related to an industrial, agricultural, research, medical, or pharmaceutical activity or other activity.

(B) Protective purposes

Any purpose directly related to protection against toxic chemicals and to protection against chemical weapons.

(C) Unrelated military purposes

Any military purpose of the United States that is not connected with the use of a chemical weapon and that is not dependent on the use of the toxic or poisonous properties of the chemical weapon to cause death or other harm.

(D) Law enforcement purposes

Any law enforcement purpose, including any domestic riot control purpose and including imposition of capital punishment.