

Section 1454, act Aug. 9, 1955, ch. 656, title I, §104, as added June 18, 1968, Pub. L. 90-344, §1(2), 82 Stat. 181, which related to personnel residing on military installations and acquisition of legal residence for voting purposes, was transferred to section 1973cc-3 of Title 42.

Sections 1451 to 1453 were formerly classified to sections 2171 to 2173 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

§§ 1461 to 1465. Transferred

CODIFICATION

Section 1461, act Aug. 9, 1955, ch. 656, title II, §201, 69 Stat. 585, which provided for a Presidential designee to coordinate and facilitate actions to discharge Federal responsibilities and to reports submitted by the designee, was transferred to section 1973cc-11 of Title 42, The Public Health and Welfare.

Section 1462, act Aug. 9, 1955, ch. 656, title II, §202, 69 Stat. 586, which related to current absentee voting information, was transferred to section 1973cc-12 of Title 42.

Section 1463, acts Aug. 9, 1955, ch. 656, title II, §203, 69 Stat. 586; June 18, 1968, Pub. L. 90-344, §1(3), 82 Stat. 181, which related to cooperation of Government officials, drafts of state legislation, and printing and transmitting post cards, was transferred to section 1973cc-13 of Title 42.

Section 1464, acts Aug. 9, 1955, ch. 656, title II, §204, 69 Stat. 586; June 18, 1968, Pub. L. 90-344, §2, 82 Stat. 181; June 18, 1968, Pub. L. 90-344, §1(4), (5), (6), 82 Stat. 182, which related to form and content of post card application, was transferred to section 1973cc-14 of Title 42.

Section 1465, act Aug. 9, 1955, ch. 656, title II, §205, 69 Stat. 588, which provided for use of post card for election of Members of Congress, was transferred to section 1973cc-15 of Title 42.

Sections 1461 to 1465 were formerly classified to sections 2181 to 2185 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

§§ 1471 to 1476. Transferred

CODIFICATION

Section 1471, act Aug. 9, 1955, ch. 656, title III, §301, 69 Stat. 588, which related to definitions, was transferred to section 1973cc-21 of Title 42, The Public Health and Welfare.

Section 1472, act Aug. 9, 1955, ch. 656, title III, §302, 69 Stat. 588, which related to free postage, was transferred to section 1973cc-22 of Title 42.

Section 1473, act Aug. 9, 1955, ch. 656, title III, §303, 69 Stat. 588, which related to prevention of fraud and coercion, was transferred to section 1973cc-23 of Title 42.

Section 1474, act Aug. 9, 1955, ch. 656, title III, §304, 69 Stat. 589, which related to acts done in good faith, was transferred to section 1973cc-24 of Title 42.

Section 1475, act Aug. 9, 1955, ch. 656, title III, §305, 69 Stat. 589, which related to undue influence and free discussion, was transferred to section 1973cc-25 of Title 42.

Section 1476, act Aug. 9, 1955, ch. 656, title III, §308, 69 Stat. 589, which authorized appropriations, was transferred to section 1973cc-26 of Title 42.

Sections 1471 to 1476 were formerly classified to sections 2191 to 2196 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

CHAPTER 31—ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

§§ 1501 to 1509. Transferred

CODIFICATION

Section 1501, Pub. L. 86-380, §1, Sept. 24, 1959, 73 Stat. 703, which related to establishment of the Advisory

Commission on Intergovernmental Relations, was transferred to section 4271 of Title 42, The Public Health and Welfare.

Section 1502, Pub. L. 86-380, §2, Sept. 24, 1959, 73 Stat. 703, which related to declaration of purpose, was transferred to section 4272 of Title 42.

Section 1503, Pub. L. 86-380, §3, Sept. 24, 1959, 73 Stat. 704; Pub. L. 89-733, §§1, 2, Nov. 2, 1966, 80 Stat. 1162, which related to membership of Commission, was transferred to section 4273 of Title 42.

Section 1504, Pub. L. 86-380, §4, Sept. 24, 1959, 73 Stat. 705, which related to organization of Commission, was transferred to section 4274 of Title 42.

Section 1505, Pub. L. 86-380, §5, Sept. 24, 1959, 73 Stat. 705, which related to duties of Commission, was transferred to section 4275 of Title 42.

Section 1506, Pub. L. 86-380, §6, Sept. 24, 1959, 73 Stat. 705; Pub. L. 88-426, title III, §306(e), Aug. 14, 1964, 78 Stat. 429; Pub. L. 89-733, §§3, 4, Nov. 2, 1966, 80 Stat. 1162, which related to powers of Commission and administrative provisions, was transferred to section 4276 of Title 42.

Section 1507, Pub. L. 86-380, §7, Sept. 24, 1959, 73 Stat. 706; Pub. L. 89-733, §5, Nov. 2, 1966, 80 Stat. 1162, which related to compensation of members of Commission, was transferred to section 4277 of Title 42.

Section 1508, Pub. L. 86-380, §8, Sept. 24, 1959, 73 Stat. 706, which authorized appropriations, was transferred to section 4278 of Title 42.

Section 1509, Pub. L. 86-380, §9, as added Pub. L. 89-733, §6, Nov. 2, 1966, 80 Stat. 1162, which related to receipt of funds and to consideration of these funds by Congress in making appropriations for Commission, was transferred to section 4279 of Title 42.

CHAPTER 32—CHEMICAL AND BIOLOGICAL WARFARE PROGRAM

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| 1511. | Repealed. |
| 1512. | Transportation, open air testing, and disposal; Presidential determination; report to Congress; notice to Congress and State Governors. |
| 1512a. | Transportation of chemical munitions. |
| 1513. | Deployment, storage, and disposal; notification to host country and Congress; international law violations; reports to Congress and international organizations. |
| 1514. | “United States” defined. |
| 1515. | Suspension; Presidential authorization. |
| 1516. | Delivery systems. |
| 1517. | Immediate disposal when health or safety are endangered. |
| 1518. | Disposal; detoxification; report to Congress; emergencies. |
| 1519. | Lethal binary chemical munitions. |
| 1519a. | Limitation on procurement of binary chemical weapons. |
| 1520. | Repealed. |
| 1520a. | Restrictions on use of human subjects for testing of chemical or biological agents. |
| 1521. | Destruction of existing stockpile of lethal chemical agents and munitions. |
| 1521a. | Destruction of existing stockpile of lethal chemical agents and munitions. |
| 1522. | Conduct of chemical and biological defense program. |
| 1523. | Annual report on chemical and biological warfare defense. |
| 1524. | Agreements to provide support to vaccination programs of Department of Health and Human Services. |
| 1525. | Assistance for facilities subject to inspection under Chemical Weapons Convention. |
| 1526. | Effective use of resources for nonproliferation programs. |
| 1527. | Improved biosafety for handling of select agents and toxins. |
| 1528. | Congressional notification of biological select agent and toxin theft, loss, or release involving the Department of Defense. |

§ 1511. Repealed. Pub. L. 104-106, div. A, title X, § 1061(k), Feb. 10, 1996, 110 Stat. 443

Section, Pub. L. 91-121, title IV, § 409(a), Nov. 19, 1969, 83 Stat. 209; Pub. L. 93-608, § 2(4), Jan. 2, 1975, 88 Stat. 1971; Pub. L. 97-375, title II, § 203(a)(2), Dec. 21, 1982, 96 Stat. 1822, directed Secretary of Defense to submit an annual report to Congress on expenditures for research, development, test, and evaluation of all lethal and non-lethal chemical and biological agents.

§ 1512. Transportation, open air testing, and disposal; Presidential determination; report to Congress; notice to Congress and State Governors

None of the funds authorized to be appropriated by this Act or any other Act may be used for the transportation of any lethal chemical or any biological warfare agent to or from any military installation in the United States, or the open air testing of any such agent within the United States, or the disposal of any such agent within the United States until the following procedures have been implemented:

(1) the Secretary of Defense (hereafter referred to in this chapter as the “Secretary”) has determined that the transportation or testing proposed to be made is necessary in the interests of national security;

(2) the Secretary has brought the particulars of the proposed transportation, testing, or disposal to the attention of the Secretary of Health and Human Services, who in turn may direct the Surgeon General of the Public Health Service and other qualified persons to review such particulars with respect to any hazards to public health and safety which such transportation, testing, or disposal may pose and to recommend what precautionary measures are necessary to protect the public health and safety;

(3) the Secretary has implemented any precautionary measures recommended in accordance with paragraph (2) above (including, where practicable, the detoxification of any such agent, if such agent is to be transported to or from a military installation for disposal): *Provided, however*, That in the event the Secretary finds the recommendation submitted by the Surgeon General would have the effect of preventing the proposed transportation, testing, or disposal, the President may determine that overriding considerations of national security require such transportation, testing, or disposal be conducted. Any transportation, testing, or disposal conducted pursuant to such a Presidential determination shall be carried out in the safest practicable manner, and the President shall report his determination and an explanation thereof to the President of the Senate and the Speaker of the House of Representatives as far in advance as practicable; and

(4) the Secretary has provided notification that the transportation, testing, or disposal will take place, except where a Presidential determination has been made: (A) to the President of the Senate and the Speaker of the House of Representatives at least 10 days before any such transportation will be commenced and at least 30 days before any such testing or disposal will be commenced; (B) to

the Governor of any State through which such agents will be transported, such notification to be provided appropriately in advance of any such transportation.

(Pub. L. 91-121, title IV, § 409(b), Nov. 19, 1969, 83 Stat. 209; Pub. L. 91-441, title V, § 506(b)(1), Oct. 7, 1970, 84 Stat. 912; Pub. L. 96-88, title V, § 509(b), Oct. 17, 1979, 93 Stat. 695.)

REFERENCES IN TEXT

This Act, referred to in provision preceding par. (1), means Pub. L. 91-121, Nov. 19, 1969, 83 Stat. 204, as amended. Provisions authorizing the appropriation of funds are not classified to the Code. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1970—Pub. L. 91-441 inserted reference to the disposal of lethal chemical or biological warfare agents in the United States.

CHANGE OF NAME

“Secretary of Health and Human Services” substituted for “Secretary of Health, Education, and Welfare” in par. (2), pursuant to section 509(b) of Pub. L. 96-88 which is classified to section 3508(b) of Title 20, Education.

RIOT CONTROL AGENTS

Pub. L. 109-163, div. A, title XII, § 1232, Jan. 6, 2006, 119 Stat. 3468, provided that:

“(a) RESTATEMENT OF POLICY.—It is the policy of the United States that riot control agents are not chemical weapons and that the President may authorize their use as legitimate, legal, and non-lethal alternatives to the use of force that, as provided in Executive Order No. 11850 (40 Fed. Reg. 16187) [set out below] and consistent with the resolution of ratification of the Chemical Weapons Convention, may be employed by members of the Armed Forces in war in defensive military modes to save lives, including the illustrative purposes cited in Executive Order No. 11850.

“(b) REPORT REQUIRED.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act [Jan. 6, 2006], the President shall submit to Congress a report on the use of riot control agents by members of the Armed Forces.

“(2) CONTENT.—The report required by paragraph (1) shall include—

“(A) a description of all regulations, doctrines, training materials, and any other information related to the use of riot control agents by members of the Armed Forces;

“(B) a description of how the material described in subparagraph (A) is consistent with United States policy on the use of riot control agents;

“(C) a description of the availability of riot control agents, and the means to use them, to members of the Armed Forces, including members of the Armed Forces deployed in Iraq and Afghanistan;

“(D) a description of the frequency and circumstances of the use of riot control agents by members of the Armed Forces since January 1, 1992, and a summary of views held by commanders of United States combatant commands as to the utility of the use of riot control agents by members of the Armed Forces when compared with alternatives;

“(E) a general description of steps taken or planned to be taken by the Department of Defense to clarify the circumstances under which riot control agents may be used by members of the Armed Forces; and

“(F) a brief explanation of the continuing validity of Executive Order No. 11850 [set out below] under United States law.