

§ 1512a. Transportation of chemical munitions**(a) Prohibition of transportation across State lines**

The Secretary of Defense may not transport any chemical munition that constitutes part of the chemical weapons stockpile out of the State in which that munition is located on October 5, 1994, and, in the case of any such chemical munition not located in a State on October 5, 1994, may not transport any such munition into a State.

(b) Transportation of chemical munitions not in chemical weapons stockpile

In the case of any chemical munitions that are discovered or otherwise come within the control of the Department of Defense and that do not constitute part of the chemical weapons stockpile, the Secretary of Defense may transport such munitions to the nearest chemical munitions stockpile storage facility that has necessary permits for receiving and storing such items if the transportation of such munitions to that facility—

- (1) is considered by the Secretary of Defense to be necessary; and
- (2) can be accomplished while protecting public health and safety.

(Pub. L. 103-337, div. A, title I, § 143, Oct. 5, 1994, 108 Stat. 2689.)

CODIFICATION

Section was enacted as part of the National Defense Authorization Act for Fiscal Year 1995, and not as part of Pub. L. 91-121, title IV, § 409, Nov. 19, 1969, 83 Stat. 209, which comprises this chapter.

§ 1513. Deployment, storage, and disposal; notification to host country and Congress; international law violations; reports to Congress and international organizations

(1) None of the funds authorized to be appropriated by this Act or any other Act may be used for the future deployment, storage, or disposal, at any place outside the United States of—

- (A) any lethal chemical or any biological warfare agent, or
- (B) any delivery system specifically designed to disseminate any such agent,

unless prior notice of such deployment, storage, or disposal has been given to the country exercising jurisdiction over such place. In the case of any place outside the United States which is under the jurisdiction or control of the United States Government, no such action may be taken unless the Secretary gives prior notice of such action to the President of the Senate and the Speaker of the House of Representatives. As used in this paragraph, the term “United States” means the several States and the District of Columbia.

(2) None of the funds authorized by this Act or any other Act shall be used for the future testing, development, transportation, storage, or disposal of any lethal chemical or any biological warfare agent outside the United States, or for the disposal of any munitions in international waters, if the Secretary of State, after appropriate notice by the Secretary whenever any

such action is contemplated, determines that such testing, development, transportation, storage, or disposal will violate international law. The Secretary of State shall report all determinations made by him under this paragraph to the President of the Senate and the Speaker of the House of Representatives, and to all appropriate international organizations, or organs thereof, in the event such report is required by treaty or other international agreement.

(Pub. L. 91-121, title IV, § 409(c), Nov. 19, 1969, 83 Stat. 210; Pub. L. 91-441, title V, § 506(b)(2), (3), Oct. 7, 1970, 84 Stat. 912.)

REFERENCES IN TEXT

This Act, referred to in pars. (1) and (2), 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—Par. (1). Pub. L. 91-441, § 506(b)(2), inserted reference to disposal of lethal chemical or biological warfare agents or delivery systems for such agents.

Par. (2). Pub. L. 91-441, § 506(b)(3), inserted reference to disposal of munitions in international waters.

WITHDRAWAL OF EUROPEAN CHEMICAL STOCKPILE

Pub. L. 100-180, div. A, title I, § 126, Dec. 4, 1987, 101 Stat. 1044, provided that: “Chemical munitions of the United States stored in Europe on the date of the enactment of this Act [Dec. 4, 1987] should not be removed from Europe unless such munitions are replaced contemporaneously with binary chemical munitions stationed on the soil of at least one European member nation of the North Atlantic Treaty Organization.”

§ 1514. “United States” defined

Unless otherwise indicated, as used in this chapter the term “United States” means the several States the District of Columbia, and the territories and possessions of the United States. (Pub. L. 91-121, title IV, § 409(d), Nov. 19, 1969, 83 Stat. 210.)

§ 1515. Suspension; Presidential authorization

After November 19, 1969, the operation of this chapter, or any portion thereof, may be suspended by the President during the period of any war declared by Congress and during the period of any national emergency declared by Congress or by the President.

(Pub. L. 91-121, title IV, § 409(e), Nov. 19, 1969, 83 Stat. 210.)

§ 1516. Delivery systems

None of the funds authorized to be appropriated by this Act shall be used for the procurement of delivery systems specifically designed to disseminate lethal chemical or any biological warfare agents, or for the procurement of delivery system parts or components specifically designed for such purpose, unless the President shall certify to the Congress that such procurement is essential to the safety and security of the United States.

(Pub. L. 91-441, title V, § 506(a), Oct. 7, 1970, 84 Stat. 912.)

REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 91-441, Oct. 7, 1970, 84 Stat. 912. Provisions authorizing the ap-