

APRIL 1, 2000

**Chemical Weapons Stockpile Safety Contingency Plan**

Pub.L. 101-510, Div. A, Title I, § 173, Nov. 5, 1990, 104 Stat. 1507, provided that:

*[See main volume for text.]**[Any reference in any provision of law enacted before Jan. 4, 1995, to the Committee on Armed**Services of the House of Representatives treated as referring to the Committee on National Security of the House of Representatives, see section 1(a)(1) of Pub.L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.]***§ 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.)

**HISTORICAL AND STATUTORY NOTES****Revision Notes and Legislative Reports**

1994 Act. House Report No. 103-499 and House Conference Report No. 103-701, see 1994 U.S. Code Cong. and Adm. News, p. 2091.

§ 1520. Repealed. Pub.L. 105-85, Div. A, Title X, § 1078(g), Nov. 18, 1997, 111 Stat. 1916; Pub.L. 105-277, Div. I, Title VI, § 601, Oct. 21, 1998, 112 Stat. 2681-886

**HISTORICAL AND STATUTORY NOTES**

Section, Pub.L. 96-79, Title VIII, § 808, July 30, 1977, 91 Stat. 334, and amended Pub.L. 97-375, Title II, § 203(a)(1), Dec. 21, 1982, 96 Stat. 1822, related to the use of human subjects for testing of chemical or biological agents by

the Department of Defense, account to Congressional Committees regarding to experiments and studies and notification to civilian officials. See section 1520a of this title and section 6771 of Title 22.

**§ 1520a. Restrictions on the use of human subjects for testing of chemical or biological agents****(a) Prohibited activities**

The Secretary of Defense may not conduct (directly or by contract)—

- (1) any test or experiment involving the use of a chemical agent or biological agent on a civilian population; or
- (2) any other testing of a chemical agent or biological agent on human subjects.

**(b) Exceptions**

Subject to subsections (c), (d), and (e) of this section, the prohibition in subsection (a) of this section does not apply to a test or experiment carried out for any of the following purposes:

- (1) Any peaceful purpose that is related to a medical, therapeutic, pharmaceutical, agricultural, industrial, or research activity.
- (2) Any purpose that is directly related to protection against toxic chemicals or biological weapons and agents.
- (3) Any law enforcement purpose, including any purpose related to riot control.

**(c) Informed consent required**

The Secretary of Defense may conduct a test or experiment described in subsection (b) of this section only if informed consent to the testing was obtained from each human subject in advance of the testing on that subject.

**(d) Prior notice to Congress**

Not later than 30 days after the date of final approval within the Department of Defense of plans for any experiment or study to be conducted by the Department of Defense (whether directly or under contract) involving the use of human subjects for the testing of a chemical agent or a biological agent, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report setting forth a full accounting of those plans, and the experiment or study may then be conducted only after the end of the 30-day period beginning on the date such report is received by those committees.

**(e) Biological agent defined**

In this section, the term "biological agent" means any micro organism (including bacteria, viruses, fungi, rickettsiac, or protozoa), pathogen, or infectious substance, and any naturally occurring, bioengineered, or synthesized component of any such micro-organism, pathogen, or infectious substance, whatever its origin or method of production, that is capable of causing—

- (1) death, disease, or other biological malfunction in a human, an animal, a plant, or another living organism;
- (2) deterioration of food, water, equipment, supplies, or materials of any kind; or
- (3) deleterious alteration of the environment.

(Added Pub.L. 106-85, Div. A, Title X, § 1078, Nov. 18, 1997, 111 Stat. 1915, and amended Pub.L. 106-65, Div. A, Title X, § 1067(4), Oct. 5, 1999, 113 Stat. 774.)

**HISTORICAL AND STATUTORY NOTES****Revision Notes and Legislative Reports**

1997 Act. House Conference Report No. 105-340 and Statement by President, see 1997 U.S. Code Cong. and Adm. News, p. 2251.

1999 Act. House Conference Report No. 106-301 and Statement by President, see 1999 U.S. Code Cong. and Adm. News, p. 94.

**Amendments**

1999 Amendments Subsec. (d). Pub.L. 106-65, § 1067(4), substituted "Committee on

Armed Services" for "Committee on National Security".

**Change of Name**

The Committee on National Security of the House of Representatives was changed to the Committee on Armed Services of the House of Representatives by House Resolution No. 6, One Hundred Sixth Congress, Jan. 6, 1999, 146 Cong. Rec. H6-10.

**CROSS REFERENCES**

Chemical or biological agents, testing restrictions, use of human subjects, see 22 USCA 6771

**§ 1521. Destruction of existing stockpile of lethal chemical agents and munitions****(a) In general**

Notwithstanding any other provision of law, the Secretary of Defense (hereinafter in this section referred to as the "Secretary") shall, in accordance with the provisions of this section, carry out the destruction of the United States' stockpile of lethal chemical agents and munitions that exists on November 8, 1985.

**(b) Date for completion***[See main volume for text of (1) to (3)]*

(4) If the Secretary determines at any time that there will be a delay in meeting the requirement in paragraph (1) for the completion of the destruction of chemical weapons by the stockpile elimination deadline, the Secretary shall immediately notify the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives of that projected delay.