

Public Law 101-216
101st Congress

An Act

To amend the Arms Control and Disarmament Act to authorize appropriations for the Arms Control and Disarmament Agency, and for other purposes.

Dec. 11, 1989
[H.R. 1495]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Arms Control
and
Disarmament
Amendments
Act of 1989.
22 USC 2251
note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Arms Control and Disarmament Amendments Act of 1989".

TITLE I—ARMS CONTROL AND DISARMAMENT AGENCY

SEC. 101. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1988.

Section 49(a) of the Arms Control and Disarmament Act is amended to read as follows:

22 USC 2589.

"SEC. 49. (a) To carry out the purposes of this Act, there are authorized to be appropriated—

"(A) \$36,000,000 for the fiscal year 1990 and \$37,316,000 for the fiscal year 1991; and

"(B) such additional amounts as may be necessary for fiscal years 1990 and 1991 for increases in salary, pay, retirement, other employee benefits authorized by law, and other non-discretionary costs, and to offset adverse fluctuations in foreign currency exchange rates."

SEC. 102. DUTIES OF THE DEPUTY DIRECTOR.

Section 23 of the Arms Control and Disarmament Act (22 U.S.C. 2563) is amended in the second sentence to read as follows: "The Deputy Director shall have direct responsibility, under the supervision of the Director, for the administrative management of the Agency, intelligence-related activities, security, and the Special Compartmental Intelligence Facility, and shall perform such other duties and exercise such other powers as the Director may prescribe."

SEC. 103. DUTIES OF THE SPECIAL REPRESENTATIVES.

(a) IN GENERAL.—Section 27 of the Arms Control and Disarmament Act (22 U.S.C. 2567) is amended by striking out "who shall perform" and all that follows through the period and inserting in lieu thereof the following: ", one of whom should serve as special representative for conventional arms control negotiations, and the other should serve as special representative and chief science advisor to the Director. The two Special Representatives shall perform their duties and exercise their powers under the direction of the President and the Secretary of State, acting through the Director."

(b) APPLICATION.—The amendment made by subsection (a) shall apply with respect to individuals who are appointed as Special Representatives on or after the date of enactment of this Act.

22 USC 2567
note.

Reports.
22 USC 2565
note.

SEC. 104. ARMS CONTROL IMPLEMENTATION AND COMPLIANCE RESOLUTION.

The Director of the United States Arms Control and Disarmament Agency should study, and report to the Congress on, the advisability of establishing in the Agency an arms control implementation and compliance resolution bureau, or other organizational unit, that would be responsible for—

- (1) managing the implementation of existing and future arms control agreements;
- (2) coordinating the activities of the Special Verification Commission and the Standing Consultative Commission; and
- (3) preparing comprehensive analyses and policy positions regarding the effective resolution of arms control compliance questions.

SEC. 105. ARMS CONTROL VERIFICATION.

(a) **ESTABLISHMENT OF WORKING GROUP.**—The President should establish a working group—

- (1) to examine verification approaches to a strategic arms reduction agreement and other arms control agreements; and
- (2) to assess the relevance for such agreements of the verification provisions of the Treaty Between the United States and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (signed at Washington, December 8, 1987).

(b) **INFORMATION AND DATA BASE.**—(1) The Agency shall allocate sufficient resources to develop and maintain a comprehensive information and data base on verification concepts, research, technologies, and systems. The Agency shall collect, maintain, analyze, and disseminate information pertaining to arms control verification and monitoring, including information regarding—

- (A) all current United States bilateral and multilateral arms treaties; and
- (B) proposed, prospective, and potential bilateral or multilateral arms treaties in the areas of nuclear, conventional, chemical, and space weapons.

(2) The Agency shall seek to improve United States verification and monitoring activities through the monitoring and support of relevant research and analysis.

(3) The Agency shall provide detailed information on the activities pursuant to this section in its annual report to the Congress.

SEC. 106. EXPENSES OF TRAVEL CONTINUING BEYOND THE END OF THE FISCAL YEAR.

Section 48 of the Arms Control and Disarmament Act (22 U.S.C. 2588) is amended by inserting after “personal effects” the following: “(including any such travel or transportation any part of which begins in one fiscal year pursuant to travel orders issued in that fiscal year, but which is completed after the end of that fiscal year)”.

SEC. 107. REPORTING REQUIREMENT ON PROSPECTS FOR CONVERSION OF UNITED STATES DEFENSE INDUSTRIES.

The Director of the United States Arms Control and Disarmament Agency, in consultation with the Secretary of Defense and the Secretary of Commerce, shall study, and (not later than 180 days after the date of enactment of this Act) submit to the Congress a report, on concrete steps which could be taken to improve prospects

International
agreements.
Union of Soviet
Socialist
Republics.
22 USC 2577a.

Reports.

for conversion of portions of United States defense industries to nondefense-related activities as opportunities are presented through the achievement of successful arms control agreements.

TITLE II—ON-SITE INSPECTION ACTIVITIES

SEC. 201. ON-SITE INSPECTION AGENCY.

The Arms Control and Disarmament Act is amended by adding at the end the following:

“TITLE V—ON-SITE INSPECTION ACTIVITIES

“SEC. 61. FINDINGS.

22 USC 2595.

“The Congress finds that—

“(1) under this Act, the United States Arms Control and Disarmament Agency is charged with the ‘formulation and implementation of United States arms control and disarmament policy in a manner which will promote the national security’;

“(2) as defined in this Act, the terms ‘arms control’ and ‘disarmament’ mean ‘the identification, verification, inspection, limitation, control, reduction, or elimination, of armed forces and armaments of all kinds under international agreement to establish an effective system of international control’;

“(3) the On-Site Inspection Agency was established in 1988 pursuant to the INF Treaty to implement, on behalf of the United States, the inspection provisions of the INF Treaty;

“(4) on-site inspection activities under the INF Treaty include—

“(A) inspections in the Soviet Union, Czechoslovakia, and the German Democratic Republic,

“(B) escort duties for Soviet teams visiting the United States and the Basing Countries,

“(C) establishment and operation of the Portal Monitoring Facility in the Soviet Union, and

“(D) support for the Soviet inspectors at the Portal Monitoring Facility in Utah;

“(5) the personnel of the On-Site Inspection Agency include civilian technical experts, civilian support personnel, and members of the Armed Forces; and

“(6) the senior officials of the On-Site Inspection Agency include representatives from the United States Arms Control and Disarmament Agency and the Department of State.

“SEC. 62. POLICY COORDINATION CONCERNING IMPLEMENTATION OF ON-SITE INSPECTION PROVISIONS.

22 USC 2595a.

“(a) INTERAGENCY COORDINATION.—OSIA should receive policy guidance which is formulated through an interagency mechanism established by the President.

“(b) ROLE OF THE SECRETARY OF DEFENSE.—The Secretary of Defense should provide to OSIA appropriate policy guidance formulated through the interagency mechanism described in subsection (a) and operational direction, consistent with section 113(b) of title 10, United States Code.

“(c) ROLE OF THE DIRECTOR.—The Director should provide to the interagency mechanism described in subsection (a) appropriate rec-

ommendations for policy guidance to OSIA consistent with sections 2(d), 22, and 34(c) of this Act.

22 USC 2595b. "SEC. 63. AUTHORIZATIONS OF APPROPRIATIONS FOR ON-SITE INSPECTION AGENCY.

"There are authorized to be appropriated \$49,830,000 for fiscal year 1990 and \$48,831,000 for fiscal year 1991 for the expenses of the On-Site Inspection Agency in carrying out on-site inspection activities pursuant to the INF Treaty.

22 USC 2595c. "SEC. 64. DEFINITIONS.

"As used in this title—

"(1) the term 'INF Treaty' means the Treaty Between the United States and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (signed at Washington, December 8, 1987); and

"(2) the term 'OSIA' means the On-Site Inspection Agency established by the President, or such other agency as may be designated by the President to carry out the on-site inspection provisions of the INF Treaty."

Approved December 11, 1989.

LEGISLATIVE HISTORY—H.R. 1495 (S. 1868):

HOUSE REPORTS: No. 101-72, Pt. 1 (Comm. on Foreign Affairs) and Pt. 2 (Comm. on Armed Services).

SENATE REPORTS: No. 101-195, accompanying S. 1868 (Comm. on Foreign Relations).

CONGRESSIONAL RECORD, Vol. 135 (1989):

Sept. 19, considered and rejected in House.

Oct. 12, considered and passed House.

Nov. 17, considered and passed Senate, amended.

Nov. 19, House concurred in Senate amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 25 (1989):

Dec. 11, Presidential statement.