

Public Law 95-108
95th Congress

An Act

To amend the Arms Control and Disarmament Act to authorize appropriations for fiscal year 1978, and for other purposes.

Aug. 17, 1977
[H.R. 6179]

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

Arms Control and
Disarmament Act
Amendments of
1977.
22 USC 2551
note.

SHORT TITLE

SECTION 1. This Act may be cited as the "Arms Control and Disarmament Act Amendments of 1977".

SPECIAL REPRESENTATIVE

SEC. 2. (a) Title II of the Arms Control and Disarmament Act is amended by adding at the end thereof the following new section:

"SPECIAL REPRESENTATIVE

"SEC. 27. The President may appoint, by and with the advice and consent of the Senate, a Special Representative for Arms Control and Disarmament Negotiations who shall perform such duties and exercise such powers (under the direction of the President and the Secretary of State, acting through the Director) as the Director may prescribe with respect to international arms control and disarmament negotiations and matters relating thereto."

Appointment and
confirmation.
22 USC 2567.

(b) Section 5315 of title 5, United States Code, is amended by inserting the following new paragraph immediately after paragraph (49):

"(50) Special Representative for Arms Control and Disarmament Negotiations, United States Arms Control and Disarmament Agency."

RESEARCH

SEC. 3. Section 31 of the Arms Control and Disarmament Act is amended by striking out "United States" in clause (2) of the second sentence.

22 USC 2571.

VERIFICATION OF ARMS CONTROL AGREEMENTS

SEC. 4. Title III of the Arms Control and Disarmament Act is amended by adding at the end thereof the following new section:

"VERIFICATION OF ARMS CONTROL AGREEMENTS

"SEC. 37. (a) It is the sense of the Congress that adequate verification of compliance should be an indispensable part of any international arms control agreement. In recognition of such policy and in order to assure that arms control proposals made or accepted by the United States can be adequately verified, the Director shall report to the

22 USC 2577.

Report to
Congress.

Congress, on a timely basis, or upon a request by an appropriate committee of the Congress—

“(1) in the case of each element of any significant arms control proposal made to a foreign country by the United States, or made to the United States by a foreign country, the determination of the Director as to the degree to which such element can be verified by existing national technical means;

“(2) in the case of any arms control agreement or treaty that has entered into force, any significant degradation or alteration in the capacity of the United States to verify the various components of such agreement or treaty;

“(3) the number of professional personnel assigned to arms control verification on a full-time basis by each Government agency; and

“(4) the amount and percentage of research funds expended by the Agency for the purpose of analyzing issues relating to arms control verification.

“(b) For purposes of paragraphs (1) and (2) of subsection (a), the Director shall assume that all measures of concealment not expressly prohibited could be employed and that standard practices could be altered so as to impede verification.

“(c) Except as otherwise provided by law, nothing in this section shall be construed as requiring the disclosure of sensitive information relating to intelligence sources or methods or persons employed in the verification of compliance with arms control agreements.”

GENERAL AUTHORITY

Personnel.
22 USC 2581.

5 USC 101
et seq.
5 USC 5101.
5 USC 5331.
5 USC 5332
note.

SEC. 5. (a) Section 41(b) of the Arms Control and Disarmament Act is amended to read as follows:

“(b) appoint officers and employees, including attorneys, for the Agency in accordance with the provisions of title 5, United States Code, governing appointment in the competitive service, and fix their compensation in accordance with chapter 51 and with subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates, except that during the 2-year period beginning on the date of enactment of the Arms Control and Disarmament Act Amendments of 1977, the Director may, to the extent he deems necessary to the discharge of his responsibilities, appoint and fix the compensation of officers and employees for the Agency without regard to such provisions, subject to the following requirements:

“(1) an officer or employee whose compensation is fixed under the foregoing exception may not be paid a salary at a rate in excess of the rate payable under such chapter 51 and such subchapter III for positions of equivalent difficulty or responsibility except for (A) those officers and employees whose compensation is fixed by law, and (B) scientific and technical personnel who may be compensated at a rate not to exceed the rate in effect for grade GS-18 of the General Schedule;

“(2) the Director shall make adequate provision for administrative review of any determination to suspend or dismiss any officer or employee appointed under the foregoing exception; and

“(3) an officer or employee of the Agency serving under a career or career conditional appointment on the date of enactment of the Arms Control and Disarmament Act Amendments of 1977 may not be involuntarily deprived, while employed by the Agency,

Review.

of any rights normally granted such officer or employee in the competitive service;”.

(b) Section 41 of such Act is amended—

22 USC 2581.

(1) by redesignating paragraphs (g) and (h) as paragraphs (h) and (i), respectively; and

(2) by inserting immediately after paragraph (f) the following new paragraph:

Advisory
services,
expenses,
reimbursement.

“(g) permit, under such terms and conditions as he may prescribe, any officer or employee of the Agency, in connection with the attendance by such officer or employee at meetings or in performing advisory services concerned with the functions or activities of the Agency, to accept payment, in cash or in kind, from any private agency or organization, or from any individual affiliated with such agency or organization, for travel and subsistence expenses, such payment to be retained by such officer or employee to cover the cost thereof or to be deposited to the credit of the appropriation from which the cost thereof is paid;”.

AUTHORIZATION OF APPROPRIATIONS

SEC. 6. Section 49(a) of the Arms Control and Disarmament Act is amended to read as follows: 22 USC 2589.

“(a) To carry out the purposes of this Act, there are authorized to be appropriated—

“(1) for fiscal years 1976 and 1977, the sum of \$23,440,000 (and such additional amounts as may be necessary for increases in salary, pay, retirement, other employee benefits authorized by law, and other nondiscretionary costs); and

“(2) for fiscal year 1978, the sum of \$16,600,000 (and such additional amounts as may be necessary for increases in salary, pay, retirement, other employee benefits authorized by law, and other nondiscretionary costs);

to remain available until expended. Of the sum authorized to be appropriated by this section for the fiscal year 1978, \$2,000,000 shall be available only for the purpose of furthering the nuclear safeguards programs and activities of the International Atomic Energy Agency.”.

International
Atomic Energy
Agency.

Approved August 17, 1977.

LEGISLATIVE HISTORY:

HOUSE REPORTS No. 95-219 (Comm. on International Relations) and No. 95-563 (Comm. of Conference).

SENATE REPORT No. 95-193 (Comm. on Foreign Relations).

CONGRESSIONAL RECORD, Vol. 123 (1977):

May 3, considered and passed House.

June 16, considered and passed Senate, amended.

Aug. 4, Senate and House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 13, No. 34:

Aug. 18, Presidential statement.