

**TITLE 22 - FOREIGN RELATIONS AND INTERCOURSE
CHAPTER 38 - DEPARTMENT OF STATE****§ 2652c. Assistant Secretary of State for Verification and Compliance****(a) Designation of position**

The Secretary of State shall designate one of the Assistant Secretaries of State authorized by section 2651a (c)(1) of this title as the Assistant Secretary of State for Verification and Compliance. The Assistant Secretary shall report to the Under Secretary of State for Arms Control and International Security.

(b) Directive governing the Assistant Secretary of State**(1) In general**

Not later than 30 days after November 29, 1999, the Secretary of State shall issue a directive governing the position of the Assistant Secretary.

(2) Elements of the directive

The directive issued under paragraph (1) shall set forth, consistent with this section—

- (A)** the duties of the Assistant Secretary;
- (B)** the relationships between the Assistant Secretary and other officials of the Department of State;
- (C)** any delegation of authority from the Secretary of State to the Assistant Secretary; and
- (D)** such matters as the Secretary considers appropriate.

(c) Duties**(1) In general**

The Assistant Secretary shall have as his principal responsibility the overall supervision (including oversight of policy and resources) within the Department of State of all matters relating to verification and compliance with international arms control, nonproliferation, and disarmament agreements or commitments.

(2) Participation of the Assistant Secretary**(A) Primary role**

Except as provided in subparagraphs (B) and (C), the Assistant Secretary, or his designee, shall participate in all interagency groups or organizations within the executive branch of Government that assess, analyze, or review United States planned or ongoing policies, programs, or actions that have a direct bearing on verification or compliance matters, including interagency intelligence committees concerned with the development or exploitation of measurement or signals intelligence or other national technical means of verification.

(B) Requirement for designation

Subparagraph (A) shall not apply to groups or organizations on which the Secretary of State or the Undersecretary of State for Arms Control and International Security sits, unless such official designates the Assistant Secretary to attend in his stead.

(C) National security limitation**(i) Waiver by President**

The President may waive the provisions of subparagraph (A) if inclusion of the Assistant Secretary would not be in the national security interests of the United States.

(ii) Waiver by others

With respect to an interagency group or organization, or meeting thereof, working with exceptionally sensitive information contained in compartments under the control of the

NB: This unofficial compilation of the U.S. Code is current as of Jan. 3, 2005 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

Director of Central Intelligence, the Secretary of Defense, or the Secretary of Energy, such Director or Secretary, as the case may be, may waive the provision of subparagraph (A) if inclusion of the Assistant Secretary would not be in the national security interests of the United States.

(iii) Transmission of waiver to Congress

Any waiver of participation under clause (i) or (ii) shall be transmitted in writing to the appropriate committees of Congress.

(3) Relationship to the intelligence community

The Assistant Secretary shall be the principal policy community representative to the intelligence community on verification and compliance matters.

(4) Reporting responsibilities

The Assistant Secretary shall have responsibility within the Department of State for—

- (A) all reports required pursuant to section 2577 of this title;
- (B) so much of the report required under paragraphs (4) through (6) of section 2593a (a) of this title as relates to verification or compliance matters; and
- (C) other reports being prepared by the Department of State as of November 29, 1999, relating to arms control, nonproliferation, or disarmament verification or compliance matters.

(Pub. L. 106–113, div. B, § 1000(a)(7) [div. B, title XI, § 1112], Nov. 29, 1999, 113 Stat. 1536, 1501A–486.)

Change of Name

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108–458, set out as a note under section 401 of Title 50, War and National Defense.

Definitions

Pub. L. 106–113, div. B, § 1000(a)(7) [div. B, title XI, § 1102], Nov. 29, 1999, 113 Stat. 1536, 1501A–485, provided that: "In this title [see Short Title of 1999 Amendment note set out under section 2551 of this title]:

"(1) Appropriate committees of congress.—The term 'appropriate committees of Congress' means the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

"(2) Assistant secretary.—The term 'Assistant Secretary' means the position of Assistant Secretary of State for Verification and Compliance designated under section 1112 [22 U.S.C. 2652c].

"(3) Executive agency.—The term 'Executive agency' has the meaning given the term in section 105 of title 5, United States Code.

"(4) Intelligence community.—The term 'intelligence community' has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a (4)).

"(5) START treaty or treaty.—The term 'START Treaty' or 'Treaty' means the Treaty With the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms, including all agreed statements, annexes, protocols, and memoranda, signed at Moscow on July 31, 1991.

"(6) START ii treaty.—The term 'START II Treaty' means the Treaty Between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms, and related protocols and memorandum of understanding, signed at Moscow on January 3, 1993."