

THE WHITE HOUSE

WASHINGTON

December 17, 1999

PRESIDENTIAL DECISION DIRECTIVE/NSC-70

MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE SECRETARY OF COMMERCE
THE SECRETARY OF ENERGY
THE ATTORNEY GENERAL
THE DIRECTOR, OFFICE OF MANAGEMENT & BUDGET
THE ASSISTANT TO THE PRESIDENT FOR NATIONAL
SECURITY AFFAIRS
THE DIRECTOR OF CENTRAL INTELLIGENCE
THE CHAIRMAN, JOINT CHIEFS OF STAFF

SUBJECT: National Implementation of the Chemical Weapons
Convention

The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction ("CWC" or "Convention"), which entered into force for the United States on April 29, 1997, imposes a number of obligations on the United States. The Chemical Weapons Convention Implementation Act of 1998 ("the Act"), enacted on October 21, 1998, Executive Order 13128, and associated Chemical Weapons Convention Implementation Policy Guidance elaborate many of these obligations and assign some specific responsibilities within the Executive Branch. Among the specific responsibilities is the designation of the Department of State as the United States National Authority for the purposes of the Convention and the Act. This document specifies agency and departmental responsibilities.

PART I -- THE UNITED STATES NATIONAL AUTHORITY

Section 1.1. Purposes. The United States National Authority ("USNA") shall have the following purposes:

(a) To serve as the national focal point for effective liaison with the Organization for the Prohibition of Chemical Weapons (OPCW) and with other States Parties to the Convention;

(b) To implement the provisions of the CWC and the Act in coordination with an interagency group consisting of the Secretary of State, Secretary of Defense, Secretary of the Treasury, the Attorney General, Secretary of Commerce, Secretary of Energy, the Director of Central Intelligence, the Assistant to the President for National Security Affairs, the Chairman of the Joint Chiefs of Staff and the heads of such other agencies, departments or entities, or their designees I consider necessary or advisable; and

(c) To coordinate through the CWC Interagency Working Group (CWC/IWG) established in Sec 2.1, decisions pertaining to CWC implementation issues.

Section 1.2. Director. The Secretary of State shall serve as the Director of the USNA.

Section 1.3. Powers. The Director of the USNA may utilize the administrative authorities otherwise available to the Secretary of State in carrying out the responsibilities of the Director.

Section 1.4. Regulations. In coordination with the CWC/IWG, the Director of the USNA shall report to Congress on regulations that have been issued, implemented or revised, to implement the Convention and the Act. The Departments of State, Commerce, the Treasury, and other agencies as appropriate, including the Departments of Defense and Energy, shall issue, amend or revise regulations, orders or directives, as necessary to implement the Act or U.S. obligations under the Convention.

Section 1.5. Responsibilities. The USNA shall:

(a) Aggregate, as necessary, declaration data, notifications of exports, imports, and changes to facility activities, and other information required by the Convention and received from Lead Agencies, following interagency coordination, and submit such information to the OPCW as requested by the CWC/IWG;

(b) Ensure that the appropriate Lead Agency (as defined in Section 4.1 below) notifies the owner, operator, occupant or agent in charge of a facility prior to the development of an agreement between the U.S. Government and the OPCW relating to inspection of that facility ("facility agreement"), and, if the person notified so requests, that such person is allowed to participate in the preparations for the negotiation of the agreement, and to observe negotiation of the agreement to the maximum extent practicable and consistent with the Convention and the Act;

(c) Ensure that facility agreements are concluded where appropriate;

(d) Receive lists of inspectors from the OPCW and, through the CWC/IWG, coordinate approval of inspectors with appropriate agencies and departments;

(e) Receive notifications of inspections from the OPCW, and 1) ensure in coordination with the Lead Agency, that, for each inspection, the selection of the site was made in accordance with procedures established under the Convention; 2) issue actual written notification of the inspection to the owner and operator, occupant, or agent in charge of the premises to be inspected within six hours of receiving the notification of inspection from the Technical Secretariat or as soon as possible thereafter (for Lead Agency owned and operated facilities, this notification shall be made directly to the Lead Agency); 3) in coordination with the CWC/IWG, provide authorization for inspections where appropriate; and 4) notify the appropriate Lead Agency of each authorized inspection;

(f) Receive from the OPCW, through designated channels, requests for information and assistance under Articles IX, X, or XI of the CWC, and transmit CWC/IWG-coordinated U.S. responses and requests for challenge inspections to the OPCW;

(g) Receive information on CWC-related activities from the OPCW, to include draft inspection reports, provide this information to appropriate departments and agencies, and coordinate the USG response to OPCW proposals, documents and inquiries;

(h) Coordinate with the Lead Agency the designation of employees of the Federal Government to accompany members of an inspection team of the Technical Secretariat during inspections of U.S. facilities in the United States, and in doing so ensure that an FBI special agent accompanies each inspection team, that no Environmental Protection Agency or Occupational Safety and Health Agency employee accompanies the inspection team, and that the number of United States Government representatives is kept to the minimum necessary, consistent with the requirements of the Act;

(i) Receive requests for information from the United States Delegation to the OPCW and other States Parties, and transmit CWC/IWG coordinated information to them;

(j) Compile and retain historical records, in support of the CWC/IWG, on U.S. communications with the OPCW;

(k) In coordination with the CWC/IWG, draft the report on inspections required by Section 309 of the Act with input from the Departments of Defense, Commerce, State, Energy, Justice, and other agencies as required; and

(l) Receive notification from any person intending to bring a civil action against the United States based on an alleged taking of property without just compensation by an officer or employee of the OPCW, and pursue all remedies it considers necessary and appropriate to seek redress for the claim, including, but not limited to, the remedies provided for in the Convention and the Act.

PART II -- CHEMICAL WEAPONS CONVENTION INTERAGENCY WORKING GROUP

Section 2.1. Establishment. A Chemical Weapons Convention Interagency Working Group (CWC/IWG) is hereby established.

Section 2.2. Purpose and Function. The CWC/IWG shall serve as the senior interagency forum for consideration of policy issues concerning the United States Government's obligations under the CWC. It shall coordinate CWC implementation issues that have diplomatic, economic, or national security implications, and monitor U.S. CWC implementation. The head of each department or agency shall be responsible to me for ensuring that all of the activities of his or her respective department or agency are fully compliant with the legal obligations of the United States Government. The CWC/IWG may establish subordinate groups as required.

Section 2.3. Composition. The CWC/IWG shall include a representative of:

- (a) The Department of State, which shall provide the Chairman;
- (b) The Department of the Treasury;
- (c) The Department of Defense;
- (d) The Department of Justice;
- (e) The Department of Commerce;
- (f) The Department of Energy;
- (g) The Intelligence Community;
- (h) The National Security Council Staff;

- (i) The Joint Staff; and
- (j) Such other departments or agencies as needed and invited by the Chairman of the CWC/IWG.

Sec. 2.4. Meetings. The CWC/IWG shall be convened at the direction of the Chairman or the Chairman's designee or upon request of a member department or agency.

PART III -- GENERAL DUTIES AND RESPONSIBILITIES OF EXECUTIVE DEPARTMENTS AND AGENCIES

Section 3.1. General Responsibilities. Executive departments and agencies involved in United States implementation of the CWC and the Act shall:

(a) Be responsible for implementation of, and compliance with, the CWC and the Act by their principal and subordinate organizations, programs, operations, and facilities;

(b) Ensure that all principal and subordinate staff and organizations fully implement the provisions of the CWC and the Act;

(c) Fund and execute their responsibilities for implementation of the CWC and the Act as specified below in accordance with their statutory authorities; and

(d) Safeguard national security, confidential business information, and other sensitive commercial and proprietary information to the fullest extent permitted by law.

Sec 3.2. Policy-related Responsibilities. Executive departments and agencies involved in United States implementation of the CWC and the Act shall:

(a) Share appropriate information with the members of the CWC/IWG about agency policies, plans and activities relevant to the CWC and the Act;

(b) Remain current on developments in the OPCW, and on policy and guidance coordinated by the CWC/IWG; and

(c) Through agency representatives, provide agency views to the CWC/IWG on the formulation of policy and guidance for national CWC implementation.

PART IV -- LEAD AGENCY DEFINITION AND DESIGNATION

Sec. 4.1. Definition of Lead Agency. For the purpose of this directive, "Lead Agency" means the executive department or agency responsible for implementation of the CWC declaration and inspection requirements for specified facilities.

Sec. 4.2. Designation of Lead Agencies. The Lead Agencies are: the Department of Defense (DOD) for facilities owned by or leased to DOD, including facilities that are contractor-operated and overseas facilities utilized by DOD under agreement with foreign governments; the Department of Energy (DOE) for facilities owned by or leased to DOE, including facilities that are contractor-operated; and the Department of Commerce for all facilities that are not owned by or leased to DOD or DOE, or that are not owned by or leased to other U.S. Government agencies, including facilities that are contractor-operated, that notify the USNA of their decision to be excluded from the CWC Regulations.

Sec. 4.3. Responsibilities. Lead Agencies are responsible, *inter alia*, for:

(a) Implementation issues on the ground during inspections, consistent with previously approved interagency guidance. Each Lead Agency will coordinate with other affected Departments and/or Agencies that have national security or proprietary equities or assets at its facilities;

(b) Deciding the composition of the Host Team, consistent with Section 1.5(h) above. Other agencies may request to participate in specific inspections. As a general rule, the Lead Agencies will accommodate such requests, consistent with the statutory obligation to minimize the size of the Host Team. Representatives from the National Authority and other agencies have the right to provide advice on substantive issues on which they have expertise to the Host Team leader during an inspection. The Host Team leader can accept or reject the advice except that disputes over sampling in the United States should be resolved in accordance with Section 304(f)(1) of the Act and regulations issued by the Department of State; and

(c) Promptly referring to the CWC/IWG issues that arise between the Host Team and the Inspection Team that the Lead Agency determines to be new and substantial and that cannot be resolved on-site during the inspection.

PART V -- SPECIFIC DUTIES AND RESPONSIBILITIES OF EXECUTIVE DEPARTMENTS AND AGENCIES

Section 5.1. Purpose. The purpose of this part is to assign specific responsibilities for implementing the CWC and the Act to Federal departments and agencies. These assignments take into account the general missions of the departments and agencies and their constituencies.

Section 5.2. The Department of Defense (DOD) shall:

(a) Serve as Lead Agency for collection of data declarations and other information required by the CWC and the Act from its facilities specified in section 4.2 and forward the information and data, which will be aggregated where appropriate, to the USNA for transmission to the OPCW;

(b) Serve as Lead Agency for inspections of its facilities specified in section 4.2, as follows:

- (1) Upon receiving notification of each inspection from the USNA, inform the facility to be inspected in a timely manner;
- (2) Act as lead, host and escort for each inspection team, consistent with the applicable Host Country Agreement or Host Nation negotiated arrangements for overseas facilities;
- (3) Consistent with Section 1.5(b) and (c), negotiate facility agreements between the United States Government and the OPCW as provided for by the CWC and the Act;
- (4) Take appropriate measures to protect employees, the security of activities, data, and property to the fullest extent of the law; and
- (5) Help prepare facilities for inspections, including planning, programming, budgeting, training, and assessing the extent of national security, proprietary or other sensitive information possessed by the facility;

(c) Oversee and conduct the destruction of chemical weapons (CW) and of former CW production facilities as required under the CWC;

(d) Manage DOD activities including programming, budgeting, construction, and operation for protective purposes permitted by the CWC;

(e) In consultation with the Department of State and other appropriate agencies, develop, negotiate, and conclude agreements or formalized understandings with foreign governments that host DOD or other relevant facilities or assets by agreement with the United States that could be subject to CWC inspections;

(f) Provide material resources, on a cost reimbursable basis, as coordinated and agreed upon within the CWC/IWG, for CW protective assistance to other States Parties under Article X of the CWC;

(g) Fund and conduct research, development, testing, and evaluation in support of DOD CW protective activities and of DOD CWC implementation requirements;

(h) Operate, consistent with U.S. laws, regulations, policy and guidelines, the Single Small Scale Facility (SSSF) and the 10kg facility for protective purposes permitted by the CWC;

(i) Respond to requests for assistance from other CWC/IWG departments and agencies for CWC implementation on a not-to-interfere and cost-reimbursable basis;

(j) Coordinate with the Department of Commerce and other agencies as appropriate so that the United States production of Schedule 1 chemicals and the amount of Schedule 1 chemicals in inventory in the United States are within the CWC-prescribed limits to the extent authorized by law;

(k) Prevent the disclosure during CWC verification activities of sensitive nuclear information, consistent with the Atomic Energy Act of 1954 (PL 83-703), as amended;

(l) Provide, in accordance with the NSDD-38 process, the Deputy Permanent U.S. Representative to the OPCW, who will be resident in The Hague;

(m) Prevent unauthorized disclosure of sensitive CW defense technology;

(n) Provide technical advice to the Departments of State and Commerce regarding CWC-related export control matters;

(o) Fund and provide the following in-kind services associated with multilateral verification at U.S. facilities under Article IV and V of the CWC: domestic transportation of

inspectors and equipment; inspector lodging and equipment storage; workspace; installation, service, and maintenance of continuous monitoring equipment; medical and health care directly related to inspections; and official communications;

(p) Through the appropriate DOD component responsible for on-site inspection support:

- (1) For all CWC inspections in the United States, meet and assist Treasury and Justice officials to facilitate customs and immigration of CWC inspection teams at the point of entry or exit (POE). Confirm that the verification equipment brought by a CWC inspection team meets with agreed specifications, and impound equipment that does not meet these specifications until the final departure of the inspection team;
- (2) For all CWC inspections of DOD facilities owned by or leased to DOD, including facilities that are contractor operated (consistent with the Host Country Agreement or Host Nation negotiated arrangement, for overseas facilities), make arrangements for food, lodging, communications, and transportation to and from the perimeter of the inspected site, and provide on-site escorts;
- (3) At the direction of the Secretary of Defense and at the request of the owners, as conveyed through the Lead Agency for inspections of facilities not owned or operated by the U.S. Government or contracted for use by or for the U.S. Government, assist the facility to prepare for possible inspections pursuant to the Convention and Section 310 of the Act on a not-to-interfere and cost reimbursable basis; and
- (4) Assist and support CWC inspection regime preparation and execution on a not-to-interfere and cost reimbursable basis, if so requested by other Lead Agencies, and as approved by DOD; and

(q) Maintain an OPCW-designated laboratory for off-site analysis of samples taken during CWC inspections.

Section 5.3. The Department of State shall:

(a) Carry out the functions of the USNA as specified in the Act and in Section 1.5 above;

(b) Provide the administrative staff support for the USNA, and prepare and serve as executive secretary for meetings of the CWC/IWG as directed by that body;

(c) Coordinate and monitor CW arms control policy in a manner consistent with United States foreign policy objectives and law;

(d) Coordinate diplomatic activities in support of the CWC, including bilateral and multilateral efforts to promote universal adherence;

(e) In consultation with the Department of Defense and other appropriate agencies, develop, negotiate, and conclude agreements or formalized understandings with foreign governments that host DOD or other relevant facilities or assets by agreement with the United States that could be subject to CWC inspections;

(f) Prepare for, staff, and coordinate interagency participation in international bodies related to the CWC, including representation on the OPCW Executive Council and the Conference of the State Parties;

(g) Provide, in accordance with the NSDD-38 process, the United States Representative to the OPCW;

(h) Provide the United States Permanent Representative to the OPCW, who will be resident in The Hague;

(i) Receive requests for guidance from the United States Delegation to the OPCW, coordinate the interagency backstopping effort, and transmit interagency approved guidance to posts as appropriate;

(j) Fund the United States' share of the OPCW budget as a line item in the Department's annual appropriation;

(k) Fund agreed reimbursable costs associated with verification at U.S. facilities under Article IV and V of the CWC, to include: international transportation of inspectors and inspection equipment; inspector salaries; consumable items of equipment, protection and safety equipment, and medical supplies and equipment used during the inspection; and daily inspector subsistence allowance costs, less lodging, (and less meals at Johnston Island), to the extent provided by law;

(l) Administer and enforce the export licensing provisions of the CWC and the Act with respect to United States Munitions List items that are governed by the International Traffic in Arms

Regulations (22 CFR Parts 120-130) and the Arms Export Control Act (PL 90-629 (as amended));

(m) Coordinate the CW nonproliferation policy of the United States in a manner consistent with the CWC;

(n) Operate for the United States Government through the Nuclear Risk Reduction Center (NRRC), the end-user station of the CWC communications network established by the OPCW;

(o) Through the NRRC, transmit interagency-cleared, formatted notifications, in accordance with NSDD-301 and subsequent NSC directives;

(p) Co-chair, with the Intelligence Community, the Verification and Compliance Analysis Working Group;

(q) In support of the IWG, receive information from (1) Lead Agencies regarding U.S. CWC implementation; (2) the OPCW, and (3) others as appropriate with respect to international CWC-related activities, and provide this information to all appropriate departments and agencies;

(r) Forward interagency-cleared department and agency comments on draft inspection reports to the OPCW;

(s) In coordination with the CWC/IWG, issue agreed interpretations of CWC provisions as needed without prejudice to the responsibilities of lead agencies as outlined in section 4.3 above;

(t) Maintain negotiating and other records relevant to the CWC;

(u) Report, in accordance with Section 306 of the Arms Control and Disarmament Act, as amended (22 U.S.C. 2577), as coordinated and cleared by the CWC/IWG, to the United States Congress in a timely manner, or at the request of an appropriate Congressional committee, on any significant degradation or alteration in the capacity of the United States to verify compliance with the CWC;

(v) Carry out the following enforcement responsibilities with respect to the imposition of civil penalties under Section 501 (a) of the Act:

(1) Issue notices of violation and assessment. State will implement Commerce's recommendations concerning notices of violation and assessment if they are in accordance with applicable law. Once State has

determined that a notice of violation and assessment will be issued, it will have Commerce perform the function of serving the notice for State;

(2) Issue final orders in accordance with the notice of violation and assessment if there has been no timely request for a hearing;

(3) Issue final orders pursuant to settlements. State will accept Commerce's recommendations with respect to settlements if they are in accordance with applicable law;

(4) Decide whether to modify or vacate an Administrative Law Judge (ALJ) decision and order; and

(5) Provide for the services of an ALJ to conduct hearings and adjudicate claims;

(w) Except as otherwise provided in this PDD, prepare the reports specified in the Senate resolution of advice and consent to ratification of the CWC, including the annual report on compliance specified in the resolution, in coordination with the CWC/IWG; and

(x) Disseminate general public information concerning the CWC consistent with Lead Agency responsibilities.

Section 5.4. The Department of Energy ("DOE") shall:

(a) Serve as Lead Agency for collection of data declarations and other information required by the CWC and the Act from its facilities specified in section 4.2, including National Laboratories and components of the nuclear weapons complex, and forward the information and data, which will be aggregated where appropriate, to the USNA for transmission to the OPCW;

(b) Serve as Lead Agency for inspections of its facilities specified in section 4.2 as follows:

(1) Upon receiving notification of each inspection from the USNA, inform the facility to be inspected in a timely manner;

(2) Act as lead, host and escort for each inspection team;

(3) Consistent with Section 1.5(b) and (c), negotiate facility agreements between the United States

Government and the OPCW as provided for by the CWC and the Act;

- (4) Take appropriate measures to protect employees, the security of activities, data, and property to the fullest extent of the law; and
- (5) Help prepare facilities for inspections, including planning, programming, budgeting, training, and assessing the extent of national security, proprietary or other sensitive information possessed by the facility;

(c) Prevent the disclosure during CWC verification activities of sensitive information, consistent with the Atomic Energy Act of 1954 (PL 83-703), as amended; and

(d) Conduct research and development, as needed, in coordination with the Departments of Defense and State, to support future CWC policy and implementation needs of the United States.

Section 5.5. The Department of Commerce ("DOC") shall:

(a) Issue, amend, or revise regulations, orders, or directives as necessary to implement the data declaration, reporting and inspection requirements of the CWC and the Act for facilities specified in section 4.2;

(b) Serve as Lead Agency for collection of data declarations and other information required by the CWC and the Act from facilities specified in section 4.2 and forward the information and data, which will be aggregated where appropriate, to the USNA for transmission to the OPCW;

(c) Serve as Lead Agency for inspections of facilities specified in section 4.2 as follows:

- (1) Upon receiving notification of each inspection from the USNA, provide Host Team notification in a timely manner to the facility to be inspected, if appropriate, and obtain consent from the facility, or i) for routine inspections, as necessary and in conjunction with the Department of Justice, obtain an administrative warrant, and ii) for challenge inspections, as necessary, assist the Department of Justice in obtaining criminal warrants;
- (2) Act as lead, host and escort for each inspection team;

- (3) Consistent with Section 1.5(b) and (c), negotiate facility agreements between the United States Government and the OPCW, as provided for by the CWC and the Act;
- (4) Take appropriate actions to protect confidential business information and national security information to the maximum extent possible, minimize inspection burdens and costs to facilities, and limit the scope of on-site activities to the relevant inspection aims of the Convention; and
- (5) Help prepare facilities for inspections, including planning, programming, budgeting, training, and assessing the extent of national security, proprietary, or other sensitive information possessed by the facility;

(d) Carry out the following enforcement responsibilities with respect to the imposition of civil penalties under Section 501 (a) of the Act:

- (1) Consistent with Section 9 of Executive Order 13128, conduct investigations to determine whether there have been violations;
- (2) Draft letters of intent to charge and notices of violation and assessment;
- (3) Issue letters of intent to charge. These letters advise a person that Commerce has conducted an investigation, concluded that the person has committed a violation and intends to recommend that State issue a notice of violation and assessment;
- (4) Make recommendations to State concerning the notices of violation and assessment, which recommendations State will accept if in accordance with applicable law. Once State has determined that a notice of violation and assessment will be issued, Commerce will perform the function of serving this notice for State;
- (5) Conduct settlement negotiations;
- (6) Draft orders and decisions, including proposed final orders and proposed decisions and orders for ALJ proceedings;

- (7) Introduce evidence and testify at hearings;
- (8) Represent the United States Government at hearings;
- (9) Advise State on obtaining the services of ALJs who will conduct the hearings;
- (10) Advise State and Justice if an individual or entity fails to comply with a final order. If Justice initiates action, Commerce will support Justice in pursuing that action; and
- (11) Make recommendations to State for settlement of cases and the entry of orders pursuant to settlement, which recommendations State will accept if they are in accordance with applicable law;

(e) Conduct outreach programs as necessary to inform facilities specified in section 4.2 of their rights and obligations under the Convention;

(f) Issue, amend, or revise regulations, orders, or directives as necessary to administer and enforce the trade-restriction provisions of the CWC with respect to Scheduled chemicals that are not listed on the U.S. Munitions List;

(g) In coordination with the CWC/IWG, draft the President's annual report to the Congress certifying that the legitimate commercial activities and interests of chemical, biotechnology, and pharmaceutical firms in the United States are not being significantly harmed by the limitations of the Convention;

(h) Coordinate with DOD and other agencies as appropriate so that the United States production of Schedule 1 chemicals and the amount of Schedule 1 chemicals in inventory in the United States are within the CWC-prescribed limits to the extent authorized by law;

(i) Provide members of the U.S. Delegation to the OPCW, including an Alternate Permanent U.S. Representative to the OPCW, who will be resident in The Hague;

(j) To the extent authorized by law, and subject to section 9 of Executive Order 13128, perform investigative functions relating to violations of section 404(d) or section 501(b) of the Act or to violations of any regulations or orders implementing CWC responsibilities delegated to Commerce, and, as appropriate, refer cases to the Department of Justice for initiation of criminal proceedings; and

(k) Coordinate the dissemination of public information and public relations relating to CWC compliance by facilities consistent with section 4.2.

Section 5.6. The Department of Justice shall:

(a) Ensure that implementation of the CWC and the Act is consistent with the individual rights guaranteed by the United States Constitution;

(b) Advise executive departments and agencies on domestic legal issues arising from CWC implementation;

(c) Represent the United States Government in legal challenges to implementation of the CWC and the Act by affected parties in the United States;

(d) Coordinate with the Lead Agency in obtaining administrative warrants and obtain criminal warrants for CWC inspections, as necessary;

(e) In coordination with other executive departments and agencies, enforce criminal sanctions for violations of the Act; and

(f) Provide a special agent of the Federal Bureau of Investigation to accompany each CWC inspection of U.S. facilities in the United States as required by Section 303(b)(2) of the Act.

Section 5.7. The Department of the Treasury shall:

Assist in administering and enforcing the export and import requirements of the CWC and the Act on behalf of the Department of State and Department of Commerce consistent with agreements between relevant agencies and Executive Order 13128.

Section 5.8. The Director of Central Intelligence, representing the agencies of the Intelligence Community (IC), shall:

(a) Co-chair with State the Verification and Compliance Analysis Working Group;

(b) Provide intelligence support to the CWC/IWG;

(c) Prepare the annual reports on intelligence specified in the Senate resolution of advice and consent to ratification of the Convention;

(d) Perform or contract for research, development, and procurement of technical systems and devices for monitoring CWC compliance by other States Parties; and

(e) Identify potential noncompliance concerns outside of the United States, including suspect sites on the territory of other States Parties, and suspect sites of States Parties on the territory of non-States Parties.

This document is effective upon signature.

William J. Clinton