



# Chemical Demilitarization Citizens' Advisory Commission Legislation

The following public laws and cooperative agreements dictate the establishment, management and funding of Chemical Demilitarization Citizens' Advisory Commissions.

## **National Defense Authorization Act for FY 1993 (Public Law 102-484)**

Public Law 102-484 required the Secretary of the U.S. Army to create the commissions for states in which there were low-volume chemical weapons stockpiles. These states included Indiana, Kentucky and Maryland. The Secretary of the U.S. Army was also required to create one in each of the other stockpile states at the request of the governor of the state. As a result, commissions were also formed in Alabama, Arkansas, Colorado, Oregon and Utah. This legislation outlined the purpose, membership and operation as follows:

- The purpose of the commissions is to collect citizen and state comments regarding the chemical demilitarization program.
- They consist of nine members, all appointed by the governor. Seven of the members are to be representatives of the respective stockpile site region and two are to be state officials with technical expertise.
- They meet as often as necessary, but are required to meet with a representative of the Secretary of the U.S. Army at least twice a year and will remain active until the remaining chemical weapons stockpile has been destroyed.

## **The National Defense Authorization Act for FY 1996 (Public Law 104-106)**

Public Law 104-106 clarified that members cannot receive compensation for their involvement with the commission activities. However, Public Law 104-106 does allow for:

- The U.S. Army to fund travel costs when that travel is conducted at the request of the Assistant Secretary to the U.S. Army (Acquisition, Logistics and Technology).
- Public Law 104-106 was later amended (see below) to specify that travel costs for Colorado and Kentucky members would be drawn from funds appropriated for the Program Executive Office, Assembled Chemical Weapons Alternatives, or PEO ACWA, provided such travel is at the invitation of the Assistant Secretary of Defense for Nuclear, Chemical and Biological Defense Programs.

## **Duncan Hunter National Defense Authorization Act for FY 2009 (Public Law 110-417)**

Public Law 110-417 transferred responsibility of the commissions in Colorado and Kentucky from the Secretary of the U.S. Army to PEO ACWA. Concurrent with this transfer of responsibility, a

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representative of the Office of the Assistant to the Secretary of Defense for Nuclear, Chemical and Biological Defense Programs is required to meet with each commission not less often than twice a year, superseding the earlier requirement for meetings by a representative of the Secretary of the U.S. Army.

**Ike Skelton National Defense Authorization Act for FY 2011 (Public Law 111-383)**

Public Law 111-383 extended the length of time the commissions will remain active to either:

- The end of closure activities required by the Environmental Protection Agency's Solid Waste Disposal Act at the commissions' respective plants, or
- Upon the request of the governor of that commission's state, whichever comes first.

**Administrative Funding Cooperative Agreements**

In the absence of any legal restriction, the Department of Defense or the U.S. Army provides up to \$25,000 each federal fiscal year for administrative expenses under formal cooperative agreements with each state. This funding is intended to cover administrative costs, which may include not more than one-half a person per year for clerical and administrative support, plus office supplies, software, postage and other similar materials required. The administrative allowance cannot be used to fund professional staff or technical experts in a consulting capacity, nor can it be used to compensate members for commission-related activities.