

TO MAKE TECHNICAL AMENDMENTS TO UPDATE STATUTORY REFERENCES TO CERTAIN PROVISIONS CLASSIFIED TO TITLE 2, UNITED STATES CODE, TITLE 50, UNITED STATES CODE, AND TITLE 52, UNITED STATES CODE

NOVEMBER 30, 2021.—Referred to the House Calendar and ordered to be printed

Mr. NADLER, from the Committee on the Judiciary,
submitted the following

R E P O R T

[To accompany H.R. 5677]

The Committee on the Judiciary, to whom was referred the bill (H.R. 5677) to make technical amendments to update statutory references to certain provisions classified to title 2, United States Code, title 50, United States Code, and title 52, United States Code.

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Purpose and Summary

Following up on the Office of the Law Revision Counsel’s (OLRC) editorial reclassification of certain provisions classified to titles 2, 50, and 52 of the United States Code (the Code), H.R. 5677 would update statutory references to those reclassified provisions in other Code titles.

Background and Need for the Legislation

The House has assigned to the Judiciary Committee responsibility for the “Revision and codification of the Statutes of the United States.”¹ In modern practice, this responsibility entails periodically updating the United States Code (“the Code”). Currently organized in 54 titles based on subject matter, the Code contains all of the general and permanent laws of the United States.

Congress created the Code in 1926 to compile federal laws into a sensible, up-to-date collection that would spare people the labor of searching for laws in the chronologically-organized volumes of the Statutes at Large.² To date, 27 of these 54 titles have been enacted into “positive law,” which means the text of these titles is itself the law,³ while the remaining titles are “non-positive,” meaning that they organize federal statutes for users’ convenience, but do not themselves have the force of law.⁴

The entity responsible for updating the Code as Congress passes new laws or amends existing ones is the Office of the Law Revision Counsel (OLRC).⁵ Established within the House of Representatives, OLRC’s purpose is “to develop and keep current an official and positive codification of the laws of the United States,” while maintaining strict impartiality as to issues of legislative policy.⁶ The Judiciary Committee plays an essential role in two of OLRC’s important functions. OLRC is required:

(1) To prepare, and submit to the Committee on the Judiciary one title at a time, a complete compilation, restatement, and revision of the general and permanent laws of the United States which conforms to the understood policy, intent, and purpose of the Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections both of substance and of form, separately stated, with a view to the enactment of each title as positive law.

The Judiciary Committee therefore plays a key role in maintaining the accuracy of the U.S. Code. OLRC regularly submits to the Committee proposed legislation that carries out its mission to keep

¹ Clause 1(l)(17) of House Rule X.

²The Statutes at Large is the collection of laws passed in a particular session of Congress, arranged in sequence by public law number, <https://www.archives.gov/federal-register/publications/statutes.html>. The content of the Statutes at Large is considered “legal evidence of laws, concurrent resolutions, treaties, international agreements other than treaties, proclamations by the President, and proposed or ratified amendments to the Constitution of the United States therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.” 1 U.S.C. § 112.

³For example, H.R. 2694 (117th Congress) proposes amending Title 18 (“Crimes and Criminal Procedure”), which is a positive title of the U.S. Code, so it is drafted to directly amend a provision of that title (“Section 4285 of title 18, United States Code, is amended in the first sentence. . . .”). The content of positive-law Code titles is considered “legal evidence of the laws therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.” 1 U.S.C. § 204.

⁴For example, H.R. 2922 (117th Congress) proposes amending section 101(b) of the Elder Abuse Prevention and Prosecution Act, which is compiled in Title 34 (“Crime Control and Law Enforcement”), a non-positive title of the Code. In this situation, the bill amends the underlying law and includes a parenthetical citation to its location in Title 34 as a convenience (“Section 101(b) of the Elder Abuse Prevention and Prosecution Act (34 U.S.C. 21711(b)) is amended to read. . .”). The contents of non-positive titles “establish prima facie the laws of the United States, general and permanent in their nature, in force on the day preceding the commencement of the session following the last session the legislation of which is included.” 1 U.S.C. § 204.

⁵Office of the Law Revision Counsel (hereinafter OLRC), U.S. Code, home page, <https://uscode.house.gov/>.

⁶H. Res. 988 (93d Congress), § 205(c), as enacted into law by Pub. L. 93–554 (2 U.S.C. § 285a).

the Code current and correct. The Judiciary Committee then considers and reports this legislation to the House. If the legislation passes into law, OLRC implements the changes in the Code.

H.R. 5677 is the result of several “editorial reclassification” efforts that OLRC has undertaken in recent years to better organize the Code’s non-positive titles. According to OLRC, the purpose of editorial reclassification is, “to reorganize areas of law that have outgrown their original boundaries, or to eliminate organizational units that are no longer efficient.”⁷ Without altering any statutory language, OLRC relocates and rearranges provisions to make the organization of titles more logical and accessible. As a result of these editorial classifications, statutory references in other titles of the Code must also be updated.

In 2014, OLRC reorganized chapters 3 and 4 in Title 2 of the Code (The Congress), relating to officers and employees of the Senate and the House of Representatives, into 11 new chapters.⁸ Before this reorganization, OLRC explains,

*Chapter 4 included over 250 sections jammed into the small run of Code sections between sections 60 and 131. As a result, chapter 4 became cluttered and its structure was confusing.*⁹

In 2013, OLRC reorganized chapter 15 of title 50 of the Code (War and National Defense), which contained laws related to national security, into four separate chapters (chaps. 44–47). This change was necessitated by a number of new national security laws adopted since the National Security Act of 1947.¹⁰

In 2014, OLRC transferred provisions relating to voting and elections from titles 2 and 42 into a new title 52 (Voting and Elections). OLRC explained this reorganization was necessary because Congress had passed a number of major new election laws since the creation of the Code in 1926 and they logically belonged in their own Code title.¹¹

Although earlier versions of the changes to cross-references necessitated by these three editorial reclassifications were adopted by the House in the 114th Congress as separate bills,¹² they were not signed into law. In the 116th Congress, at the request of the House Judiciary Committee, OLRC combined these three bills into one “Title 2–Title 50–Title 52” bill.¹³ This combined bill was introduced by Chairman Nadler. H.R. 5677 is an updated version of this legislation.

Hearings

The Committee did not hold any hearings related to H.R. 5677.

⁷ OLRC web site, Editorial Reclassification, <https://uscode.house.gov/editorialreclassification/reclassification.html>.

⁸ OLRC web site, Editorial Reclassification, Title 2, U.S. Code, <https://uscode.house.gov/editorialreclassification/t2/index.html>.

⁹ *Id.*

¹⁰ OLRC web site, Editorial Reclassification, Title 50, U.S. Code, <https://uscode.house.gov/editorialreclassification/t2/index.html>.

¹¹ OLRC web site, Editorial Reclassification, Title 52, U.S. Code, <https://uscode.house.gov/editorialreclassification/t52/index.html>.

¹² H.R. 2830 (114th Cong.) (Title 2), H.R. 2831 (114th Cong.) (Title 50), and H.R. 2832 (114th Cong.) (Title 52).

¹³ H.R. 6176 (115th Cong.)

Committee Consideration

On November 3, 2021, the Committee met in open session and ordered the bill, H.R. 5677, favorably reported without an amendment, by a voice vote, a quorum being present.

Committee Votes

No roll call votes occurred during the Committee's consideration of H.R. 5677.

Committee Oversight Findings

In compliance with clause 3(c)(1) of House Rule XIII, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of House Rule X, are incorporated in the descriptive portions of this report.

Committee Estimate of Budgetary Effects

Pursuant to clause 3(d)(1) of House Rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

New Budget Authority and Congressional Budget Office Cost Estimate

Pursuant to clause 3(c)(2) of House Rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause (3)(c)(3) of House Rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received from the Director of Congressional Budget Office (CBO) a budgetary analysis and a cost estimate of this bill. Based on CBO's analysis of a similar bill (H.R. 3239) transmitted to the Committee on June 14, 2021, the Committee estimates that H.R. 5677 would have no effect on the federal budget.

Duplication of Federal Programs

Pursuant to clause 3(c)(5) of House Rule XIII, no provision of H.R. 5677 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program.

Performance Goals and Objectives

The Committee states that pursuant to clause 3(c)(4) of House Rule XIII, H.R. 5677 would help implement editorial reclassifications to portions of the United States Code, with the goal of improving and modernizing the overall organization of the Code.

Advisory on Earmarks

In accordance with clause 9 of House Rule XXI, H.R. 5677 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of House Rule XXI.

Section-by-Section Analysis

Sections 101 through 105 of the bill make technical amendments to update statutory references to provisions classified to title 2, United States Code.

Sections 201 through 218 of the bill make technical amendments to update statutory references to provisions classified to chapters 44, 45, 46, and 47 of title 50, United States Code.

Sections 301 through 319 of the bill make technical amendments to update statutory references to provisions classified to title 52, United States Code.

Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3(e) of House Rule XIII, changes in existing law made by the bill, H.R. 5677, as reported, are shown as follows:

CHANGES IN EXISTING LAW MADE BY THE BILL

Set out below is a comparative print showing changes in existing law proposed by the bill. Insertions are shown in italic and omissions are surrounded by brackets.

DIVISION A—TECHNICAL AMENDMENTS TO UPDATE STATUTORY REFERENCES TO PROVISIONS CLASSIFIED TO TITLE 2, UNITED STATES CODE

TITLE 2—THE CONGRESS

§ 288(c) (Ethics in Government Act of 1978, § 701(c))

SEC. 701. (a)(1) There is established, as an office of the Senate, the Office of Senate Legal Counsel (hereinafter referred to as the "Office"), which shall be headed by a Senate Legal Counsel (hereinafter referred to as the "Counsel"); and there shall be a Deputy Senate Legal Counsel (hereinafter referred to as the "Deputy Counsel") who shall perform such duties as may be assigned to him by the Counsel and who, during any absence, disability, or vacancy in the position of the Counsel, shall serve as Acting Senate Legal Counsel.

* * * * *

(c) In carrying out the functions of the Office, the Counsel may procure the temporary (not to exceed one year) or intermittent services of individual consultants (including outside counsel), or organizations thereof, in the same manner and under the same conditions as a standing committee of the Senate may procure such services under section 202(i) of the Legislative Reorganization Act of 1946 [(2 U.S.C. 72a(i))] (2 U.S.C. 4301(i)).

§ 288m (Ethics in Government Act of 1978, § 716)

SEC. 716. The expenses of the Office shall be paid from the contingent fund of the Senate in accordance with the paragraph under

the heading “UNDER LEGISLATIVE”, relating to the contingent fund of the Senate, of the [Act of October 1, 1888 (28 Stat. 546; 2 U.S.C. 68)] *Act of October 2, 1888 (25 Stat. 546; 2 U.S.C. 6503)*, and upon vouchers approved by the Counsel.

§ 601(g) (Congressional Budget Act of 1974, § 201(g))

SEC. 201. (a) IN GENERAL.—

* * * * *

(g) APPROPRIATIONS.—There are authorized to be appropriated to the Office for each fiscal year such sums as may be necessary to enable it to carry out its duties and functions. Until sums are first appropriated pursuant to the preceding sentence, but for a period not exceeding 12 months following the effective date of this subsection, the expenses of the Office shall be paid from the contingent fund of the Senate, in accordance with the paragraph relating to the contingent fund of the Senate under the heading “UNDER LEGISLATIVE” in the [Act of October 1, 1888 (28 Stat. 546; 2 U.S.C. 68)] *Act of October 2, 1888 (25 Stat. 546; 2 U.S.C. 6503)*, and upon vouchers approved by the Director.

§ 605(a) (Congressional Operations Appropriations Act, 1997, § 104(a))

SEC. 104 (a) Any sale or lease of property, supplies, or services to the Congressional Budget Office shall be deemed to be a sale or lease to the Congress subject to section 903 of the Supplemental Appropriations Act, 1983 [(2 U.S.C. 111(b))] *2 U.S.C. 4103*).

§ 1824a(a)(2) (Legislative Branch Appropriations Act, 2009, § 1101(a)(2))

SEC. 1101. (a) COLLECTION AND SALE OF RECYCLABLE MATERIALS.—

* * * * *

(2) EXCLUSION OF MATERIALS SUBJECT TO OTHER PROGRAMS.—The program established under this section shall not apply with respect to any materials which are subject to collection and sale under—

(A) the third undesignated paragraph under the center heading “MISCELLANEOUS” in the first section of the Act entitled “An Act making appropriations for sundry civil expenses of the government for the fiscal year ending June thirtieth, eighteen hundred and eighty three, and for other purposes”, approved August 7, 1882 [(2 U.S.C. 117)] *(2 U.S.C. 6516)*;

(B) section 104(a) of the Legislative Appropriations Act, 1987 (as enacted by reference in identical form by section 101(j) of Public Law 99–500 and Public Law 99–591) [(2 U.S.C. 117(e))] *(2 U.S.C. 5540)*;

(C) the Senate waste recycling program referred to in section 4 of the Legislative Appropriations Act, 2001 [(2 U.S.C. 121f)] *(2 U.S.C. 2026)*; or

§ 1927 note (Legislative Branch Appropriation Act, 1965, § 104(c))

SEC. 104. (a) The rate of basic compensation of sergeants of the Capitol Police shall be \$2,520 per annum, and the rate of basic compensation of lieutenants and special officers of the Capitol Police shall be \$2,820 per annum.

* * * * *

(c) Any member of the Capitol Police who by reason of the provision repealed by subsection (b) was receiving immediately prior to the effective date of this section, longevity compensation provided by section 105 of the Legislative Branch Appropriation Act, 1959, shall on and after such effective date, receive in lieu thereof a longevity increase under section 106(b) of the Legislative Branch Appropriation Act, 1963 (2 U.S.C. 4507(b)), in addition to any other such increases (not to exceed three) to which he may otherwise be entitled under such section. In computing the length of service of such member for the purpose of such other increases, only service performed subsequent to the date on which he began receiving longevity compensation in accordance with such section 105 shall be counted.

§ 1966(a) (Act of July 31, 1946, ch. 707, § 9A(a))

SEC. 9A. (a) Subject to the direction of the Capitol Police Board, the United States Capitol Police is authorized to protect, in any area of the United States, the person of any Member of Congress, officer of the Congress, as defined in section 431 of the Act of October 26, 1970 [(2 U.S.C. 60-1(b))] (2 U.S.C. 4101(b)), and any member of the immediate family of any such Member or officer, if the Capitol Police Board determines such protection to be necessary.

§ 2025 note (Public Law 96-444, § 2(c))

SEC. 2. (a) Effective October 1, 1980, the Sergeant at Arms and Doorkeeper of the Senate is authorized to appoint and fix the compensation of four garage attendants at not to exceed \$14,100 per annum each.

* * * * *

(c) During any period with respect to which subsection (b) is applicable to a position occupied by an individual described in such subsection, such individual shall be credited, for purposes of longevity compensation, as authorized by section 106(a), (b), and (d) of the Legislative Branch Appropriation Act, 1963 [(2 U.S.C. 60j)] (2 U.S.C. 4507), for service performed by such individual in the position of garage attendant, as an employee of the Architect of the Capitol, as certified to the Secretary of the Senate by the Architect of the Capitol.

§ 2051(e) (Public Law 110-279, § 1(e))

SECTION 1. CONTINUED BENEFITS FOR CERTAIN SENATE RESTAURANT EMPLOYEES

* * * * *

(e) VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—

(1) SUBMISSION OF PLAN.—Not later than 30 days after the date of enactment of this Act, the Architect of the Capitol shall

submit a plan under section 210 of the Legislative Branch Appropriations Act, 2005 [(2 U.S.C. 60q)] (2 U.S.C. 4505) to the applicable committees as provided under that section.

(2) PLAN.—

(A) IN GENERAL.—Notwithstanding section 210 (e) of the Legislative Branch Appropriations Act, 2005 [(2 U.S.C. 60q(e))] (2 U.S.C. 4505(e)), the plan submitted under this subsection shall—

(i) offer a voluntary separation incentive payment to any employee described under subsection (a)(2)(A) of this section in accordance with section 210 of that Act (2 U.S.C. 4505); and

§ 2062(e) (Legislative Branch Appropriations Act, 1992, § 312(e))

SEC. 312. (a)(1) The Chief Administrative Officer of the House of Representatives shall maintain and operate a child care center (to be known as the “House of Representatives Child Care Center”) to furnish pre-school child care and (subject to the approval of regulations by the Committee on House Administration) child care for school age children other than during the course of the ordinary school day—

* * * * *

(e) The Fund shall be treated as a category of allowances and expenses for purposes of section 101(a) of the Legislative Branch Appropriations Act, 1993 [(2 U.S.C. 95b(a))] (2 U.S.C. 5507(a)).

§ 2107(a) (Dire Emergency Supplemental Appropriations for Disaster Assistance, Food Stamps, Unemployment Compensation Administration, and other Urgent Needs, and Transfers, and Reducing Funds Budgeted for Military Spending Act of 1990, § 316(a))

SEC. 316. (a) Effective with the fiscal year ending September 30, 2006, and each fiscal year thereafter, subject to the approval of the Committee on Appropriations of the Senate, any unexpended and unobligated funds in the appropriation account for the “Secretary of the Senate” within the contingent fund of the Senate which have not been withdrawn in accordance with the paragraph under the heading “General Provisions” of Chapter XI of the Third Supplemental Appropriation Act, 1957 [(2 U.S.C. 102a)] (2 U.S.C. 4107), shall be available for the expenses incurred, without regard to the fiscal year in which incurred, for the purchase of art and historical objects for the United States Senate Collection, for exhibits and public education relating to the United States Senate Collection, for administrative and transitional expenses of the Senate Commission on Art, and for the conservation, restoration, and replication or replacement, in whole or in part, of works of art, historical objects, documents, or material relating to historical matters for placement or exhibition within the Senate wing of the United States Capitol, any Senate Office Building, or any room, corridor, or other space therein. In the case of replication or replacement of such works, objects, documents, or material, the funds available under this subsection shall be available for any such works, objects, documents, or material previously contained within the Senate

wing of the Capitol, or a work, object, document, or material historically accurate.

§ 2251(c) (Capitol Visitor Center Act of 2008, § 411(c))

SEC. 411. OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES.

* * * * *

(c) **TRANSITION FOR CURRENT DIRECTOR.**—The individual who serves as the head of the Congressional Special Services Office as of the date of the enactment of this Act shall be the first Director of Accessibility Services appointed by the Congressional Accessibility Services Board under section 310 of the Legislative Branch Appropriations Act, 1990 [(2 U.S.C. 130e)] (2 U.S.C. 2172) (as amended by this section).

§ 2252 (Capitol Visitor Center Act of 2008, § 412)

SEC. 412. TRANSFER FROM CAPITAL GUIDE SERVICE.

(a) **TRANSFER OF AUTHORITIES AND PERSONNEL OF CONGRESSIONAL SPECIAL SERVICES OFFICE OF CAPITOL GUIDE SERVICE.**—In accordance with the provisions of this title, effective on the transfer date—

(1) the contracts, liabilities, records, property, appropriations, and other assets and interests of the Congressional Special Services Office of the Capitol Guide Service, and the employees of such Office, are transferred to the Office of Congressional Accessibility Services established under section 310(a) of the Legislative Branch Appropriations Act, 1990 [(2 U.S.C. 130e)] (2 U.S.C. 2172) (as amended by section 411 of this title), except that the transfer of any amounts appropriated to the Congressional Special Services Office that remain available as of the transfer date shall occur only upon the approval of the Committees on Appropriations of the House of Representatives and Senate; and (2) the employees of such Office shall be subject to the direction, supervision, and control of the Director of Accessibility Services.

(b) **TREATMENT OF EMPLOYEES AT TIME OF TRANSFER.**—

(1) **IN GENERAL.**—Any individual who is an employee of the Congressional Special Services Office of the Capitol Guide Service on a non-temporary basis on the transfer date who is transferred under subsection (a) shall be subject to the authority of the Director of Accessibility Services under [section 310(b) of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 130e)] *section 310(b) of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 2172(b))* (as amended by section 411 of this Act), except that the individual's grade, compensation, rate of leave, or other benefits that apply with respect to the individual at the time of transfer shall not be reduced while such individual remains continuously so employed in the same position within the Office of Congressional Accessibility Services established under [section 310(a) of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 130e)] *section 310(a) of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 2172(a))* section 2172(a) of this title (as amended by section 2251 of this title), other than for cause.

§ 4131 note (Congressional Operations Appropriations Act, 1996, § 107(b)(4))

SEC. 107. (a) Each fund and account specified in subsection (b) shall be available only to the extent provided in appropriations Acts.

* * * * *

(b) The funds and accounts referred to in subsection (a) are—

* * * * *

(4) the revolving fund established for the House Recording Studio by section 105(g) of the Legislative Branch Appropriation Act, 1957 [(2 U.S.C. 123b(g))] (2 U.S.C. 4131(g)).

§ 4301 note (Congressional Operations Appropriations Act, 1996, § 105(a))

SEC. 105. (a) Notwithstanding any other provision of law, or any rule, regulation, or other authority, travel for studies and examinations under section 202(b) of the Legislative Reorganization Act of 1946 [(2 U.S.C. 72a(b))] (2 U.S.C. 4301(b)) shall be governed by applicable laws or regulations of the House of Representatives or as promulgated from time to time by the Chairman of the Committee on Appropriations of the House of Representatives.

§ 4336(a) (Congressional Operations Appropriations Act, 1999, § 10(a))

SEC. 10. (a) The Committee on Appropriations is authorized in its discretion—

* * * * *

(5) to procure the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i)) and Senate Resolution 140, agreed to May 14, 1975, except that any approval (and related reporting requirement) shall not apply); and

(6) to provide for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act (2 U.S.C. 4301(j))).

§ 4501 note (Continuing Appropriations Act, 2014, § 146)

SEC. 146. Notwithstanding any other provision of law, no adjustment shall be made under [section 610(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31)] *section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4501)* (relating to cost of living adjustments for Members of Congress) during fiscal year 2014.

§ 4501 note (American Taxpayer Relief Act of 2012, § 802)

SEC. 802. NO COST OF LIVING ADJUSTMENT IN PAY OF MEMBERS OF CONGRESS.

Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 [(2 U.S.C. 31)] (2 U.S.C. 4501) (relating to cost of living adjustments for Members of Congress) during fiscal year 2013.

§ 4501 note (Public Law 111-165, § 1)

SECTION 1. NO COST OF LIVING ADJUSTMENT IN PAY OF MEMBERS OF CONGRESS.

Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 [(2 U.S.C. 31)] (2 U.S.C. 4501) (relating to cost of living adjustments for Members of Congress) during fiscal year 2011.

§ 4501 note (Omnibus Appropriations Act, 2009, division J, § 103)

SEC. 103. Notwithstanding any provision of section 601(a)(2) of the Legislative Reorganization Act of 1946 [(2 U.S.C. 31(2))] (2 U.S.C. 4501(2)), the percentage adjustment scheduled to take effect under any such provision in calendar year 2010 shall not take effect.

§ 4501 note (Continuing Appropriations Resolution, 2007, division B, § 115)

SEC. 115. Notwithstanding any other provision of this division and notwithstanding section 601(a)(2) of the Legislative Reorganization Act of 1946 [(2 U.S.C. 31)] (2 U.S.C. 4501(2)), the percentage adjustment scheduled to take effect under such section for 2007 shall not take effect.

§ 4501 note (Emergency Unemployment Compensation Amendments of 1993, § 7(a))

SECTION 7. ELIMINATION OF COST OF LIVING ADJUSTMENT FOR MEMBERS OF CONGRESS IN 1994.

(a) COST OF LIVING ADJUSTMENT.—Notwithstanding section 601(a)(2) of the Legislative Reorganization Act of 1946 [(2 U.S.C. 31(2))] (2 U.S.C. 4501(2)), the cost of living adjustment (relating to pay for Members of Congress) which would become effective under such provision of law during calendar year 1994 shall not take effect.

§ 4507 (Legislative Branch Appropriation Act, 1963, § 106)

SEC. 106. (a) This section shall apply to—

(1) each employee of the Senate whose compensation is paid from the appropriation for Salaries, Officers and Employees under the following headings:

(A) Office of the Secretary, including individuals employed under authority of section 244 of the Legislative Reorganization Act of 1946 [(2 U.S.C. 74b)] (2 U.S.C. 6538);

* * * * *

(b)(1) Except as provided in paragraph (2), an employee to whom this section applies shall be paid, during any period of continuous creditable service, additional annual compensation (hereinafter referred to as “longevity compensation”) at the rate of \$482 for (A) each year of creditable service performed for the first five years and (B) each two years of creditable service performed during the twenty-year period following the first five years.

(2) The amount of longevity compensation which may be paid to an employee, when added to his regular annual compensation, shall not exceed the maximum annual compensation which may be

paid to Senate employees generally as prescribed by law or orders of the President pro tempore issued under authority of section 4 of the Federal Pay Comparability Act of 1979 (2 U.S.C. 4571).

(3) For purposes of this section—

* * * * *

(B) in computing length of continuous creditable service, only creditable service performed subsequent to August 31, 1957, shall be taken into account, except that, in the case of service as an employee employed under authority of section 244 of the Legislative Reorganization Act of 1946 (2 U.S.C. 6538), only creditable service performed subsequent to January 2, 1971, shall be taken into account; and

§ 4508 (Legislative Branch Appropriation Act, 1979, § 310)

SEC. 310. The provisions of subsections (a) and (b) of section 106 of the Legislative Branch Appropriation Act, 1963 (2 U.S.C. 4507) (as amended by section 110 of Pub. L. 95–391), shall apply to telephone operators (including the chief operator and assistant chief operators) on the United States Capitol telephone exchange and members of the Capitol Police whose compensation is disbursed by the Chief Administrative Officer of the House of Representatives in the same manner and to the same extent as such provisions apply to individuals whose compensation is disbursed by the Secretary of the Senate. For purposes of so applying such subsections, creditable service shall include service performed as an employee of the United States Capitol telephone exchange or a member of the Capitol Police whether compensation therefor is disbursed by the Chief Administrative Officer of the House of Representatives or the Secretary of the Senate.

§ 4509 (Congressional Operations Appropriation Act, 1984, § 107)

SEC. 107. Subsections (a) and (b) of section 106 of the Legislative Branch Appropriation Act, 1963 [(2 U.S.C. 60j)] (2 U.S.C. 4507) on or after October 1, 1983 shall not apply to any individual whose pay is disbursed by the Secretary of the Senate; except that, any individual who prior to such date was entitled to longevity compensation under such section on the basis of service performed prior to such date shall continue to be entitled to such compensation, but no individual shall accrue any longevity compensation on the basis of service performed on or after such date.

§ 4572 (Legislative Branch Appropriation Act, 1977, § 107)

SEC. 107. No provision of this Act or of any Act hereafter enacted which specifies a rate of compensation (including a maximum rate) for any position or employee whose compensation is disbursed by the Secretary of the Senate shall, unless otherwise specifically provided therein, be construed to affect the applicability of section 4 of the Federal Pay Comparability Act of 1970 (2 U.S.C. 4571) to such rate.

§ 4575 (Legislative Branch Appropriation Act, 1968, § 105)

SEC. 105. (a)(1) Whenever the rate of compensation of any employee whose compensation is disbursed by the Secretary of the

Senate is fixed or adjusted on or after October 1, 1980, such rate as so fixed or adjusted shall be at a single whole dollar per annum gross rate and may not include a fractional part of a dollar.

* * * * *

(b) The rate of compensation of each employee whose compensation is disbursed by the Secretary of the Senate which was fixed before the effective date of this section at a basic rate with respect to which additional compensation is payable by law shall be converted as of such date to the lowest per annum gross rate which is a multiple of \$180 and which is not less than the aggregate rate of compensation (basic compensation plus additional compensation provided by law) which such employee was receiving immediately prior to such date. Any increments of longevity compensation to which an employee became entitled prior to the effective date of this section under section 106(b) of the Legislative Branch Appropriation Act, 1963, as amended [(2 U.S.C. 60j)] (2 U.S.C. 4507) shall be excluded in converting such employee's rate of compensation under this subsection, but such employee's rate of gross compensation shall be increased by \$540 (which shall be considered to be an increase under section 4507(b) of this title) for each such increment.

* * * * *

(d)(1)(A) Except as is otherwise provided in subparagraphs (B) and (C), the aggregate of gross compensation paid employees in the office of a Senator shall not exceed during each fiscal year the following:

* * * * *

(B) In the case of gross compensation paid to employees in the office of a Senator for the period commencing January 1, 1988, and ending September 30, 1988, the total of—

* * * * *

(ii) the expenses paid to or on behalf of such Senator under authority of section 506 of the Supplemental Appropriations Act, 1973 (2 U.S.C. 6314) (as determined after application of subsection (b) of such section, but without regard to paragraph (2)(A)(iv) thereof), shall not exceed the aggregate of—

* * * * *

(iv) the amount described in section 506(b)(2)(A)(iii) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 6314(b)(2)(A)(iii)).

* * * * *

(C) In the case of gross compensation paid to employees in the office of a Senator for the fiscal year beginning October 1, 1988, or any fiscal year thereafter, the total of—

* * * * *

(ii) the expenses paid to or on behalf of such Senator under authority of section 506 of the Supplemental Appropriations Act, 1973 (2 U.S.C. 6314) (as determined after application of subsection (b) of such section, but without regard to paragraph (3)(A)(ii) and (iv) thereof),

* * * * *

(iv) the amount described in section 506(b)(3) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 6314(b)(3)) (as determined without regard to subparagraph (A)(ii) and (iv) thereof).

§ 4575 note (Legislative Branch Appropriations Act, 2004, § 10)

SEC. 10. HIGH COST OF LIVING ALLOWANCE. (a) IN GENERAL.—Under the authority of section 105(d)(2) of the Legislative Branch Appropriations Act, 1968 [(2 U.S.C. 61–1(d)(2))] (2 U.S.C. 4575(d)(2)), a Senator from a noncontiguous State may pay a high cost of living allowance to any employee employed in an office of the Senator located in that State.

* * * * *

(d) PAYMENT.—

(1) AGGREGATE GROSS COMPENSATION.—The amount of any allowance under this section shall not be taken into account for determining the amount of aggregate gross compensation in the table under section 105(d)(1)(A) of the Legislative Branch Appropriations Act, 1968 [(2 U.S.C. 61–1(d)(1)(A))] (2 U.S.C. 4575(d)(1)(A)).

§ 4575 note (Legislative Branch Appropriation Act, 1975, § 4)

4. * * * The two committee employees other than joint committee employees referred to in clause (A), and the three committee employees referred to in clause (B), of section 105(e)(3) of the Legislative Branch Appropriation Act, 1968, as amended and modified (2 U.S.C. 4575(e)(3)), may each be paid at a maximum annual rate of compensation not to exceed \$37,050. The four committee employees other than joint committee employees, who are not employees of a joint committee having legislative authority, referred to in such clause (A) and the sixteen committee employees referred to in such clause (B) may each be paid at a maximum annual rate of compensation not to exceed \$35,625. The one employee in a Senator’s office referred to in section 105(d)(2)(ii) of such Act (2 U.S.C. 4575(d)(2)(ii)) may be paid at a maximum annual rate of compensation not to exceed \$37,050. Any officer or employee whose pay is subject to the maximum limitation referred to in section 105(f) of such Act (2 U.S.C. 4575(f)) may be paid at a maximum annual rate of compensation not to exceed \$37,050.

§ 4575 note (Congressional Operations Appropriation Act, 1978, § 111)

SEC. 111. (a) Except as provided in subsection (b), the aggregate of the gross compensation which may be paid to employees in the office of a Senator during each fiscal year under section 105(d) of the Legislative Branch Appropriation Act, 1968, as amended and modified [(2 U.S.C. 61–1(d))] (2 U.S.C. 4575(d)), is increased by an amount equal to 3 times the maximum annual gross rate of compensation that may be paid to an employee of the office of a Senator.

* * * * *

(d) The second sentence of section 105(d)(2) of the Legislative Branch Appropriation Act, 1968, as amended and modified, is amended—

* * * * *

The amendments made by this subsection shall have no effect on section 6(c) of the Order of the President pro tempore issued on October 8, 1976, under section 4 of the Federal Pay Comparability Act of 1970 (2 U.S.C. 4571).

§ 4575 note (Public Law 95-4, (a))

That (a) notwithstanding the limitations contained in section 105(e) of the Legislative Branch Appropriation Act, 1968, as amended and modified (2 U.S.C. 4575(e)), each eligible staff member of a new committee to whom section 703(d) of the Committee System Reorganization Amendments of 1977 applies may, during the transition period of such new committee, be paid gross annual compensation at the rate which that eligible staff member was receiving on January 4, 1977.

§ 4576 (Congressional Operations Appropriation Act, 1978, § 114)

SEC. 114. Notwithstanding any other provision of law, appropriated funds are available for payment to an individual of pay from more than one position, each of which is either in the office of a Senator and the pay of which is disbursed by the Secretary of the Senate or is in another office and the pay of which is disbursed by the Secretary of the Senate out of an appropriation under the heading "SALARIES, OFFICERS, AND EMPLOYEES", if the aggregate gross pay from those positions does not exceed the maximum rate specified in [section 105(d)(2) of the Legislative Branch Appropriation Act of 1968] *section 105(d)(2) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(d)(2))*, as amended and modified.

§ 4579 (Congressional Operations Appropriations Act, 2002, § 102)

SEC. 102. STUDENT LOAN REPAYMENT PROGRAM. (a) DEFINITIONS.—In this section:

* * * * *

(c) PROGRAM CONDITIONS.—

* * * * *

(2) AMOUNT OF PAYMENTS.—

* * * * *

(B) PAYMENTS INCLUDED IN GROSS COMPENSATION LIMITATIONS.—Any student loan payment made under this section in any month may not result in the sum of the payment and the compensation of an employee for that month exceeding 1/12th of the applicable annual maximum gross compensation limitation under section 105(d)(2), (e), or (f) of the Legislative Branch Appropriation Act, 1968 [(2 U.S.C. 61-1(d)(2), (e), or (f))] (2 U.S.C. 4575(d)(2), (e), (f)).

* * * * *

(d) LOSS OF ELIGIBILITY FOR STUDENT LOAN PAYMENTS AND OBLIGATION TO REIMBURSE.—

* * * * *

(4) FAILURE OF EMPLOYEE TO REIMBURSE.—If an eligible employee fails to reimburse the Senate for the amount owed under paragraph (1), such amount shall be collected—

(A) under [section 104(c) of the Legislative Appropriation Act, 1977 (2 U.S.C. 60c–2a(c))] *section 104(c) of the Legislative Branch Appropriation Act, 1977 (2 U.S.C. 6568(c))* or section 5514 of title 5, United States Code, if the eligible employee is employed by any other office of the Senate or agency of the Federal Government; or

* * * * *

(e) RECORDS AND REPORTS.—

* * * * *

(2) CONFIDENTIALITY.—Such report shall not include any information which is considered confidential or could disclose the identity of individual employees or employing offices. Information required to be contained in the report of the Secretary under section 105(a) of the Legislative Branch Act, 1965 [(2 U.S.C. 104a)] (2 U.S.C. 4108) shall not be considered to be personal information for purposes of this paragraph.

§ 4579 note (Legislative Branch Appropriations Act, 2012, § 1001(c))

SEC. 1001. (a) IN GENERAL.—Section 102(a) of the Legislative Branch Appropriations Act, 2002 (2 U.S.C. 60c–5(a)) is amended—

* * * * *

(c) EFFECTIVE DATE AND APPLICATION.—The amendments made by this section shall take effect on the date of enactment of this Act and apply to service agreements entered into under section 102 of the Legislative Branch Appropriations Act, 2002 [(2 U.S.C. 60c–5)] (2 U.S.C. 4579) or section 5379 of title 5, United States Code, on or after that date.

§ 4581(a) (Congressional Operations Appropriations Act, 1992, § 5(a))

SEC. 5. (a) Notwithstanding the provisions of section 105(d)(1) of the Legislative Branch Appropriation Act, 1968 [(2 U.S.C. 61–1(d)(1))] (2 U.S.C. 4575(d)(1)), and except as otherwise provided in subparagraph (C) of such subsection (d)(1), the aggregate of gross compensation paid employees in the office of a Senator shall not exceed during each fiscal year \$1,012,083 if the population of his State is less than 5,000,000.

§ 4713 (Congressional Operations Appropriations Act, 1999, § 105)

SEC. 105. Notwithstanding any other provision of law or any other rule or regulation, any information on payments made by the Committee on Standards of Official Conduct of the House of Representatives to an individual for attendance as a witness before the Committee in executive session during a Congress shall be reported not later than the second semiannual report filed under section 106

of the House of Representatives Administrative Reform Technical Corrections Act [(2 U.S.C. 104b)] (2 U.S.C. 5535) in the following Congress.

§ 4902(i) (Legislative Reorganization Act of 1970, § 492(i))

SEC. 492. (a) There is hereby authorized to be constructed, on a site jointly approved by the Senate Office Building Commission and the House Office Building Commission, in accordance with plans which shall be prepared by or under the direction of the Architect of the Capitol and which shall be submitted to and jointly approved by the Senate Office Building Commission and the House Office Building Commission, a fireproof building containing dormitory and classroom facilities, including necessary furnishings and equipment, for pages of the Senate, the House of Representatives, and the Supreme Court of the United States.

* * * * *

(i) Nothing in this part shall affect the operation of the proviso under the heading “Education of Senate and House Pages” in title I of the Urgent Deficiency Appropriation Act, 1947 [(2 U.S.C. 88b)] (2 U.S.C. 4903), relating to educational facilities of pages and other minors who are congressional employees.

§ 5142 note (Congressional Operations Appropriation Act, 1984, § 112)

SEC. 112. The funds provided under the provisions of section 2 of House Resolution 393, Ninety-fifth Congress, agreed to March 31, 1977, as enacted into permanent law by section 115 of the Congressional Operations Appropriation Act, 1978 (2 U.S.C. 5142), and section 473 of the Legislative Reorganization Act of 1970 (2 U.S.C. 5103), shall be limited to use for the compensation of additional personnel and other necessary official expenses.

§ 5162(b) (Legislative Branch Appropriations Act, 2005, § 109(b))

SEC. 109. (a) There is established in the House of Representatives an office to be known as the Republican Policy Committee, which shall have such responsibilities as may be assigned by the Speaker of the House of Representatives (or, if the Speaker is not a member of the Republican Party, the Minority Leader of the House of Representatives).

(b) There shall be a lump sum allowance for the salaries and expenses of the Republican Policy Committee, which shall be treated as a category of House leadership offices for purposes of section 101(c) of the Legislative Branch Appropriations Act, 1993 [(2 U.S.C. 95b(c))] (2 U.S.C. 5507(c)), and which shall be obligated and expended as directed by the Speaker (or, if the Speaker is not a member of the Republican party, the Minority Leader).

§ 5303 (Public Law 97–51, § 112(c))

SEC. 112. (a) The first sentence of the first section of the joint resolution relating to the payment of salaries of employees of the Senate, approved April 20, 1960 (Public Law 86–426; 2 U.S.C. 60c–1), is amended by striking out “Officers (other than Senators) and

employees” and inserting in lieu thereof “Senators and officers and employees”.

* * * * *

(c) On and after the effective date of the amendments and repeals made by this section, section 39 of the Revised Statutes [(2 U.S.C. 35)] (2 U.S.C. 5302) shall not be construed as being applicable to a Senator.

§ 5308 (Public Resolution No. 1 of the 58th Congress, approved November 12, 1903, 2d paragraph)

The Speaker is authorized to designate from time to time some one from among those appointed by him and appropriated for and employed in his office, whose duty it shall be under the direction of the Speaker to sign in his name and for him all certificates required by section forty-seven of the Revised Statutes (2 U.S.C. 5307) for salary and accounts for traveling expenses in going to and returning from Congress of Representatives and Delegates.

§ 5324 (Act of August 21, 1935, ch. 600, § 1)

Notwithstanding the provisions of the third paragraph under the heading “Clerical assistance to Senators” of section 1 of the Legislative Appropriation Act for the fiscal year ending June 30, 1928 [(U.S.C., Supp. V, title 2, sec. 92a)] (2 U.S.C. 5323), in case of the death or resignation of a Member of the House during his term of office, the clerical assistants designated by him and borne upon the clerk hire pay rolls of the House of Representatives on the date of such death or resignation shall be continued upon such pay rolls at their respective salaries until the successor to such Member of the House is elected to fill the vacancy.

§ 5504 (Ethics in Government Act of 1978, § 714(d))

SEC. 714. (a) Section 3210 of title 39 of the United States Code, is amended—

* * * * *

(d) Section 8 of the Act entitled “An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-six, and for other purposes,” approved March 3, 1875 [(2 U.S.C. 118)] (2 U.S.C. 5503), shall not apply to officers of the Senate.

§ 5507 note (Congressional Operations Appropriations Act, 1998, § 102)

SEC. 102. The funds and accounts specified in section 107(b) of the Legislative Branch Appropriations Act, 1996 [(2 U.S.C. 123b note)] (2 U.S.C. 4131 note) shall be treated as categories of allowances and expenses for purposes of section 101(a) of the Legislative Branch Appropriations Act, 1993 [(2 U.S.C. 95b(a))] (2 U.S.C. 5507(a)).

§ 5508 (Congressional Operations Appropriations Act, 1988, § 109(c))

SEC. 109. (a) There is hereby established an account in the House of Representatives for purposes of making payments of the House of Representatives to the Employees’ Compensation Fund

under section 8147 of title 5, and for reimbursing the Secretary of Labor for any amounts paid with respect to unemployment compensation payments for former employees of the House.

* * * * *

(c) The account established under subsection (a) shall be treated as a category of allowances and expenses for purposes of section 101(a) of the Legislative Branch Appropriations Act, 1993 [(2 U.S.C. 95b(a))] (2 U.S.C. 5507(a)).

§ 5521 note (Public Law 111-248, § 3(b))

SEC. 3 MISCELLANEOUS TECHNICAL CORRECTIONS.

* * * * *

(b) Effective as if included in the enactment of Public Law 111-145, section 3 of House Resolution 661, Ninety-fifth Congress, agreed to July 29, 1977 [(2 U.S.C. 84-2)] (2 U.S.C. 5521), is restored into permanent law.

§ 5535(e)(2) (House of Representatives Administrative Reform Technical Corrections Act, § 106(e)(2))

SEC. 106. REPORT OF DISBURSEMENTS FOR HOUSE OF REPRESENTATIVES.

* * * * *

(e) CONFORMING PROVISION.—The provisions of—

* * * * *

(2) section 105(a) of the Legislative Branch Appropriation Act, 1965 [(2 U.S.C. 104a)] (2 U.S.C. 4108).

§ 5537 (Legislative Branch Appropriations Act, 2003, § 102)

SEC. 102. (a) There is hereby established in the Treasury of the United States a revolving fund for the House of Representatives to be known as the Net Expenses of Equipment Revolving Fund (hereafter in this section referred to as the “Revolving Fund”), consisting of funds deposited by the Chief Administrative Officer of the House of Representatives from amounts provided by offices of the House of Representatives to purchase, lease, obtain, and maintain the equipment located in such offices, and amounts provided by Members of the House of Representatives (including Delegates and Resident Commissioners to the Congress) to purchase, lease, obtain, and maintain furniture for their district offices.

* * * * *

(c) The Revolving Fund shall be treated as a category of allowances and expenses for purposes of section 101(a) of the Legislative Branch Appropriations Act, 1993 [(2 U.S.C. 95b(a))] (2 U.S.C. 5507(a)).

* * * * *

(e) This section shall not apply with respect to any telecommunications equipment which is subject to coverage under [section 103 of the Legislative Branch Appropriations Act, 2005] section 102 of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 5538) (relating to the Net Expenses of Telecommunications Revolving Fund).

§ 5538(c) (Legislative Branch Appropriations Act, 2005, § 102(c))

SEC. 102. NET EXPENSES OF TELECOMMUNICATIONS REVOLVING FUND. (a) There is hereby established in the Treasury of the United States a revolving fund for the House of Representatives to be known as the Net Expenses of Telecommunications Revolving Fund (hereafter in this section referred to as the “Revolving Fund”), consisting of funds deposited by the Chief Administrative Officer of the House of Representatives from amounts provided by legislative branch offices to purchase, lease, obtain, and maintain the data and voice telecommunications services and equipment located in such offices.

* * * * *

(c) The Revolving Fund shall be treated as a category of allowances and expenses for purposes of section 101(a) of the Legislative Branch Appropriations Act, 1993 [(2 U.S.C. 95b(a))] (2 U.S.C. 5507(a)).

§ 5545 (Legislative Branch Appropriations Act, 2005, § 105)

SEC. 105. (a) ESTABLISHMENT OF HOUSE REVOLVING FUND.—There is hereby established in the Treasury of the United States a revolving fund for the House of Representatives to be known as the “House Services Revolving Fund” (hereafter in this section referred to as the “Revolving Fund”), consisting of funds deposited by the Chief Administrative Officer of the House of Representatives from all amounts received by the House of Representatives with respect to the following activities:

* * * * *

(5) The payment of fees for the use of the exercise facility described in section 103(a) of *this Act*.

(c) TRANSFER AUTHORITY.—The Revolving Fund shall be treated as a category of allowances and expenses for purposes of section 101(a) of the Legislative Branch Appropriations Act, 1993 [(2 U.S.C. 95b(a))] (2 U.S.C. 5507(a)).

§ 5624(b) (Legislative Branch Appropriations Act, 2004, § 106(b))

SEC. 106. (a)(1) Effective October 1, 2003—

* * * * *

(b) Effective with respect to fiscal year 2004 and each succeeding fiscal year, the lump sum allowance for salaries and expenses of the Corrections Calendar Office provided under House Resolution 130, One Hundred Fifth Congress, agreed to April 24, 1997, as enacted into permanent law by section 101 of the Legislative Branch Appropriations Act, 1998 [(2 U.S.C. 74d—1 et seq.)] (2 U.S.C. 5622 et seq.), is transferred as follows:

§ 6136(b)(1) (Supplemental Appropriations Act, 1987, title I, chapter VIII, § 1(b)(1))

SECTION 1. (a) The Secretary of the Senate shall, upon the written request of the Majority or Minority Leader of the Senate, transfer from any available funds in such Leader’s allotment in the Leader’s Representation Allowance (as defined in subsection (b)(1))

for any fiscal year (commencing with the fiscal year ending September 30, 1985) to such Leader's Expense Allowance (as defined in subsection (b)(2)) to such year such amount as is specified in the request. Any funds so transferred for any fiscal year at the request of either such Leader shall be available to such Leader for such year for the same purposes as, and in like manner and subject to the same conditions as, are other funds which are available to him for such year as his expense allowance as Majority or Minority Leader.

(b)(1) The term "Leader's Representation Allowance" means the Representation Allowance Account for the Majority and Minority Leaders established by section 197 of Public Law 99-88 [(2 U.S.C. 31a-2)] (2 U.S.C. 6135).

§ 6157(a) (Supplemental Appropriations Act, 1985, § 195(a))

SEC. 195. (a) Funds authorized to be expended under section 120 of Public Law 97-51 [(2 U.S.C. 61g-6)] (2 U.S.C. 6155) title may be used by the Majority or Minority Conference Committee of the Senate, with the approval of the Committee on Rules and Administration, to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, to make studies or advise the committee with respect to any matter within its jurisdiction or with respect to the administration of the affairs of the committee.

§ 6311 (Second Supplemental Appropriations Act, 1978, § 105)

SEC. 105. (a) Upon the recommendation of a Senator-elect (other than an incumbent Senator or a Senator elected to fill a vacancy), the Secretary of the Senate shall appoint two employees to assist such Senator-elect. Any employee so appointed shall serve through the day before the date on which the Senator-elect recommending his appointment commences his service as a Senator, except that his employment may be terminated before such day upon recommendation of such Senator-elect.

(b)(1) Salaries of employees appointed under subsection (a) shall be paid from the appropriation for "Administrative, Clerical, and Legislative Assistance to Senators".

(2) Salaries paid to employees appointed upon recommendation of a Senator-elect under subsection (a) shall be charged against the amount of compensation which may be paid to employees in his office under section 105(d) of the Legislative Branch Appropriations Act, 1968, as amended and modified [(2 U.S.C. 61-1(d))] (2 U.S.C. 4575(d) (hereinafter referred to as the "clerk-hire allowance"), for the fiscal year in which his service as a Senator commences. The total amount of salaries paid to employees so appointed upon recommendation of a Senator-elect shall be charged against his clerkhire allowance for each month in such fiscal year beginning with the month in which his service as a Senator commences (until the total amount has been charged) by whichever of the following amounts is greater: (1) one-ninth of the amount of salaries so paid, or (2) the amount by which the aggregate amount of his clerk-hire allowance which may be paid as of the close of such month under section 105(d)(1)(B) of such Act (2 U.S.C. 4575(d)(1)(B)) exceeds the aggregate amount of his clerk-hire allowance actually paid as of the close of such month.

(c) Each Senator-elect and each employee appointed under subsection (a) is authorized one round trip from the home State of the Senator-elect to Washington, D.C., and return, for the purposes of attending conferences, caucuses, or organizational meetings, or for any other official business connected with the impending Congress. In addition, each Senator-elect and each such employee is authorized per diem for not more than seven days while en route to and from Washington, D.C., and while in Washington, D.C. Such transportation and per diem expenses shall be in the same amounts as are payable to Senators and employees in the office of a Senator under section 506(e) of the Supplemental Appropriations Act, 1973 [(2 U.S.C. 58)] (2 U.S.C. 6314(e)), and shall be paid from the contingent fund of the Senate upon itemized vouchers certified by the Senator-elect concerned and approved by the Secretary of the Senate.

(d)(1) Each Senator-elect is authorized to be reimbursed for expenses incurred for telegrams, telephone services, and stationery related to his position as a Senator-elect in an amount not exceeding one-twelfth of the total amount of expenses authorized to be paid to or on behalf of a Senator from the State which he will represent under section 506 of the Supplemental Appropriations Act, 1973 (2 U.S.C. 6314). Reimbursement to a Senator-elect under this subsection shall be paid from the contingent fund of the Senate upon itemized vouchers certified by such Senator-elect and approved by the Secretary of the Senate.

(2) Amounts reimbursed to a Senator-elect under this subsection shall be charged against the amount of expenses which are authorized to be paid to him or on his behalf under section 506 of the Supplemental Appropriations Act, 1973 (2 U.S.C. 6314), for each of the twelve months beginning with the month in which his service as a Senator commences (until all of such amounts have been charged) by whichever of the following amounts is greater: (1) one twelfth of the amounts so reimbursed, or (2) the amount by which the aggregate amount authorized to be so paid under section 506(c) of such Act (2 U.S.C. 6314(c)) as of the close of such month exceeds the aggregate amount actually paid under such section 506 (2 U.S.C. 6314) as of the close of such month.

§ 6314(b) (Supplemental Appropriations Act, 1973, § 506(b))

SEC. 506. (a) The contingent fund of the Senate is made available for payment (including reimbursement) to or on behalf of each Senator, upon certification of the Senator, for the following expenses incurred by the Senator and his staff:

* * * * *

(b)(1)(A) Except as is otherwise provided in the succeeding paragraphs of this subsection and subject to subparagraph (B) of this paragraph, the total amount of expenses authorized to be paid to or on behalf of a Senator under this section shall not exceed for calendar year 1977 or any calendar year thereafter an amount equal to one-half of the sum of the amounts authorized to be paid under this section on the day before August 5, 1977, to or on behalf of both of the Senators from the State which he represents, increased

by an amount equal to twenty percent thereof and rounded to the next higher multiple of \$1,000.

* * * * *
 (2)(A) In the case of the period which commences January 1, 1988, and ends September 30, 1988, the total of—

* * * * *
 (ii) the aggregate amount of gross compensation which is paid to employees in the office of such Senator for such period (as determined for purposes of section 105(d) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(d)),

* * * * *
 (iv) the amount by which (I) the aggregate of the gross compensation which may be paid to employees in the office of such Senator for the fiscal year ending September 30, 1988, pursuant to the limitations imposed by section 105(d) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(d)) (as determined without regard to paragraph (1)(B) thereof), exceeds (II) the aggregate amount of gross compensation which is paid to employees in the office of such Senator for that part of such fiscal year which precedes January 1, 1988.

* * * * *
 (3)(A) In the case of the fiscal year beginning October 1, 1988, or any fiscal year thereafter, the total of—

* * * * *
 (ii) the aggregate amount of gross compensation which is paid to employees in the office of such Senator for such fiscal year (as determined for purposes of section 105(d) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(d)),

* * * * *
 (iv) the aggregate of the gross compensation which may be paid to employees in the office of such Senator for such fiscal year, under the limitations imposed by section 105(d) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(d)), but without regard to the provisions of paragraph (1)(C)(iv) thereof.

§ 6314 note (Congressional Operations Appropriations Act, 1994, title I, § 2)

SEC. 2. Effective on and after October 1, 1993, the aggregate of each of the sums determined under clauses (iii) and (iv) of section 506(b)(3)(A) of the Supplemental Appropriations Act, 1973 [(2 U.S.C. 58(b)(3)(A)(iii) and (iv)) (2 U.S.C. 6314(b)(3)(A)(iii), (iv))], shall be deemed decreased by 2.5 percent.

§ 6513 (Legislative Branch Appropriation Act, 1957, 7th paragraph under the heading “ADMINISTRATIVE PROVISIONS”)

No part of the foregoing appropriations made under the heading “Contingent Expenses of the Senate” hereafter may be expended for per diem and subsistence expenses (as defined in section 5701 of title 5) at rates in excess of the rates prescribed by the Committee on Rules and Administration; except that (1) higher rates may be established by the Committee on Rules and Administration for travel beyond the limits of the continental United States, and (2) in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate, reimbursement for such expenses may be made on an actual expense basis of not to exceed the daily rate prescribed by the Committee on Rules and Administration in the case of travel within the continental limits of the United States. This section shall not apply with respect to per diem or actual travel expenses incurred by Senators and employees in the office of a Senator which are reimbursed under section 506 of the Supplemental Appropriations Act, 1973 [(2 U.S.C. 58)] (2 U.S.C. 6314).

§ 6533 (Supplemental Appropriations Act, 1972, chapter IV, paragraph under the heading “ADMINISTRATIVE PROVISION”)

In the event of the death, resignation, or disability of the Secretary of the Senate, the Assistant Secretary of the Senate shall act as Secretary in carrying out the duties and responsibilities of that office in all matters until such time as a new Secretary shall have been elected and qualified or such disability shall have been ended. For purposes of this paragraph and the last full paragraph under the heading “SENATE” in the [First Deficiency Act, fiscal year 1936 (44 Stat. 162; 2 U.S.C. 64a)] *First Deficiency Act, fiscal year 1926* (2 U.S.C. 6532), the Secretary of the Senate shall be considered as disabled only during such period of time as the Majority and Minority Leaders and the President pro tempore of the Senate certify jointly to the Senate that the Secretary is unable to perform his duties. In the event that the Secretary of the Senate is absent or is to be absent for reasons other than disability (as provided in this paragraph), and makes a written designation that he is or will be so absent, the Assistant Secretary shall act during such absence as the Secretary in carrying out the duties and responsibilities of the office in all matters. The designation may be revoked in writing at any time by the Secretary, and is revoked whenever the Secretary making the designation dies, resigns, or is considered disabled in accordance with this paragraph.

§ 6566 (Legislative Branch Appropriation Act, 1973, 3d paragraph under the heading “ADMINISTRATIVE PROVISIONS”)

For the purpose of carrying out his duties under the Federal Election Campaign Act of 1971, the Secretary of the Senate is authorized, from and after July 1, 1972, (1) to procure technical support services, (2) to procure the temporary or intermittent services of individual technicians, experts, or consultants, or organizations thereof, in the same manner and under the same conditions, to the

extent applicable, as a standing committee of the Senate may procure such services under section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i)), (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency, and (4) to incur official travel expenses. Payments to carry out the provisions of this paragraph shall be made from funds included in the appropriation "Miscellaneous Items" under the heading "Contingent Expenses of the Senate" upon vouchers approved by the Secretary of the Senate. All sums received by the Secretary under authority of the Federal Election Campaign Act of 1971 shall be covered into the Treasury as miscellaneous receipts.

§ 6572 (Act of March 3, 1887, ch. 392, § 1 (last sentence in 16th paragraph under the heading "SENATE."))

* * * * *

* * * Purchases of stationery and materials for folding shall be made in accordance with [section 69 of the Revised Statutes of the United States] *section 69 of the Revised Statutes (2 U.S.C. 4104): Provided further*, That all contracts and bonds for purchases made under the authority of this section shall be filed with the Committee on Rules and Administration of the Senate.

§ 6573 note (Congressional Operations Appropriations Act, 1990, § 6)

SEC. 6. On and after the date this Act becomes law, the Secretary of the Senate, subject to the approval of the Committee on Appropriations of the Senate, is authorized to provide up to \$1,000,000 for capitalization purposes to the revolving fund established by the last paragraph under the heading "Contingent Expenses of the Senate" appearing under the heading "SENATE" in chapter XI of the Third Supplemental Appropriation Act, 1957 [(2 U.S.C. 46a-1)] (2 U.S.C. 6573), by transferring to such revolving fund any funds available from any Senate appropriation account, with respect to which he has disbursement authority, for the fiscal year in which the transfer is made (or for any preceding fiscal year) or which have been made available until expended; and any moneys so transferred shall be available for use in like manner and to the same extent as the moneys in such revolving fund which were not transferred thereto pursuant to this section.

§ 6576 note (Congressional Operations Appropriations Act, 1995, § 1)

SEC. 1. Effective on and after the date of enactment of this Act, the Secretary of the Senate, subject to the approval of the Committee on Appropriations of the Senate, is authorized to transfer up to \$300,000 from any Senate appropriations account with respect to which the Secretary has disbursing authority to the revolving fund established under section 2(c) under the subheading 'ADMINISTRATIVE PROVISIONS' under the heading 'SENATE' in Public Law 102-392 [(2 U.S.C. 121d(c))] (2 U.S.C. 6576(c)) to provide additional capitalization for such revolving fund. Any moneys so transferred shall be available for use in the same manner and to the same extent as the moneys otherwise in such revolving fund.

§ 6594 note (Public Law 94–226, § 1(a))

(a) The Sergeant at Arms and Doorkeeper may fix the compensation of the Deputy Sergeant at Arms and Doorkeeper at an annual rate not to exceed the maximum annual rate of compensation of the Assistant Secretary of the Senate. This subsection does not supersede (1) any provision of an order of the President pro tempore of the Senate authorizing a higher rate of compensation, and (2) any authority of the President pro tempore to adjust the rate of compensation referred to in this subsection under section 4 of the Federal Pay Comparability Act of 1970 (2 U.S.C. 4571).

**TITLE 5—GOVERNMENT ORGANIZATION
AND EMPLOYEES**

§ 5303 note (Ethics Reform Act of 1989, § 1101(a)(1))

SEC. 1101. ADJUSTMENTS IN RATES OF PAY AND REDUCTION IN HONORARIUM OF SENATORS.

(a)(1) ADJUSTMENTS IN RATES OF PAY.—Notwithstanding any other provision of law (including any provision of this Act or amendment made by this Act), effective as provided in paragraph (2), the rate of pay of each office and position of United States Senator, the President pro tempore of the Senate, and the majority and minority leaders of the Senate shall be increased by—

(A) the percentage increase that would have taken effect in fiscal year 1988 if the provisions of section 601(a)(2) of the Legislative Reorganization Act of 1946 [(2 U.S.C. 31(2))] (2 U.S.C. 4501(2)) were applied to the rate of pay of each such office and position in effect on January 1, 1988 without regard to section 108 of the resolution entitled “Joint resolution making further continuing appropriations for the fiscal year 1988, and for other purposes”, approved December 22, 1987 [Pub. L. 100–202]; (101 Stat. 1329–434; 5 U.S.C. 5305 note);

(B) the percentage increase that would have taken effect in fiscal year 1989 if the provisions of section 601(a)(2) of the Legislative Reorganization Act of 1946 [(2 U.S.C. 31(2))] (2 U.S.C. 4501(2)) were applied to the rate of pay of each such office and position in effect on January 1, 1989 (as adjusted under subparagraph (A) of this paragraph) without regard to subsection (b) of section 620 of the Treasury, Postal Service and General Government Appropriations Act, 1989 (Public Law 100–440; 102 Stat. 1756; 5 U.S.C. 5305 note); and

(C) the percentage increase that would take effect in fiscal year 1990 by the application of section 601(a)(2) of the Legislative Reorganization Act of 1946 [(2 U.S.C. 31(2))] (2 U.S.C. 4501(2)) (as adjusted under subparagraphs (A) and (B) of this paragraph) without regard to subsection (b) of section 619 of the Treasury, Postal Service and General Government Appropriations Act, 1990 (Public Law 101–136).

§ 5318 note (Ethics Reform Act of 1989, § 704(a)(2)(B))

SEC. 704. REVISION IN METHOD BY WHICH ANNUAL PAY ADJUSTMENTS FOR CERTAIN EXECUTIVE, LEGISLATIVE, AND JUDICIAL POSITIONS ARE TO BE MADE.

(a) PERCENT CHANGE IN THE EMPLOYMENT COST INDEX.—

* * * * *

(2) PROVISIONS THROUGH WHICH NEW PROVISIONS ARE TO BE IMPLEMENTED.—

* * * * *

(B) AMENDMENT TO THE LEGISLATIVE REORGANIZATION ACT OF 1946.—Section 601(a)(2) of the Legislative Reorganization Act of 1946 [(2 U.S.C. 31(2))] (2 U.S.C. 4501(2)) is amended by striking 'corresponds to' and all that follows thereafter through the period and inserting the following:

§ 5581(1)(iv)

§ 5581. Definitions

For the purposes of this subchapter—

(1) "employee" means—

* * * * *

but does not include an employee of—

* * * * *

(iv) the Senate within the purview of [section 36a of title 2] Chapter I (1st paragraph under the heading "Payment of Sums Due Deceased Congressional Personnel") of the Second Supplemental Appropriation Act, 1951 (2 U.S.C. 4592).

TITLE 39—POSTAL SERVICE

§ 3210 note (Congressional Operations Appropriations Act, 1995, § 5)

SEC. 5. Effective October 1, 1994, each of the figures contained in section 506(b)(3)(A)(iii) of the Supplemental Appropriations Act, 1973 [(2 U.S.C. 58(b)(3)(A)(iii))] (2 U.S.C. 6314(b)(3)(A)(iii)) is increased by \$50,000: Provided, That, in any fiscal year beginning with fiscal year 1995, a Senator may use funds provided for official office expenses, but not to exceed \$50,000, for mass mailing, as defined in section 6(b)(1) and all such mass mailings shall be under the frank.

TITLE 42—THE PUBLIC HEALTH AND WELFARE

§ 13212(f)(1)(C) (Energy Policy Act of 1992, § 303(f)(1)(C))

SEC. 303. MINIMUM FEDERAL FLEET REQUIREMENT.

* * * * *

(f) VEHICLE EMISSION REQUIREMENTS.—

(1) DEFINITIONS.—In this subsection:

* * * * *

(C) MEMBER’S REPRESENTATIONAL ALLOWANCE.—The term “Member’s Representational Allowance” means the allowance described in section 101(a) of the House of Representatives Administrative Reform Technical Corrections Act [(2 U.S.C. 57b(a))] (2 U.S.C. 5341(a)).

TITLE 44—PUBLIC PRINTING AND DOCUMENTS

§ 725

§ 725. Statement of appropriations; “usual number”

Of the statements of appropriations required to be prepared by [section 105 of title 2] *provisions of the Acts of October 19, 1888, July 19, 1897, and June 7, 1924, as set out in 2 U.S.C. 4303*, there shall be printed, after the close of each regular session of Congress, the usual number of copies.

DIVISION B—TECHNICAL AMENDMENTS TO UPDATE STATUTORY REFERENCES TO PROVISIONS CLASSIFIED TO CHAPTERS 44, 45, 46, AND 47 OF TITLE 50, UNITED STATES CODE

TITLE 3—THE PRESIDENT

§ 102 note (Presidential Transition Act of 1963, § 3)

SEC. 3. (a) The Administrator of General Services, referred to hereafter in this Act as “the Administrator,” is authorized to provide, upon request, to each President-elect and each Vice-Presidentelect, for use in connection with his preparations for the assumption of official duties as President or Vice President necessary services and facilities, including the following:

* * * * *

(f)(1) The President-elect should submit to the Federal Bureau of Investigation or other appropriate agency and then, upon taking effect and designation, to the agency designated by the President under [section 115(b) of the National Intelligence Reform Act of 2004] *section 3001(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(c))*, the names of candidates for high level national security positions through the level of undersecretary of cabinet departments as soon as possible after the date of the general elections held to determine the electors of President and Vice President under section 1 or 2 of title 3, United States Code.

* * * * *

(h)(1)(A) In the case of an eligible candidate, the Administrator—

* * * * *

The Administrator shall also notify the candidate that sections 7601(c) and 8403(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (*50 U.S.C. 3342(c) and 5 U.S.C. 1101 note*) provide additional services.

TITLE 5—GOVERNMENT ORGANIZATION AND EMPLOYEES

§ 552(a)(3)(E) (matter before clause (i))

§ 552. Public information; agency rules, opinions, orders, records, and proceedings

(a) Each agency shall make available to the public information as follows:

* * * * *

(3)(A) Except with respect to the records made available under paragraphs (1) and (2) of this subsection, and except as provided in subparagraph (E), each agency, upon any request for records which (i) reasonably describes such records and (ii) is made in accordance with published rules stating the time, place, fees (if any), and procedures to be followed, shall make the records promptly available to any person.

* * * * *

(E) An agency, or part of an agency, that is an element of the intelligence community (as that term is defined in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (*50 U.S.C. 3003(4)*)) shall not make any record available under this paragraph to—

§ 552 note (Nazi War Crimes Disclosure Act, § 3(c))

SEC. 3. REQUIREMENT OF DISCLOSURE OF RECORDS REGARDING PERSONS WHO COMMITTED NAZI WAR CRIMES

* * * * *

(c) INAPPLICABILITY OF NATIONAL SECURITY ACT OF 1947 EXEMPTION.—Section 701(a) of the National Security Act of 1947 [(50 U.S.C. 431)] (*50 U.S.C. 3141(a)*) shall not apply to any operational file, or any portion of any operational file, that constitutes a Nazi war criminal record under section 3 of this Act.

§ 2306

§ 2306. Coordination with certain other provisions of law

No provision of this chapter, or action taken under this chapter, shall be construed to impair the authorities and responsibilities set forth in section 102 of the National Security Act of 1947 [(61 Stat. 495; 50 U.S.C. 403)] (*50 U.S.C. 3023*), the Central Intelligence Agency Act of 1949 [(63 Stat. 208; 50 U.S.C. 403a and following)] (*50 U.S.C. 3501 et seq.*), [the Act entitled “An Act to provide certain administrative authorities for the National Security Agency, and for other purposes”, approved May 29, 1959 (73 Stat. 63; 50

U.S.C. 402 note)] *the National Security Agency Act of 1959 (50 U.S.C. 3601 et seq.)*, and the Act entitled “An Act to amend the Internal Security Act of 1950”, approved March 26, 1964 (78 Stat. 168; 50 U.S.C. 831–835).

§ 5373(a)

§ 5373. Limitation on pay fixed by administrative action

(a) Except as provided in subsection (b) and by the Government Employees Salary Reform Act of 1964 (78 Stat. 400) and notwithstanding the provisions of other statutes, the head of an Executive agency or military department who is authorized to fix by administrative action the annual rate of basic pay for a position or employee may not fix the rate at more than the rate for level IV of the Executive Schedule. This section does not impair the authorities provided by—

- * * * * *
- (3) [sections 403a–403c, 403e–403h, and 403j of title 50; or] *the Central Intelligence Agency Act of 1949 (50 U.S.C. 3501 et seq.)*;
- (4) [section 4802.] *section 4802*; or [(4)] (5) section 2(a)(7) of the Commodity Exchange Act (7 U.S.C. 2(a)(7)).

§ 5727(f)(2)

§ 5727. Transportation of motor vehicles

- * * * * *
- (f)(1) This section, except subsection (a), does not apply to—
- * * * * *
- (2) This section, except subsection (a), does not affect [section 403e(4) of title 50] *section 4(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3505(a)(4))*.

§ 5948(g)(1)

§ 5948. Physicians comparability allowances

- * * * * *
- (g) For the purpose of this section—
- (1) “Government physician” means any individual employed as a physician or dentist who is paid under—
- * * * * *
- (F) [section 10 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403j)] *section 8 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3510), relating to the Central Intelligence Agency*;
- * * * * *
- (H) [section 2 of the Act of May 29, 1959 (Public Law 86–36, as amended, 50 U.S.C. 402 note), relating to the National Security Agency] *chapter 83 of title 10, relating to Civilian Defense Intelligence Employees*;

§ 7342(f)(4)(C)

§ 7342. Receipt and disposition of foreign gifts and decorations

* * * * *

(f)(1) Not later than January 31 of each year, each employing agency or its delegate shall compile a listing of all statements filed during the preceding year by the employees of that agency pursuant to subsection (c)(3) and shall transmit such listing to the Secretary of State who shall publish a comprehensive listing of all such statements in the Federal Register.

* * * * *

(4)(A) In transmitting such listings for an element of the intelligence community, the head of such element may delete the information described in subparagraph (A) or (C) of paragraph (2) or in subparagraph (A) or (C) of paragraph (3) if the head of such element certifies in writing to the Secretary of State that the publication of such information could adversely affect United States intelligence sources or methods.

* * * * *

(C) In this paragraph, the term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (50 U.S.C. 3003(4)).

§ 8312(c)(1)(C)

§ 8312. Conviction of certain offenses

* * * * *

(c) The following are the offenses to which subsection (a) of this section applies if the individual was convicted before, on, or after September 26, 1961:

(1) An offense within the purview of—

* * * * *

(C) section 783 (conspiracy and communication or receipt of classified information) of title 50 or section 601 of the National Security Act of 1947 [(50 U.S.C. 421)] (50 U.S.C. 3121) (relating to intelligence identities).

§ 8331 note (Public Law 98-168, §§ 203(a)(2)(C), 204(a)(3), (b), 205(a)(2)(C))

SEC. 203. (a) For the purposes of this title—

* * * * *

(2) the term “covered retirement system” means—

* * * * *

(C) the Central Intelligence Agency Retirement and Disability System under [the Central Intelligence Agency Retirement Act of 1964 for Certain Employees (50 U.S.C. 403 note)] *the Central Intelligence Agency Retirement Act (50 U.S.C. 2001 et seq.)*; and

* * * * *

SEC. 204. (a) In the case of a covered employee who is participating in a covered retirement system, an employing agency shall

deduct and withhold only 1.3 percent of the basic pay of such employee under—

* * * * *

(3) **section 211 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees (50 U.S.C. 403 note)** *section 211 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2021)*; or

* * * * *

(b) Employing agencies of the Government shall make contributions with respect to service to which subsection (a) of this section applies under the second sentence of section 8334(a)(1) of title 5, United States Code, the second sentence of section 805(a) of the Foreign Service Act of 1980 (22 U.S.C. 4045(a)), **the second sentence of section 211(a) of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees (50 U.S.C. 403 note)** *section 211(a)(2) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2021(a)(2))*, and any provision of any other covered retirement system requiring a contribution by the employing agency, as if subsection (a) of this section had not been enacted.

* * * * *

SEC. 205. (a) For purposes of this section—

* * * * *

(2) the term “appropriate agency head” means—

* * * * *

(C) the Director of Central Intelligence, with respect to the Central Intelligence Agency Retirement and Disability System under **the Central Intelligence Agency Retirement Act of 1964 for Certain Employees (50 U.S.C. 403 note)** *the Central Intelligence Agency Retirement Act (50 U.S.C. 2001 et seq.)*; and

§ 8340 note (Omnibus Reconciliation Act of 1982, § 301(c)(3))

SEC. 301. (a)(1) Except as provided in paragraph (3), the cost-of-living increase under any Government retirement system in annuity or retired or retainer pay of any early retiree taking effect in each of fiscal years 1983, 1984, and 1985, shall be equal to one-half of the assumed increase in the price index for that year.

* * * * *

(c) For purposes of this section, the term “cost-of-living increase under a Government retirement system” means any increase under—

* * * * *

(3) **the Central Intelligence Agency Act of 1964 for Certain Employees (50 U.S.C. 403 note)** *the Central Intelligence Agency Retirement Act (50 U.S.C. 2001 et seq.)*;

§ 8341 note (Civil Service Retirement Spouse Equity Act, § 4(h))

SEC. 4. (a)(1) Except as provided in paragraphs (3), (4), (5), and (6) and subsections (b) and (c), the amendments made by section 2 of this Act shall take effect May 7, 1985, and shall apply—

* * * * *

(h) Section 827 of the Foreign Service Act of 1980 and [section 292 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees] *section 292 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2141)* shall not apply with respect to either the amendments made by section 2 or the preceding provisions of this section.

§ 8351(d)(2)(A)

§ 8351. Participation in the Thrift Savings Plan

* * * * *

(d)(1) A foreign national employee of the Central Intelligence Agency whose services are performed outside the United States shall be ineligible to make an election under this section.

(2)(A) Only those employees of the Central Intelligence Agency participating in the pilot project required by section 402(b) of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; [50 U.S.C. 403–4 note] *50 U.S.C. 3505 note*) and making contributions to the Thrift Savings Fund out of basic pay may also contribute (by direct transfer to the Fund) any part of bonus pay received by the employee as part of the pilot project.

§ 8432(k)(1)

§ 8432. Contributions

* * * * *

(k)(1) Only those employees of the Central Intelligence Agency participating in the pilot project required by section 402(b) of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; [50 U.S.C. 403–4 note] *50 U.S.C. 3505 note*) and making contributions to the Thrift Savings Fund out of basic pay may also contribute (by direct transfer to the Fund) any part of bonus pay received by the employee as part of the pilot project.

§ 9904(2)

§ 9904. Special pay and benefits for certain employees outside the United States

The Secretary may provide to certain civilian employees of the Department of Defense assigned to activities outside the United States as determined by the Secretary to be in support of Department of Defense activities abroad hazardous to life or health or so specialized because of security requirements as to be clearly distinguishable from normal Government employment.

* * * * *

(2) special retirement accrual benefits and disability in the same manner provided for by the Central Intelligence Agency Retirement Act (50 U.S.C. 2001 et seq.) and in section 18 of the

Central Intelligence Agency Act of 1949 [(50 U.S.C. 403r)] (50 U.S.C. 3518).

TITLE 6—DOMESTIC SECURITY

§ 101 (Homeland Security Act of 2002, § 2)

SEC. 2. DEFINITIONS

In this Act, the following definitions apply:

* * * * *

(9) The term “intelligence component of the Department” means any element or entity of the Department that collects, gathers, processes, analyzes, produces, or disseminates intelligence information within the scope of the information sharing environment, including homeland security information, terrorism information, and weapons of mass destruction information, or national intelligence, as defined under section 3(5) of the National Security Act of 1947 [(50 U.S.C. 401a(5))] (50 U.S.C. 3003(5)), except—

* * * * *

(B) the Coast Guard, when operating under the direct authority of the Secretary of Defense or Secretary of the Navy pursuant to section 3 of title 14, except that nothing in this paragraph shall affect or diminish the authority and responsibilities of the Commandant of the Coast Guard to command or control the Coast Guard as an armed force or the authority of the Director of National Intelligence with respect to the Coast Guard as an element of the intelligence community (as defined under section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (50 U.S.C. 3003(4)).

§ 111 note (Department of Homeland Security Appropriations Act, 2007, § 513)

SEC. 513. Notwithstanding any other provision of law, the authority of the Office of Personnel Management to conduct personnel security and suitability background investigations, update investigations, and periodic reinvestigations of applicants for, or appointees in, positions in the Office of the Secretary and Executive Management, the Office of the Under Secretary for Management, Analysis and Operations, Immigration and Customs Enforcement, the Directorate for Preparedness, and the Directorate of Science and Technology of the Department of Homeland Security is transferred to the Department of Homeland Security: *Provided*, That on request of the Department of Homeland Security, the Office of Personnel Management shall cooperate with and assist the Department in any investigation or reinvestigation under this section: *Provided further*, That this section shall cease to be effective at such time as the President has selected a single agency to conduct security clearance investigations pursuant to section 3001(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; [50 U.S.C. 435b] 50 U.S.C. 3341) and the entity selected pursuant to section 3001(b) of such Act has reported to Congress that the agency selected pursuant to such section 3001(c) is

capable of conducting all necessary investigations in a timely manner or has authorized the entities within the Department of Homeland Security covered by this section to conduct their own investigations pursuant to section 3001 of such Act.

§ 121(d) (Homeland Security Act of 2002, § 201(d))

SEC. 201. DIRECTORATE FOR INFORMATION ANALYSIS.

(d) RESPONSIBILITIES OF SECRETARY RELATING TO INTELLIGENCE AND ANALYSIS.—The responsibilities of the Secretary relating to intelligence and analysis shall be as follows:

(1) To access, receive, and analyze law enforcement information, intelligence information, and other information from agencies of the Federal Government, State and local government agencies (including law enforcement agencies), and private sector entities, and to integrate such information, in support of the mission responsibilities of the Department and the functions of the National Counterterrorism Center established under section 119 of the National Security Act of 1947 [(50 U.S.C. 404o)] (50 U.S.C. 3056), in order to—

* * * * *

(9) To ensure that—

* * * * *

(B) any intelligence information under this chapter is shared, retained, and disseminated consistent with the authority of the Director of National Intelligence to protect intelligence sources and methods under the National Security Act of 1947 [(50 U.S.C. 401 et seq.)] (50 U.S.C. 3001 et seq.) and related procedures and, as appropriate, similar authorities of the Attorney General concerning sensitive law enforcement information.

§ 122(d)(1) (Homeland Security Act of 2002, § 202(d)(1))

SEC. 202. ACCESS TO INFORMATION.

* * * * *

(d) ACCESS TO INTELLIGENCE AND OTHER INFORMATION.—

(1) ACCESS BY ELEMENTS OF FEDERAL GOVERNMENT.—Nothing in this subchapter shall preclude any element of the intelligence community (as that term is defined in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (50 U.S.C. 3003(4)), or any other element of the Federal Government with responsibility for analyzing terrorist threat information, from receiving any intelligence or other information relating to terrorism.

§ 124a (Homeland Security Act of 2002, § 204)

SEC. 204. HOMELAND SECURITY INFORMATION SHARING.

(a) INFORMATION SHARING.— Consistent with section 485 of this title, the Secretary, acting through the Under Secretary for Intelligence and Analysis, shall integrate the information and standardize the format of the products of the intelligence components of the Department containing homeland security information, terrorism information, weapons of mass destruction information, or national intelligence (as defined in section 3(5) of the National Se-

curity Act of 1947 [(50 U.S.C. 401a(5))] (50 U.S.C. 3003(5)) except for any internal security protocols or personnel information of such intelligence components, or other administrative processes that are administered by any chief security officer of the Department.

(b) INFORMATION SHARING AND KNOWLEDGE MANAGEMENT OFFICERS.—For each intelligence component of the Department, the Secretary shall designate an information sharing and knowledge management officer who shall report to the Under Secretary for Intelligence and Analysis regarding coordinating the different systems used in the Department to gather and disseminate homeland security information or national intelligence (as defined in section 3(5) of the National Security Act of 1947 [(50 U.S.C. 401a(5))] (50 U.S.C. 3003(5)).

* * * * *

(d) TRAINING AND EVALUATION OF EMPLOYEES.—

(1) TRAINING.—The Secretary, acting through the Under Secretary for Intelligence and Analysis or the Director of the Cybersecurity and Infrastructure Security Agency, as appropriate, shall provide to employees of the Department opportunities for training and education to develop an understanding of—

(A) the definitions of homeland security information and national intelligence (as defined in section 3(5) of the National Security Act of 1947 [(50 U.S.C. 401a(5))] (50 U.S.C. 3003(5))); and

§ 124a note (Implementing Recommendations of the 9/11 Commission Act of 2007, § 502(b)(1))

SEC. 502. INTELLIGENCE COMPONENT DEFINED.

* * * * *

(b) RECEIPT OF INFORMATION FROM UNITED STATES SECRET SERVICE.—

(1) IN GENERAL.—The Under Secretary for Intelligence and Analysis shall receive from the United States Secret Service homeland security information, terrorism information, weapons of mass destruction information (as these terms are defined in Section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485)), or national intelligence, as defined in [Section 3(5) of the National Security Act of 1947 (50 U.S.C. 401a(5))] *section 3(5) of the National Security Act of 1947 (50 U.S.C. 3003(5))*, as well as suspect information obtained in criminal investigations. The United States Secret Service shall cooperate with the Under Secretary for Intelligence and Analysis with respect to activities under sections 204 and 205 of the Homeland Security Act of 2002.

§ 124d(1) (Homeland Security Act of 2002, § 207(1))

SEC. 207. INTELLIGENCE COMPONENTS.

Subject to the direction and control of the Secretary, and consistent with any applicable guidance issued by the Director of National Intelligence, the responsibilities of the head of each intelligence component of the Department are as follows:

(1) To ensure that the collection, processing, analysis, and dissemination of information within the scope of the information sharing environment, including homeland security infor-

mation, terrorism information, weapons of mass destruction information, and national intelligence (as defined in section 3(5) of the National Security Act of 1947 [(50 U.S.C. 401a(5))] (50 U.S.C. 3003(5))), are carried out effectively and efficiently in support of the intelligence mission of the Department, as led by the Under Secretary for Intelligence and Analysis.

§ 124e (Homeland Security Act of 2002, § 208)

SEC. 208. TRAINING FOR EMPLOYEES OF INTELLIGENCE COMPONENTS.

The Secretary shall provide training and guidance for employees, officials, and senior executives of the intelligence components of the Department to develop knowledge of laws, regulations, operations, policies, procedures, and programs that are related to the functions of the Department relating to the collection, processing, analysis, and dissemination of information within the scope of the information sharing environment, including homeland security information, terrorism information, and weapons of mass destruction information, or national intelligence (as defined in section 3(5) of the National Security Act of 1947 [(50 U.S.C. 401a(5))] (50 U.S.C. 3003(5))).

§ 124g(a) (Homeland Security Act of 2002, § 210(a))

SEC. 210. INFORMATION SHARING INCENTIVES.

(a) AWARDS.—In making cash awards under chapter 45 of title 5, United States Code, the President or the head of an agency, in consultation with the program manager designated under section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485), may consider the success of an employee in appropriately sharing information within the scope of the information sharing environment established under that section, including homeland security information, terrorism information, and weapons of mass destruction information, or national intelligence (as defined in section 3(5) of the National Security Act of 1947 [(50 U.S.C. 401a(5))] (50 U.S.C. 3003(5))), in a manner consistent with any policies, guidelines, procedures, instructions, or standards established by the President or, as appropriate, the program manager of that environment for the implementation and management of that environment.

§ 124k(f) (Homeland Security Act of 2002, § 210D(f))

SEC. 210D. INTERAGENCY THREAT ASSESSMENT AND COORDINATION GROUP.

* * * * *

(f) OPERATIONS.—

* * * * *

(2) MANAGEMENT.—Pursuant to section [(119(f)(E))] 119(f)(1)(E) of the National Security Act of 1947 [(50 U.S.C. 404o(f)(E))] (50 U.S.C. 3056(f)(1)(E)), the Director of the National Counterterrorism Center, acting through the senior intelligence official from the Department of Homeland Security detailed pursuant to subsection (d)(6), shall ensure that—

* * * * *

(B) in consultation with the ITACG Advisory Council and consistent with sections 102(f)(1)(B)(iii) and [119(f)(E)] 119(f)(1)(E) of the National Security Act of 1947 [(50 U.S.C. 402 et seq.)] (50 U.S.C. 3024(f)(1)(B)(iii) and 3056(f)(1)(E)), all products described in subparagraph (A) are disseminated through existing channels of the Department and the Department of Justice and other appropriate channels to State, local, and tribal government officials and other entities;

§ 321j(d)(1) (Homeland Security Act of 2002, § 521(d)(1))

SEC. 521. PROCUREMENT OF SECURITY COUNTERMEASURES FOR STRATEGIC NATIONAL STOCKPILE.

* * * * *

(d) RELATED AUTHORIZATIONS OF APPROPRIATIONS.—

(1) THREAT ASSESSMENT CAPABILITIES.—For the purpose of carrying out the responsibilities of the Secretary for terror threat assessment under the security countermeasures program, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2004 through 2006, for the hiring of professional personnel within the Office of Intelligence and Analysis, who shall be analysts responsible for chemical, biological, radiological, and nuclear threat assessment (including but not limited to analysis of chemical, biological, radiological, and nuclear agents, the means by which such agents could be weaponized or used in a terrorist attack, and the capabilities, plans, and intentions of terrorists and other non-state actors who may have or acquire such agents). All such analysts shall meet the applicable standards and qualifications for the performance of intelligence activities promulgated by the Director of Central Intelligence pursuant to [section 104 of the National Security Act of 1947] section 104A of the National Security Act of 1947 (50 U.S.C. 3036).

§ 331(c)(1)(B) (Homeland Security Act of 2002, § 601(c)(1)(B))

SEC. 331. TREATMENT OF CHARITABLE TRUSTS FOR MEMBERS OF THE ARMED FORCES OF THE UNITED STATES AND OTHER GOVERNMENTAL ORGANIZATIONS.

* * * * *

(c) REQUIREMENTS FOR THE DESIGNATION OF JOHNNY MICHAEL SPANN PATRIOT TRUSTS.—The requirements described in this subsection are as follows:

(1) Not taking into account funds or donations reasonably necessary to establish a trust, at least 85 percent of all funds or donations (including any earnings on the investment of such funds or donations) received or collected by any Johnny Micheal Spann Patriot Trust must be distributed to (or, if placed in a private foundation, held in trust for) surviving spouses, children, or dependent parents, grandparents, or siblings of 1 or more of the following:

* * * * *

(B) personnel, including contractors, of elements of the intelligence community, as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4));

§ 482(f)(2) (Homeland Security Act of 2002, § 892(f)(2))

SEC. 892. FACILITATING HOMELAND SECURITY INFORMATION SHARING PROCEDURES.

* * * * *

(f) DEFINITIONS.—As used in this section:

* * * * *

(2) The term “intelligence community” has the meaning given such term in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (50 U.S.C. 3003(4)).

TITLE 8—ALIENS AND NATIONALITY

§ 1101(a)(43)(L) (Immigration and Nationality Act, § 101(a)(43)(L))

SECTION 101. (a) As used in this Act—

* * * * *

(43) The term “aggravated felony” means—

* * * * *

(L) an offense described in—

* * * * *

(ii) section 601 of the National Security Act of 1947 [(50 U.S.C. 421)] (50 U.S.C. section 3121) (relating to protecting the identity of undercover intelligence agents); or

(iii) section 601 of the National Security Act of 1947 (50 U.S.C. 3121) (relating to protecting the identity of undercover agents);

§ 1157 note (National Defense Authorization Act for Fiscal Year 2008, § 1243(c))

SEC. 1243. UNITED STATES REFUGEE PROGRAM PROCESSING PRIORITIES.

* * * * *

(c) INELIGIBLE ORGANIZATIONS AND ENTITIES.—Organizations and entities described in subsection (a)(2) shall not include any that appear on the Department of the Treasury’s list of Specially Designated Nationals or any entity specifically excluded by the Secretary of Homeland Security, after consultation with the Secretary of State and the heads of relevant elements of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (50 U.S.C. 3003(4))).

§ 1201 note (Immigration Act of 1990, § 154)

SEC. 154. PERMITTING EXTENSION OF PERIOD OF VALIDITY OF IMMIGRANT VISAS FOR CERTAIN RESIDENTS OF HONG KONG.

* * * * *

(c) TREATMENT OF CERTAIN EMPLOYEES IN HONG KONG.—

(1) IN GENERAL.—In applying the proviso of section 7 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3508), in the case of an alien described in paragraph (2), the Director

may charge the entry of the alien against the numerical limitation for any fiscal year (beginning with fiscal year 1991 and ending with fiscal year 1996) notwithstanding that the alien's entry is not made to the United States in that fiscal year so long as such entry is made before the end of fiscal year 1997.

* * * * *

(d) TREATMENT OF CHILDREN.—In this section, the term “child” has the meaning given such term in section 101(b)(1) of the Immigration and Nationality Act and also includes (for purposes of this section and the Immigration and Nationality Act as it applies to this section) an alien who was the child (as so defined) of the alien as of the date of the issuance of an immigrant visa to the alien described in subsection (b)(1) or, in the case described in subsection (c), as of the date of charging of the entry of the alien under the proviso under section 7 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3508).

§ 1701(5) (Enhanced Border Security and Visa Entry Reform Act of 2002, § 2(5))

SEC. 2. DEFINITIONS.

In this Act:

* * * * *

(5) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 [50 U.S.C. 401a(4)] (50 U.S.C. 3003(4)).

§ 1721(c)(3)(F) (Enhanced Border Security and Visa Entry Reform Act of 2002, § 201(c)(3)(F))

SEC. 201. INTERIM MEASURES FOR ACCESS TO AND COORDINATION OF LAW ENFORCEMENT AND OTHER INFORMATION.

* * * * *

(c) COORDINATION PLAN.—

* * * * *

(3) PROTECTIONS REGARDING INFORMATION AND USES THEREOF.—The plan under this subsection shall establish conditions for using the information described in subsection (b) received by the Department of State and Immigration and Naturalization Service—

* * * * *

(F) in a manner that protects the sources and methods used to acquire intelligence information as required by [section 103(c)(7) of the National Security Act of 1947 (50 U.S.C. 403–3(c)(7))] *section 102A(i) of the National Security Act of 1947 (50 U.S.C. 3024(i))*.

§ 1722(b)(5) (Enhanced Border Security and Visa Entry Reform Act of 2002, § 202(b)(5))

SEC. 202. INTEROPERABLE LAW ENFORCEMENT AND INTELLIGENCE DATA SYSTEM WITH NAME-MATCHING CAPACITY AND TRAINING.

* * * * *

(b) NAME-SEARCH CAPACITY AND SUPPORT.—

* * * * *

(5) REPORTS BY INTELLIGENCE AGENCIES.—

(A) CURRENT STANDARDS.—Not later than 60 days after May 14, 2002, the Director of Central Intelligence shall complete the survey and issue the report previously required by section 309(a) of the Intelligence Authorization Act for Fiscal Year 1998 [(50 U.S.C. 403–3 note)] (50 U.S.C. 3024 note).

(B) GUIDELINES.—Not later than 120 days after the date of enactment of this Act, the Director of Central Intelligence shall issue the guidelines and submit the copy of those guidelines previously required by section 309(b) of the Intelligence Authorization Act for Fiscal Year 1998 [(50 U.S.C. 403–3 note)] (50 U.S.C. 3024 note).

TITLE 10—ARMED FORCES**§ 111 note (Goldwater-Nichols Department of Defense Reorganization Act of 1986, § 3 (matter before paragraph (1)))****SEC. 3. POLICY.**

In enacting this Act, it is the intent of Congress, consistent with the congressional declaration of policy in section 2 of the National Security Act of 1947 [(50 U.S.C. 401)] (50 U.S.C. 3002)—

§ 1401a note (Department of Defense Authorization Act, 1981, § 812)

SEC. 812. (a)(1) The increase in the retired and retainer pay of members and former members of the uniformed services which but for this section would be made effective September 1, 1980, under the provisions of paragraph (2)(B) of section 1401a(b) of title 10, United States Code, shall not be made.

* * * * *

(3) The President shall by Executive order provide for only one cost-of-living adjustment in the annuities paid under [the Central Intelligence Agency Act of 1964 for Certain Employees (50 U.S.C. 403 note)] *the Central Intelligence Agency Retirement Act (50 U.S.C. 2001 et seq.)* during the period beginning on September 1, 1980, and ending on August 31, 1981. Such adjustment shall be effective March 1, 1981, and shall be made in the same manner and percentage as the adjustment provided for in paragraphs (1) and (2) for the retired and retainer pay of members and former members of the uniformed services.

* * * * *

(b)(1) Effective August 31, 1981, but subject to paragraph (2), section 1401a(b), of title 10, United States Code, relating to adjustment of retired pay and retainer pay to reflect changes in the Consumer Price Index, is amended to read as follows:

“(b) Each time that an increase is made under section 8340(b) of title 5 in annuities paid under subchapter III of chapter 83 of such title, the Secretary of Defense shall at the same time increase the

retired and retainer pay of members and former members of the armed forces by the same percent as the percentage by which annuities are increased under such section.”.

* * * * *

(3) If legislation described in paragraph (2) is enacted to provide for the adjustment of annuities paid under subchapter III of chapter 83 of title 5, United States Code, on a once-a-year basis, the President shall exercise the authority vested in him under [section 292 of the Central Intelligence Agency Act of 1964 for Certain Employees (50 U.S.C. 403 note)] *section 292 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2141)* to provide for cost-of-living adjustments in the annuities paid under such Act on an identical basis.

(4) If at the time the first adjustment in retired and retainer pay is made under section 1401a(b) of title 10, United States Code, as amended by paragraph (1) of this subsection, the period upon which the most recent adjustment in such retired and retainer pay was computed is not identical to the period upon which the most recent adjustment in annuities under subchapter III of chapter 83 of title 5, United States Code, was computed, then the percentage increase to be made under such section 1401a(b) at the time of the first such adjustment shall be computed in the same manner as the percentage increase made at the same time in annuities under subchapter III of chapter 83 of title 5, United States Code, is computed, but shall be based on the period beginning on the last day of the period upon which the most recent adjustment in such retired and retainer pay was computed and ending on the last day of the period upon which the adjustment being made at the same time in annuities under such subchapter III is computed. The President shall by Executive order provide for a similar computation of the adjustment in annuities paid under [the Central Intelligence Agency Act of 1964 for Certain Employees (50 U.S.C. 403 note)] *the Central Intelligence Agency Retirement Act (50 U.S.C. 2001 et seq.)* which is made at the same time as the increase in retired and retainer pay to which the preceding sentence is applicable.

§ 1601 note (National Defense Authorization Act for Fiscal Year 2010, § 1114(a))

SEC. 1114. PROVISIONS RELATING TO THE DEFENSE CIVILIAN INTELLIGENCE PERSONNEL SYSTEM.

(a) **SUSPENSION OF CERTAIN PAY AUTHORITY.**—Effective with respect to amounts paid during the period beginning on the date of the enactment of this Act and ending on December 31, 2010, rates of basic pay for employees and positions within any element of the intelligence community (as defined by the National Security Act of 1947 (50 U.S.C. 3001 et seq.))—

TITLE 12—BANKS AND BANKING

§ 3414(a)(5)(C) (Right to Financial Privacy Act of 1978, § 1114(a)(5)(C))

SEC. 1114. (a) (1) Nothing in this title (except sections 1115, 1117, 1118, and 1121) shall apply to the production and disclosure of financial records pursuant to requests from—

* * * * *

(5)(A) Financial institutions, and officers, employees, and agents thereof, shall comply with a request for a customer's or entity's financial records made pursuant to this subsection by the Federal Bureau of Investigation when the Director of the Federal Bureau of Investigation (or the Director's designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director) certifies in writing to the financial institution that such records are sought for foreign counter intelligence purposes to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States.

* * * * *

(C) On the dates provided in section 507 of the National Security Act of 1947 (*50 U.S.C. 3106*), the Attorney General shall fully inform the congressional intelligence committees (as defined in section 3 of that Act [(50 U.S.C. 401a)] (*50 U.S.C. 3003*) concerning all requests made pursuant to this paragraph.

TITLE 15—COMMERCE AND TRADE

§ 1681u(h)(2) (Fair Credit Reporting Act, § 626(h)(2))

§ 626. Disclosures to FBI for counterintelligence purposes

* * * * *

(h) REPORTS TO CONGRESS.—(1) On a semiannual basis, the Attorney General shall fully inform the Permanent Select Committee on Intelligence and the Committee on Banking, Finance and Urban Affairs of the House of Representatives, and the Select Committee on Intelligence and the Committee on Banking, Housing, and Urban Affairs of the Senate concerning all requests made pursuant to subsections (a), (b), and (c) of this section.

(2) In the case of the semiannual reports required to be submitted under paragraph (1) to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, the submittal dates for such reports shall be as provided in section 507 of the National Security Act of 1947 (*50 U.S.C. 3106*).

§ 1681v(f)(2) (Fair Credit Reporting Act, § 627(f)(2))

§ 627. Disclosures to governmental agencies for counterterrorism purposes

* * * * *

(f) REPORTS TO CONGRESS.—(1) On a semi-annual basis, the Attorney General shall fully inform the Committee on the Judiciary, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on the Judiciary, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate concerning all requests made pursuant to subsection (a).

(2) In the case of the semiannual reports required to be submitted under paragraph (1) to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, the submittal dates for such reports shall be as provided in section 507 of the National Security Act of 1947 [(50 U.S.C. 415b)] (50 U.S.C. 3106).

TITLE 18—CRIMES AND CRIMINAL PROCEDURE

§ 1510(e)

§ 1510. Obstruction of criminal investigations

* * * * *

(e) Whoever, having been notified of the applicable disclosure prohibitions or confidentiality requirements of section 2709(c)(1) of this title, section 626(d)(1) or 627(c)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681u(d)(1) or 1681v(c)(1)), section 1114(a)(3)(A) or 1114(a)(5)(D)(i) of the Right to Financial Privacy Act (12 U.S.C. 3414(a)(3)(A) or 3414(a)(5)(D)(i)), or section 802(b)(1) of the National Security Act of 1947 [(50 U.S.C. 436(b)(1))] (50 U.S.C. 3162(b)(1)), knowingly and with the intent to obstruct an investigation or judicial proceeding violates such prohibitions or requirements applicable by law to such person shall be imprisoned for not more than five years, fined under this title, or both.

§ 2517(6)

§ 2517. Authorization for disclosure and use of intercepted wire, oral, or electronic communications

* * * * *

(6) Any investigative or law enforcement officer, or attorney for the Government, who by any means authorized by this chapter, has obtained knowledge of the contents of any wire, oral, or electronic communication, or evidence derived therefrom, may disclose such contents to any other Federal law enforcement, intelligence, protective, immigration, national defense, or national security official to the extent that such contents include foreign intelligence or counterintelligence (as defined in section 3 of the National Security Act of 1947 [(50 U.S.C. 401a)] (50 U.S.C. 3003)), or foreign intelligence information (as defined in subsection (19) of section 2510 of this title), to assist the official who is to receive that information

in the performance of his official duties. Any Federal official who receives information pursuant to this provision may use that information only as necessary in the conduct of that person's official duties subject to any limitations on the unauthorized disclosure of such information.

§ 3239(2)

§ 3239. Optional venue for espionage and related offenses

The trial for any offense involving a violation, begun or committed upon the high seas or elsewhere out of the jurisdiction of any particular State or district, of—

* * * * *

(2) section 601 of the National Security Act of 1947 [(50 U.S.C. 421)] (50 U.S.C. 3121); or

§ 3511 note (USA PATRIOT Improvement and Reauthorization Act of 2005, § 118(a))

REPORTS ON NATIONAL SECURITY LETTERS.

(a) EXISTING REPORTS.—Any report made to a committee of Congress regarding national security letters under section 2709(c)(1) of title 18, United States Code, section 626(d) or 627(c) of the Fair Credit Reporting Act (15 U.S.C. 1681u(d) or 1681v(c)), section 1114(a)(3) or 1114(a)(5)(D) of the Right to Financial Privacy Act (12 U.S.C. 3414(a)(3) or 3414(a)(5)(D)), or section 802(b) of the National Security Act of 1947 [(50 U.S.C. 436(b))] (50 U.S.C. 3162(b)) shall also be made to the Committees on the Judiciary of the House of Representatives and the Senate.

TITLE 18—APPENDIX

Classified Information Procedures Act, § 13(b)

SEC. 13. (a) Consistent with applicable authorities and duties, including those conferred by the Constitution upon the executive and legislative branches, the Attorney General shall report orally or in writing semiannually to the Permanent Select Committee on Intelligence of the United States House of Representatives, the Select Committee on Intelligence of the United States Senate, and the chairmen and ranking minority members of the Committees on the Judiciary of the Senate and House of Representatives on all cases where a decision not to prosecute a violation of Federal law pursuant to section 12(a) has been made.

(b) In the case of the semiannual reports (whether oral or written) required to be submitted under subsection (a) to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, the submittal dates for such reports shall be as provided in section 507 of the National Security Act of 1947 (50 U.S.C. 3106).

TITLE 19—CUSTOMS DUTIES

§ 2434 note (Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012, § 201(a)(2)(B))

SEC. 201. REPORTS ON IMPLEMENTATION BY THE RUSSIAN FEDERATION OF OBLIGATIONS AS A MEMBER OF THE WORLD TRADE ORGANIZATION AND ENFORCEMENT ACTIONS BY THE UNITED STATES TRADE REPRESENTATIVE.

(a) REPORTS ON IMPLEMENTATION.—

* * * * *

(2) PLAN FOR ACTION BY TRADE REPRESENTATIVE.—

* * * * *

(B) CLASSIFIED INFORMATION.—If any information regarding a planned action referred to in subparagraph (A) is classifiable under Executive Order No. 13526 (75 Fed. Reg. 707; relating to classified national security information) (*50 U.S.C. 3161 note*) or a subsequent Executive order, the Trade Representative shall report that information to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives by—

TITLE 21—FOOD AND DRUGS

§ 873 note (Intelligence Authorization Act for Fiscal Year 2005, § 104(e)(3))

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

* * * * *

(e) NATIONAL DRUG INTELLIGENCE CENTER.—

* * * * *

(3) LIMITATION.—Amounts available for the National Drug Intelligence Center may not be used in contravention of the provisions of section 103(d)(1) of the National Security Act of 1947 [(50 U.S.C. 403–3(d)(1))] (*50 U.S.C. 3025(d)(1)*).

§ 1703(h) (Office of National Drug Control Policy Reauthorization Act of 1998, § 704(h))

SEC. 704. APPOINTMENT AND DUTIES OF DIRECTOR AND DEPUTY DIRECTOR.

* * * * *

(h) CONSTRUCTION.—Nothing in this Act shall be construed as derogating the authorities and responsibilities of the Director of National Intelligence or the Director of the Central Intelligence Agency contained in the National Security Act of 1947 [(50 U.S.C. 401 et seq.)] (*50 U.S.C. 3001 et seq.*), the Central Intelligence Agency Act of 1949 [(50 U.S.C. 403a et seq.)] (*50 U.S.C. 3501 et seq.*), or any other law.

§ 1704(a)(2)(A) (Office of National Drug Control Policy Reauthorization Act of 1998, § 705(a)(2)(A))

SEC. 705. COORDINATION WITH NATIONAL DRUG CONTROL PROGRAM AGENCIES IN DEMAND REDUCTION, SUPPLY REDUCTION, AND STATE AND LOCAL AFFAIRS.

(a) ACCESS TO INFORMATION.—

* * * * *

(2) PROTECTION OF INTELLIGENCE INFORMATION.—

(A) IN GENERAL.—The authorities conferred on the Office and the Director by this chapter shall be exercised in a manner consistent with provisions of the National Security Act of 1947 [(50 U.S.C. 401 et seq.)] (50 U.S.C. 3001 et seq.). The Director of National Intelligence shall prescribe such regulations as may be necessary to protect information provided pursuant to this chapter regarding intelligence sources and methods.

TITLE 22—FOREIGN RELATIONS AND INTERCOURSE

§ 287b(d)(2) (United Nations Participation Act of 1945, § 4(d)(2))

SEC. 4. (a) PERIODIC REPORTS.—The President shall, from time to time as occasion may require, but not less than once each year, make reports to the Congress of the activities of the United Nations and of the participation of the United States therein.

* * * * *

(d) CONSULTATIONS AND REPORTS ON UNITED NATIONS PEACE-KEEPING OPERATIONS.—

* * * * *

(2) INFORMATION TO BE PROVIDED.—In connection with such consultations, the following information shall be provided each month to the designated congressional committees:

(A) With respect to ongoing United Nations peace-keeping operations, the following:

* * * * *

(iv) Any anticipated significant changes in United States participation in or support for each such operation during the period covered by the resolution (including the provision of facilities, training, transportation, communication, and logistical support, but not including intelligence activities reportable under title V of the National Security Act of 1947 [(50 U.S.C. 413 et seq.)] (50 U.S.C. 3091 et seq.)), and the estimated costs to the United States of such changes.

(B) With respect to each new United Nations peace-keeping operation that is anticipated to be authorized by a Security Council resolution during such month, the following information for the period covered by the resolution:

* * * * *

(iv) A description of any other United States assistance to or support for the operation (including the provision of facilities, training, transportation, communication, and logistical support, but not including intelligence activities reportable under title V of the National Security Act of 1947 [(50 U.S.C. 413 et seq.)] (50 U.S.C. 3091 et seq.)), and an estimate of the cost to the United States of such assistance or support.

§ 1442a(a)(2) (United States Information and Educational Exchange Act of 1948, § 1012(a)(2))

SEC. 1012. NATIONAL SECURITY MEASURES.

(a) RESTRICTION.—In coordination with other appropriate executive branch officials, the Secretary of State shall take all appropriate steps to—

* * * * *

(2) ensure that no person who is involved in the research, development, design, testing, evaluation, or production of missiles or weapons of mass destruction is a participant in any program of educational or cultural exchange under this Act if such person is employed by, or attached to, an entity within a country that has been identified by any element of the United States intelligence community (as defined by section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) within the previous 5 years as having been involved in the proliferation of missiles or weapons of mass destruction; and

§ 2291(b)(2) (Foreign Assistance Act of 1961, § 481(b)(2))

SEC. 481. POLICY, GENERAL AUTHORITIES, COORDINATION, FOREIGN POLICY ACTIONS, DEFINITIONS, AND OTHER PROVISIONS.

* * * * *

(b) COORDINATION OF ALL UNITED STATES ANTINARCOTICS ASSISTANCE TO FOREIGN COUNTRIES.—

* * * * *

(2) RULE OF CONSTRUCTION.—Nothing contained in this subsection or section 489(b) shall be construed to limit or impair the authority or responsibility of any other Federal agency with respect to law enforcement, domestic security operations, or intelligence activities as defined in Executive Order 12333 (50 U.S.C. 3001 note).

§ 2291-4(c)(2) (National Defense Authorization Act for Fiscal Year 1995, § 1012(c)(2))

SEC. 1012. OFFICIAL IMMUNITY FOR AUTHORIZED EMPLOYEES AND AGENTS OF THE UNITED STATES AND FOREIGN COUNTRIES ENGAGED IN INTERDICTION OF AIRCRAFT USED IN ILLICIT DRUG TRAFFICKING.

* * * * *

(c) ANNUAL REPORT.—(1) Except as provided in paragraph (2), not later than February 1 each year, the President shall submit to Congress a report on the assistance provided under subsection (b)

during the preceding calendar year. Each report shall include for the calendar year covered by such report the following:

* * * * *

(2) In the case of a report required to be submitted under paragraph (1) to the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 [50 U.S.C. 401a]) (50 U.S.C. 3003), the submittal date for such report shall be as provided in section 507 of that Act (50 U.S.C. 3106).

§ 2349aa-7(c) (International Security and Development Cooperation Act of 1985, § 502(c))

SEC. 502. COORDINATION OF ALL UNITED STATES TERRORISM-RELATED ASSISTANCE TO FOREIGN COUNTRIES

* * * * *

(c) **RULE OF CONSTRUCTION.**—Nothing contained in this section shall be construed to limit or impair the authority or responsibility of any other Federal agency with respect to law enforcement, domestic security operations, or intelligence activities as defined in Executive Order 12333 (50 U.S.C. 3001 note).

§ 2415(b) (Foreign Assistance Act, § 655(b))

SEC. 655. ANNUAL REPORT ON MILITARY ASSISTANCE, MILITARY EXPORTS, AND MILITARY IMPORTS

* * * * *

(b) **INFORMATION RELATING TO MILITARY ASSISTANCE AND MILITARY EXPORTS.**—Each such report shall show the aggregate dollar value and quantity of defense articles (including excess defense articles), defense services, and international military education and training activities authorized by the United States and of such articles, services, and activities provided by the United States, excluding any activity that is reportable under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), to each foreign country and international organization. The report shall specify, by category, whether such defense articles—

§ 2652c note (Arms Control, Proliferation, and Security Assistance Act of 1999, § 1000(a)(7) [div. B, title XI, § 1102(4)])

SEC. 1102. DEFINITIONS.

In this title:

* * * * *

(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))] (50 U.S.C. 3003(4)).

§ 2751 note (National Defense Authorization Act for 1994, § 1607(2))

SEC. 1607. DEFINITIONS.

For purposes of this subtitle:

* * * * *

(2) The term “intelligence community” has the meaning given such term in section 3 of the National Security Act of 1947 [(50 U.S.C. 401a)] (50 U.S.C. 3003).

§ 2753 note (Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, § 101(d) [div. A, title V, § 594(d)])

SEC. 594. (a) No less than 15 days prior to the export to any country identified pursuant to subparagraph (c) of any lethal defense article or service in the amount of \$14,000,000 or less, the President shall provide a detailed notification to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations.

* * * * *

(d) EXCLUSIONS.—Information reportable under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is excluded from the requirements of this section.

§ 2776(a)(10) (matter after subparagraph (B)) (Arms Export Control Act, § 36(a)(10) (matter after subparagraph (B)))

SEC. 36. REPORTS ON COMMERCIAL AND GOVERNMENTAL MILITARY EXPORTS.—(a) The President shall transmit to the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and to the chairman of the Committee on Foreign Relations of the Senate not more than sixty days after the end of each quarter an unclassified report (except that any material which was transmitted in classified form under subsection (b)(1) or (c)(1) of this section may be contained in a classified addendum to such report, and any letter of offer referred to in paragraph (1) of this subsection may be listed in such addendum unless such letter of offer has been the subject of an unclassified certification pursuant to subsection (b)(1) of this section, and any information provided under paragraph (11) of this subsection may also be provided in a classified addendum) containing—

* * * * *

(10) a listing of all munitions items (as defined in section 2780(l)(1) of this title) which were sold, leased, or otherwise transferred by the Department of Defense to any other department, agency, or other entity of the United States Government during the quarter for which such report is submitted (including the name of the recipient Government entity and a discussion of what that entity will do with those munitions items) if—

* * * * *

(B) the value of all munitions items transferred to that Government department, agency, or other entity during that quarter was \$250,000 or more; excluding munitions items transferred (i) for disposition or use solely within the United States, or (ii) for use in connection with intelligence activities subject to reporting requirements under title V of the National Security Act of 1947 [(50 U.S.C.

413 et seq.】 *50 U.S.C. 3091 et seq.*; relating to congressional oversight of intelligence activities);

§ 2778(g)(1)(A)(x) (Arms Export Control Act, § 38(g)(1)(A)(x))

SEC. 38. CONTROL OF ARMS EXPORTS AND IMPORTS.—(a)(1) In furtherance of world peace and the security and foreign policy of the United States, the President is authorized to control the import and the export of defense articles and defense services and to provide foreign policy guidance to persons of the United States involved in the export and import of such articles and services. The President is authorized to designate those items which shall be considered as defense articles and defense services for the purposes of this section and to promulgate regulations for the import and export of such articles and services. The items so designated shall constitute the United States Munitions List.

* * * * *

(g)(1) The President shall develop appropriate mechanisms to identify, in connection with the export licensing process under this section—

(A) persons who are the subject of an indictment for, or have been convicted of, a violation under—

* * * * *

(x) section 601 of the National Security Act of 1947 (relating to intelligence identities protection; [50 U.S.C. 421] *50 U.S.C. 3121*),

§ 2778 note (National Defense Authorization Act for Fiscal Year 2000, title XIV)

SEC. 1411. ENHANCED INTELLIGENCE CONSULTATION ON SATELLITE LICENSE APPLICATIONS.

* * * * *

(c) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (*50 U.S.C. 3003(4)*).

SEC. 1412. INVESTIGATIONS OF VIOLATIONS OF EXPORT CONTROLS BY UNITED STATES SATELLITE MANUFACTURERS.

* * * * *

(f) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to modify or supersede any other requirement to report information on intelligence activities to Congress, including the requirement under section 501 of the National Security Act of 1947 [(50 U.S.C. 413)] (*50 U.S.C. 3091*).

§ 2780(h) (Arms Export Control Act, § 40(h))

SEC. 40. EXPORTS TO COUNTRIES SUPPORTING ACTS OF INTERNATIONAL TERRORISM.

* * * * *

(h) EXEMPTION FOR TRANSACTIONS SUBJECT TO NATIONAL SECURITY ACT REPORTING REQUIREMENTS.—The prohibitions contained in this section do not apply with respect to any transaction subject to reporting requirements under title V of the National Security

Act of 1947 [50 U.S.C. 413 et seq.] 50 U.S.C. 3091 et seq.; relating to congressional oversight of intelligence activities).

§ 2799aa-1(b)(2) (Arms Export Control Act, § 102(b)(2))

SEC. 102. NUCLEAR REPROCESSING TRANSFERS, ILLEGAL EXPORTS FOR NUCLEAR EXPLOSIVE DEVICES, TRANSFERS OF NUCLEAR EXPLOSIVE DEVICES, AND NUCLEAR DETONATIONS.

* * * * *

(b) PROHIBITIONS ON ASSISTANCE TO COUNTRIES INVOLVED IN TRANSFER OR USE OF NUCLEAR EXPLOSIVE DEVICES; EXCEPTIONS; PROCEDURES APPLICABLE.—(1) Except as provided in paragraphs (4), (5), and (6), in the event that the President determines that any country, after the effective date of part B of the Nuclear Proliferation Prevention Act of 1994—

* * * * *

(2) The sanctions referred to in paragraph (1) are as follows:

* * * * *

(D) The United States Government shall deny to that country any credit, credit guarantees, or other financial assistance by any department, agency, or instrumentality of the United States Government, except that the sanction of this subparagraph shall not apply—

(i) to any transaction subject to the reporting requirements of title V of the National Security Act of 1947 [(relating) (50 U.S.C. 3091 et seq.; relating to congressional oversight of intelligence activities),

* * * * *

(G) The authorities of section 6 of the Export Administration Act of 1979 shall be used to prohibit exports to that country of specific goods and technology (excluding food and other agricultural commodities), except that such prohibition shall not apply to any transaction subject to the reporting requirements of title V of the National Security Act of 1947 [(relating) (50 U.S.C. 3091 et seq.; relating to congressional oversight of intelligence activities).

§ 4805(b) (Omnibus Diplomatic Security and Antiterrorism Act of 1986, § 106(b))

SEC. 106. COOPERATION OF OTHER FEDERAL AGENCIES.

* * * * *

(b) OTHER AGENCIES.—Nothing contained in this chapter shall be construed to limit or impair the authority or responsibility of any other Federal, State, or local agency with respect to law enforcement, domestic security operations, or intelligence activities as defined in Executive Order 12333 (50 U.S.C. 3001 note).

§ 4861 note (Intelligence Authorization Act for Fiscal Year 2003, § 832(c))

SEC. 832. EVALUATION OF POLICIES AND PROCEDURES OF DEPARTMENT OF STATE ON PROTECTION OF CLASSIFIED INFORMATION AT DEPARTMENT HEADQUARTERS.

* * * * *

(c) EXCEPTION.—The date each year for the submittal of a report under subsection (b) may be postponed in accordance with section 507(d) of the National Security Act of 1947 (*50 U.S.C. 3106(d)*), as added by section 811 of this Act.

§ 6402(12) (International Religious Freedom Act, § 3(12))

SEC. 3. DEFINITIONS.

In this Act:

* * * * *

(12) SPECIAL ADVISER.—The term “Special Adviser” means the Special Adviser to the President on International Religious Freedom described in [section 101(i) of the National Security Act of 1947, as added by section 301 of this Act] *section 101(k) of the National Security Act of 1947 (50 U.S.C. 3021(k))*.

§ 8425(c)(1) (Enhanced Partnership with Pakistan Act of 2009, § 205(c)(1))

SEC. 205. REQUIREMENTS FOR CIVILIAN CONTROL OF CERTAIN ASSISTANCE.

* * * * *

(c) APPLICATION TO CERTAIN ACTIVITIES.—Nothing in this section shall apply with respect to—

(1) any activities subject to reporting requirements under title V of the National Security Act of 1947 [(50 U.S.C. 413 et seq.)] (*50 U.S.C. 3091 et seq.*);

§ 8711(2)(A) (Iran Threat Reduction and Syria Human Rights Act of 2012, § 101(2)(A))

SEC. 101. SENSE OF CONGRESS ON ENFORCEMENT OF MULTILATERAL SANCTIONS REGIME AND EXPANSION AND IMPLEMENTATION OF SANCTIONS LAWS.

It is the sense of Congress that the goal of compelling Iran to abandon efforts to acquire a nuclear weapons capability and other threatening activities can be effectively achieved through a comprehensive policy that includes economic sanctions, diplomacy, and military planning, capabilities and options, and that this objective is consistent with the one stated by President Barack Obama in the 2012 State of the Union Address: “Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal”. Among the economic measures to be taken are—

* * * * *

(2) full, timely, and vigorous implementation of all sanctions enacted into law, including sanctions imposed or expanded by this Act or amendments made by this Act, through

(A) intensified monitoring by the President and the designees of the President, including the Secretary of the Treasury, the Secretary of State, and senior officials in the intelligence community (as defined in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (*50 U.S.C. 3003(4)*), as appropriate;

§ 8743(b)(1) (Iran Threat Reduction and Syria Human Rights Act of 2012, § 303(b)(1))

SEC. 303. IDENTIFICATION OF, AND IMPOSITION OF MEASURES WITH RESPECT TO, FOREIGN GOVERNMENT AGENCIES CARRYING OUT ACTIVITIES OR TRANSACTIONS WITH CERTAIN IRAN AFFILIATED PERSONS.

* * * * *

(b) IMPOSITION OF MEASURES.—

(1) **IN GENERAL.**—The President may impose any of the following measures with respect to an agency identified pursuant to subsection (a) if the President determines that the assistance, exports, or other support to be prohibited by reason of the imposition of the measures have contributed and would otherwise directly or indirectly contribute to the agency’s capability to continue the activities or transactions for which the agency has been identified pursuant to subsection (a):

* * * * *

(D) No exports may be permitted to the agency of any goods or technologies controlled for national security reasons under the Export Administration Regulations, except that such prohibition shall not apply to any transaction subject to the reporting requirements of title V of the National Security Act of 1947 (【50 U.S.C. 413 et seq.】 *50 U.S.C. 3091 et seq.*; relating to congressional oversight of intelligence activities).

* * * * *

(F) The United States shall deny to the agency any credit or financial assistance by any department, agency, or instrumentality of the United States Government, except that this paragraph shall not apply—

(i) to any transaction subject to the reporting requirements of title V of the National Security Act of 1947 (【50 U.S.C. 413 et seq.】 *50 U.S.C. 3091 et seq.*; relating to congressional oversight of intelligence activities);

TITLE 28—JUDICIARY AND JUDICIAL PROCEDURE

§ 532 note (National Security Intelligence Reform Act of 2004, § 2002(c)(2))

SEC. 2002. DIRECTORATE OF INTELLIGENCE OF THE FEDERAL BUREAU OF INVESTIGATION.

* * * * *

(c) RESPONSIBILITIES.—The Directorate of Intelligence shall be responsible for the following:

* * * * *

(2) The discharge by the Bureau of the requirements in section 105B of the National Security Act of 1947 (【50 U.S.C. 403–5b】 *(50 U.S.C. 3040)*).

§ 532 note (Intelligence Authorization Act, Fiscal Year 1992, § 501(a))

SEC. 501. FBI CRITICAL SKILLS SCHOLARSHIP PROGRAM.

(a) STUDY.—The Director of the Federal Bureau of Investigation shall conduct a study relative to the establishment of an undergraduate training program with respect to employees of the Federal Bureau of Investigation that is similar in purpose, conditions, content, and administration to undergraduate training programs administered by the Central Intelligence Agency (under section 8 of the Central Intelligence Agency Act of 1949 [(50 U.S.C. 403j)] (50 U.S.C. 3510)), the National Security Agency (under section 16 of the National Security Agency Act of 1959 [(50 U.S.C. 402 (note))] (50 U.S.C. 3614)), and the Defense Intelligence Agency (under section 1608 of title 10, United States Code).

TITLE 31—MONEY AND FINANCE

§ 311(a)(2)

§ 311. Office of Intelligence and Analysis

(a) ESTABLISHMENT.—There is established within the Department of the Treasury, the Office of Intelligence and Analysis (in this section referred to as the “Office”), which shall—

* * * * *

(2) be responsible for the receipt, analysis, collation, and dissemination of foreign intelligence and foreign counterintelligence information (within the meaning of section 3 of the National Security Act of 1947 [(50 U.S.C. 401a)] (50 U.S.C. 3003)) related to the operation and responsibilities of the Department of the Treasury; and

§ 1113 note (National Defense Authorization Act for Fiscal Year 2000, § 1031(25))

SEC. 1031. PRESERVATION OF CERTAIN DEFENSE REPORTING REQUIREMENTS.

Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 [Pub. L. 10466] (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

* * * * *

(25) Section 108 of the National Security Act of 1947 [(50 U.S.C. 404a)] (50 U.S.C. 3043).

§ 1113 note (Federal Reports Elimination and Sunset Act of 1995, § 3003(d)(18))

SEC. 3003. TERMINATION OF REPORTING REQUIREMENTS.

* * * * *

(d) SPECIFIC REPORTS EXEMPTED.—Subsection (a)(1) shall not apply to any report required under—

* * * * *

(18) section 108 of the National Security Act of 1947 [(50 U.S.C. 404a)] (50 U.S.C. 3043);

§ 1343 note (Department of Defense Appropriations Act, 1994, § 8105)

SEC. 8105. During the current fiscal year and thereafter, monetary limitations on the purchase price of a passenger motor vehicle shall not apply to vehicles purchased for intelligence activities conducted pursuant to Executive Order 12333 (*50 U.S.C. 3001 note*) or successor orders.

§ 1344(c)

§ 1344. Passenger carrier use

* * * * *

(c) A passenger carrier may be used to transport between residence and place of employment any person for whom protection is specifically authorized pursuant to section 3056(a) of title 18 or for whom transportation is authorized pursuant to section 28 of the State Department Basic Authorities Act of 1956, section 2637 of title 10, or section 8(a)(1) of the Central Intelligence Agency Act of 1949 (*50 U.S.C. 3510(a)(1)*).

§ 3524

§ 3524. Auditing expenditures approved without vouchers

* * * * *

(d) This section does not—

* * * * *

(2) affect authority under section 8(b) of the Central Intelligence Agency Act of 1949 [(50 U.S.C. 403j(b))] (*50 U.S.C. 3510(b)*).

(e) Information about a financial transaction exempt under subsection (c) of this section or a financial transaction under section 8(b) of the Central Intelligence Agency Act of 1949 [(50 U.S.C. 403j(b))] (*50 U.S.C. 3510(b)*) may be reviewed by the Permanent Select Committee on Intelligence of the House and the Select Committee on Intelligence of the Senate.

TITLE 41—PUBLIC CONTRACTS

§ 2304(c)(1)

§ 2304. Conflict of interest standards for consultants

* * * * *

(c) INTELLIGENCE ACTIVITIES EXEMPTION.—

(1) ACTIVITIES THAT MAY BE EXEMPT.—Intelligence activities as defined in section 3.4(e) of Executive Order No. 12333 (*50 U.S.C. 3001 note*) or a comparable definitional section in any successor order may be exempt from the regulations required by subsection (a).

§ 4712(f)(1)

§ 4712. Pilot program for enhancement of contractor protection from reprisal for disclosure of certain information

* * * * *

(f) EXCEPTIONS.—(1) This section shall not apply to any element of the intelligence community, as defined in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (50 U.S.C. 3003(4)).

§ 8302(b)(4)

§ 8302. American materials required for public use

* * * * *

(b) REPORTS.—

* * * * *

(4) EXCEPTION FOR INTELLIGENCE COMMUNITY.—This subsection shall not apply to acquisitions made by an agency, or component of an agency, that is an element of the intelligence community as specified in, or designated under, section 3 of the National Security Act of 1947 [(50 U.S.C. 401a)] (50 U.S.C. 3003).

TITLE 42—THE PUBLIC HEALTH AND WELFARE

§ 2000ee-3(c)(3)(B)(i) (Implementing Recommendations of the 9/11 Commission Act of 2007, § 804(c)(3)(B)(i))

SEC. 804. FEDERAL AGENCY DATA MINING REPORTING ACT OF 2007.

* * * * *

(c) REPORTS ON DATA MINING ACTIVITIES BY FEDERAL AGENCIES.—

* * * * *

(3) ANNEX.—

* * * * *

(B) AVAILABILITY.— Any annex described in clause (i)— (i) shall be available, as appropriate, and consistent with the National Security Act of 1947 [(50 U.S.C. 401 et seq.)] (50 U.S.C. 3001 et seq.), to the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Select Committee on Intelligence, the Committee on Appropriations, and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Homeland Security, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, the Committee on Appropriations, and the Committee on Financial Services of the House of Representatives; and

**§ 17373(k) (Energy Independence and Security Act of 2007,
§ 934(k))**

**SEC. 934. CONVENTION ON SUPPLEMENTARY COMPENSATION FOR NU-
CLEAR DAMAGE CONTINGENT COST ALLOCATION.**

* * * * *

(k) PROTECTION OF SENSITIVE UNITED STATES INFORMATION.—
Nothing in the Convention or this section requires the disclosure
of—

* * * * *

(2) information relating to intelligence sources or methods
protected by section 102A(i) of the National Security Act of
1950 [(50 U.S.C. 403—1(i))] (*50 U.S.C. 3024(i)*); or (3) national
security information classified under Executive Order 12958
[**50 U.S.C. 435 note**] *50 U.S.C. 3161 note*; relating to classi-
fied national security information) (or a successor Executive
Order or regulation).

**TITLE 44—PUBLIC PRINTING AND
DOCUMENTS**

**§ 2107 note (President John F. Kennedy Assassination
Records Collection Act of 1992, § 2(a)(6))**

SEC. 2. FINDINGS, DECLARATIONS, AND PURPOSES.

(a) FINDINGS AND DECLARATIONS.—The Congress finds and de-
clares that.—

* * * * *

(6) legislation is necessary because Executive Order No.
12356 (*50 U.S.C. 3161 note*), entitled “National Security Infor-
mation” has eliminated the declassification and downgrading
schedules relating to classified information across government
and has prevented the timely public disclosure of records relat-
ing to the assassination of President John F. Kennedy; and

**TITLE 50—WAR AND NATIONAL
DEFENSE**

**§ 1526(b) (Arms Control, Proliferation, and Security Assist-
ance Act of 1999, § 1000(a)(7) [div. B, title XI,
§ 1132(b)])**

**SEC. 1132. EFFECTIVE USE OF RESOURCES FOR NONPROLIFERATION
PROGRAMS.**

* * * * *

(b) EXCEPTION.—The prohibition contained in subsection (a) of
this section shall not apply to any activity conducted pursuant to
title V of the National Security Act of 1947 [(50 U.S.C. 413 et
seq.)] (*50 U.S.C. 3091 et seq.*).

§ 1701 note (Iran and Libya Sanctions Act of 1996, § 12)

SEC. 12. EXCLUSION OF CERTAIN ACTIVITIES.

Nothing in this Act shall apply to any activities subject to the reporting requirements of title V of the National Security Act of 1947 (*50 U.S.C. 3091 et seq.*).

§ 1801 note (Foreign Intelligence Surveillance Act of 1978 Amendments Act of 2008, § 404(b)(5))

SEC. 404. TRANSITION PROCEDURES.

* * * * *

(b) TRANSITION PROCEDURES FOR FISA AMENDMENTS ACT OF 2008 PROVISIONS.—

* * * * *

(5) TRANSITION PROCEDURES CONCERNING THE TARGETING OF UNITED STATES PERSONS OVERSEAS.—Any authorization in effect on the date of enactment of this Act under section 2.5 of Executive Order 12333 (*50 U.S.C. 3001 note*) to intentionally target a United States person reasonably believed to be located outside the United States shall continue in effect, and shall constitute a sufficient basis for conducting such an acquisition targeting a United States person located outside the United States until the earlier of—

§ 1906(a)(3) (National Security Education Act of 1991, § 806(a)(3))

SEC. 806. ANNUAL REPORT.

(a) ANNUAL REPORT.—(1) The Secretary shall submit to the President and to the congressional intelligence committees an annual report of the conduct of the program required by this title.

* * * * *

(3) The report submitted to the congressional intelligence committees shall be submitted on the date provided in section 507 of the National Security Act of 1947 (*50 U.S.C. 3106*).

§ 2001 note (Public Law 94–522, § 214(c))

SEC. 214.

(a) An annuity payable from the Central Intelligence Agency Retirement and Disability Fund to an annuitant which is based on a separation occurring prior to October 20, 1969, is increased by \$240 per annum.

* * * * *

(c) The monthly rate of an annuity resulting from an increase under this section shall be considered as the monthly rate of annuity payable under [section 221(a) of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended (78 Stat. 1043; 50 U.S.C. 403 note)] *section 221(a) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2031(a))* for purposes of computing the minimum annuity under new section 221(l) of the Act, as added by section 204 of this Act.

§ 2011(c) (Central Intelligence Agency Retirement Act, § 201(c))

SEC. 201. THE CIARDS SYSTEM.

* * * * *

(c) FINALITY OF DECISIONS OF DCI.—In the interests of the security of the foreign intelligence activities of the United States and in order further to implement section 102A(i) of the National Security Act of 1947 [(50 U.S.C. 403–3(c)(1))] (50 U.S.C. 3024(i)) that the Director of National Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, and notwithstanding the provisions of chapter 7 of title 5 or any other provision of law (except section 305(b) of this Act), any determination by the Director authorized by this Act shall be final and conclusive and shall not be subject to review by any court.

§ 2032 note (Intelligence Authorization Act for Fiscal Year 1994, § 203(e)(2))

SEC. 203. SURVIVOR ANNUITY, RETIREMENT ANNUITY, AND HEALTH BENEFITS FOR CERTAIN EX SPOUSES OF CENTRAL INTELLIGENCE AGENCY EMPLOYEES.

* * * * *

(e) EFFECTIVE DATE.—

* * * * *

(2) Section 16(d) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3516(d)) (as added by subsection (c) of this section) shall apply to individuals beginning on the date of enactment of this Act.

§ 2144 (Central Intelligence Agency Retirement Act, § 295)

SEC. 295. PAYMENTS FROM CIARDS FUND FOR PORTIONS OF CERTAIN CIVIL SERVICE RETIREMENT SYSTEM ANNUITIES.

The amount of the increase in any annuity that results from the application of section 18 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3518), if and when such increase is based on an individual's overseas service as an employee of the Central Intelligence Agency, shall be paid from the fund.

§ 2357f(2) (Nonproliferation Assistance Coordination Act of 2002, § 1338(2))

SEC. 1338. STATUTORY CONSTRUCTION.

Nothing in this subtitle—

* * * * *

(2) applies to any activity that is reportable pursuant to title V of the National Security Act of 1947 [(50 U.S.C. 413 et seq.) (50 U.S.C. 3091 et seq.).

§ 2367(d)(2) (National Defense Authorization Act for Fiscal Year 1998, § 234(d)(2))

SEC. 234. REPORTS ON ACQUISITION OF TECHNOLOGY RELATING TO WEAPONS OF MASS DESTRUCTION AND THE THREAT POSED BY WEAPONS OF MASS DESTRUCTION, BALLISTIC MISSILES, AND CRUISE MISSILES.

* * * * *

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

* * * * *

(2) The congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 [(50 U.S.C. 401a)] (50 U.S.C. 3003)).

§ 2471(3) (National Nuclear Security Administration Act, § 3281(3))

SEC. 3281. DEFINITIONS.

For purposes of this title:

* * * * *

(3) The term “classified information” means any information that has been determined pursuant to Executive Order No. 12333 of December 4, 1981 [(50 U.S.C. 401 note)] (50 U.S.C. 3001 note), Executive Order No. 12958 of April 17, 1995 [(50 U.S.C. 435 note)] (50 U.S.C. 3161 note), or successor orders, to require protection against unauthorized disclosure and that is so designated.

§ 3001 note (National Security Intelligence Reform Act of 2004, title I, subtitle H, §§ 1091(b), 1092(b), 1097(b)(3))

SEC. 1091. TRANSFER OF COMMUNITY MANAGEMENT STAFF.

* * * * *

(b) ADMINISTRATION.—The Director of National Intelligence shall administer the Community Management Staff after the date of the enactment of this Act as a component of the Office of the Director of National Intelligence under section 103 of the National Security Act of 1947 (50 U.S.C. 3025), as amended by section 1011(a) of this Act.

SEC. 1092. TRANSFER OF TERRORIST THREAT INTEGRATION CENTER.

* * * * *

(b) ADMINISTRATION.—The Director of the National Counterterrorism Center shall administer the Terrorist Threat Integration Center after the date of the enactment of this Act as a component of the Directorate of Intelligence of the National Counterterrorism Center under section 119(i) of the National Security Act of 1947 (50 U.S.C. 3056(i)), as added by section 1021(a) of this Act.

* * * * *

SEC. 1097. EFFECTIVE DATES.

* * * * *

(b) SPECIFIC EFFECTIVE DATES.—(1)(A) Not later than 60 days after the date of the appointment of the first Director of National Intelligence, the Director of National Intelligence shall first appoint individuals to positions within the Office of the Director of National Intelligence.

* * * * *

(3) Not later than one year after the date of the enactment of this Act, the Director of National Intelligence shall prescribe regu-

lations, policies, procedures, standards, and guidelines required under section 102A of the National Security Act of 1947 (*50 U.S.C. 3024*), as amended by section 1011(a) of this Act.

§ 3001 note (Intelligence Authorization Act for Fiscal Year 2005, § 803)

SEC. 803. SAVINGS PROVISIONS RELATING TO DISCHARGE OF CERTAIN FUNCTIONS AND AUTHORITIES.

(a) **HEAD OF INTELLIGENCE COMMUNITY.**—(1) During the period beginning on the date of the enactment of this Act and ending on the date of the appointment of the Director of National Intelligence under section 102 of the National Security Act of 1947 (*50 U.S.C. 3023*), as amended by section 1011(a) of the National Security Intelligence Reform Act of 2004, the Director of Central Intelligence may, acting as the head of the intelligence community, discharge the functions and authorities provided in this Act, and the amendments made by this Act, to the Director of National Intelligence.

* * * * *

(3) Upon the appointment of an individual as Director of National Intelligence under section 102 of the National Security Act of 1947 (*50 U.S.C. 3023*), as so amended, any reference in this Act, or in the classified annex to accompany this Act, to the Director of Central Intelligence as head of the intelligence community shall be deemed to be a reference to the Director of National Intelligence.

(b) **HEAD OF CENTRAL INTELLIGENCE AGENCY.**—(1) During the period beginning on the date of the enactment of this Act and ending on the date of the appointment of the Director of the Central Intelligence Agency under section 104A of the National Security Act of 1947 (*50 U.S.C. 3036*), as amended by section 1011(a) of the National Security Intelligence Reform Act of 2004, the Director of Central Intelligence may, acting as the head of the Central Intelligence Agency, discharge the functions and authorities provided in this Act, and the amendments made by this Act, to the Director of the Central Intelligence Agency.

(2) Upon the appointment of an individual as Director of the Central Intelligence Agency under section 104A of the National Security Act of 1947 (*50 U.S.C. 3036*), as so amended, any reference in this Act, or in the classified annex to accompany this Act, to the Director of Central Intelligence as head of the Central Intelligence Agency shall be deemed to be a reference to the Director of the Central Intelligence Agency.

§ 3003 note (Intelligence Authorization Act for Fiscal Year 2012, § 2(2))

SEC. 2. DEFINITIONS.

In this Act:

* * * * *

(2) **INTELLIGENCE COMMUNITY.**—The term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (*50 U.S.C. 3003(4)*).

§ 3003 note (Intelligence Authorization Act for Fiscal Year 2010, § 2(2))

SEC. 2. DEFINITIONS.

In this Act:

* * * * *

(2) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (50 U.S.C. 3003(4)).

§ 3024 (National Security Act of 1947, § 102A)

SEC. 102A. (a) PROVISION OF INTELLIGENCE.—The Director of National Intelligence shall be responsible for ensuring that national intelligence is provided—

* * * * *

(m) ADDITIONAL AUTHORITY WITH RESPECT TO PERSONNEL.—(1) In addition to the authorities under subsection (f)(3), the Director of National Intelligence may exercise with respect to the personnel of the Office of the Director of National Intelligence any authority of the Director of the Central Intelligence Agency with respect to the personnel of the Central Intelligence Agency under the Central Intelligence Agency Act of 1949 [(50 U.S.C. 403a et seq.)] (50 U.S.C. 3501 et seq.), and other applicable provisions of law, as of the date of enactment of this subsection to the same extent, and subject to the same conditions and limitations, that the Director of the Central Intelligence Agency may exercise such authority with respect to personnel of the Central Intelligence Agency.

(2) Employees and applicants for employment of the Office of the Director of National Intelligence shall have the same rights and protections under the Office of the Director of National Intelligence as employees of the Central Intelligence Agency have under the Central Intelligence Agency Act of 1949 (50 U.S.C. 3501 et seq.), and other applicable provisions of law, as of the date of enactment of this subsection.

(n) ACQUISITION AND OTHER AUTHORITIES.—(1) In carrying out the responsibilities and authorities under this section, the Director of National Intelligence may exercise the acquisition and appropriations authorities referred to in the Central Intelligence Agency Act of 1949 [(50 U.S.C. 403a et seq.)] (50 U.S.C. 3501 et seq.) other than the authorities referred to in section 8(b) of that Act [(50 U.S.C. 403j(b))] 50 U.S.C. 3510(b)).

* * * * *

(3)(A) Any determination or decision to be made under an authority referred to in paragraph (1) by the head of an agency may be made with respect to individual purchases and contracts or with respect to classes of purchases or contracts, and shall be final.

* * * * *

(C) The limitations and conditions set forth in section 3(d) of the Central Intelligence Agency Act of 1949 [(50 U.S.C. 403c(d))] (50 U.S.C. 3503(d)) shall apply to the exercise by the Director of National Intelligence of an authority referred to in paragraph (1).

(D) Each determination or decision required by an authority referred to in the second sentence of section 3(d) of the Central Intelligence Agency Act of 1949 (*50 U.S.C. 3503(d)*) shall be based upon written findings made by the official making such determination or decision, which findings shall be final and shall be available within the Office of the Director of National Intelligence for a period of at least six years following the date of such determination or decision.

(4)(A) In addition to the authority referred to in paragraph (1), the Director of National Intelligence may authorize the head of an element of the intelligence community to exercise an acquisition authority referred to in section 3 or 8(a) of the Central Intelligence Agency Act of 1949 [(50 U.S.C. 403c and 403j(a))] (*50 U.S.C. 3503 and 3510(a)*) for an acquisition by such element that is more than 50 percent funded under the National Intelligence Program.

* * * * *

(I) Nothing in this paragraph may be construed to alter or otherwise limit the authority of the Central Intelligence Agency to independently exercise an authority under section 3 or 8(a) of the Central Intelligence Agency Act of 1949 [50 U.S.C. 403c and 403j(a)] (*50 U.S.C. 3503 and 3510(a)*).

* * * * *

(t) AWARD OF RANK TO MEMBERS OF THE SENIOR NATIONAL INTELLIGENCE SERVICE.—(1) The President, based on the recommendation of the Director of National Intelligence, may award a rank to a member of the Senior National Intelligence Service or other intelligence community senior civilian officer not already covered by such a rank award program in the same manner in which a career appointee of an agency may be awarded a rank under section 4507 of title 5, United States Code.

(2) The President may establish procedures to award a rank under paragraph (1) to a member of the Senior National Intelligence Service or a senior civilian officer of the intelligence community whose identity as such a member or officer is classified information [as defined in section 606(1)] *as defined in section 605(1)*.

§ 3024 note (National Security Intelligence Reform Act of 2004, § 1013(b))

SEC. 1013. JOINT PROCEDURES FOR OPERATIONAL COORDINATION BETWEEN DEPARTMENT OF DEFENSE AND CENTRAL INTELLIGENCE AGENCY.

* * * * *

(b) IMPLEMENTATION REPORT.—Not later than 180 days after the date of the enactment of the Act, the Director of National Intelligence shall submit to the congressional defense committees (as defined in section 101 of title 10, United States Code) and the congressional intelligence committees (as defined in section 3(7) of the National Security Act of 1947 [(50 U.S.C. 401a(7))] (*50 U.S.C. 3003(7)*) a report describing the procedures established pursuant to subsection (a) and the status of the implementation of those procedures.

§ 3024 note (Intelligence Authorization Act for Fiscal Year 2011, § 2(2))

SEC. 2. DEFINITIONS.

In this Act:

* * * * *

(2) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (50 U.S.C. 3003(4)).

§ 3025 (National Security Act of 1947, § 103)

SEC. 103. (a) OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.—There is an Office of the Director of National Intelligence.

* * * * *

(d) STAFF.—(1) To assist the Director of National Intelligence in fulfilling the duties and responsibilities of the Director, the Director shall employ and utilize in the Office of the Director of National Intelligence a professional staff having an expertise in matters relating to such duties and responsibilities, and may establish permanent positions and appropriate rates of pay with respect to that staff.

(2) The staff of the Office of the Director of National Intelligence under paragraph (1) shall include the staff of the Office of the Deputy Director of Central Intelligence for Community Management that is transferred to the Office of the Director of National Intelligence under section 1091 of the National Security Intelligence Reform Act of 2004 (50 U.S.C. 3001 note).

(e) TEMPORARY FILLING OF VACANCIES.—With respect to filling temporarily a vacancy in an office within the Office of the Director of National Intelligence (other than that of the Director of National Intelligence), section 3345(a)(3) of title 5, United States Code, may be applied—

(1) in the matter preceding subparagraph (A), by substituting “an element of the intelligence community, as that term is defined in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (50 U.S.C. 3003(4)),” for “such Executive agency”; and

§ 3033(k)(5)(H) (National Security Act of 1947, § 103H(k)(5)(H))

SEC. 103H. (a) OFFICE OF INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.—There is within the Office of the Director of National Intelligence an Office of the Inspector General of the Intelligence Community.

* * * * *

(k) REPORTS.—(1)(A) The Inspector General of the Intelligence Community shall, not later than October 31 and April 30 of each year, prepare and submit to the Director of National Intelligence a classified, and, as appropriate, unclassified semiannual report summarizing the activities of the Office of the Inspector General of the Intelligence Community during the immediately preceding 6-month period ending September 30 and March 31, respectively.

The Inspector General of the Intelligence Community shall provide any portion of the report involving a component of a department of the United States Government to the head of that department simultaneously with submission of the report to the Director of National Intelligence.

* * * * *

(5)(A) An employee of an element of the intelligence community, an employee assigned or detailed to an element of the intelligence community, or an employee of a contractor to the intelligence community who intends to report to Congress a complaint or information with respect to an urgent concern may report such complaint or information to the Inspector General.

* * * * *

(H) Nothing in this section shall be construed to limit the protections afforded to an employee under section 17(d) of the Central Intelligence Agency Act of 1949 [(50 U.S.C. 403q(d))] (50 U.S.C. 3517(d)) or section 8H of the Inspector General Act of 1978 (5 U.S.C. App.).

§ 3037 note (Intelligence Authorization Act for Fiscal Year 2010, § 423(c)(1))

SEC. 423. DEPUTY DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.

* * * * *

(c) APPLICABILITY.—The amendments made by this section shall apply on the earlier of—

(1) the date of the appointment by the President of an individual to serve as Deputy Director of the Central Intelligence Agency pursuant to section 104B of the National Security Act of 1947 (50 U.S.C. 3037), as added by subsection (a), except that the individual administratively performing the duties of the Deputy Director of the Central Intelligence Agency as of the date of the enactment of this Act may continue to perform such duties until the individual appointed to the position of Deputy Director of the Central Intelligence Agency assumes the duties of such position; or

§ 3043 note (National Defense Authorization Act for Fiscal Year 2012, § 1032(b)(1))

SEC. 1032. NATIONAL SECURITY PLANNING GUIDANCE TO DENY SAFE HAVENS TO AL QAEDA AND ITS VIOLENT EXTREMIST AFFILIATES.

* * * * *

(b) NATIONAL SECURITY PLANNING GUIDANCE.—

(1) GUIDANCE REQUIRED.—The President shall issue classified or unclassified national security planning guidance in support of objectives stated in the national security strategy report submitted to Congress by the President pursuant to section 108 of the National Security Act of 1947 [(50 U.S.C. 404a)] (50 U.S.C. 3043) to deny safe havens to al-Qaeda and its violent extremist affiliates and to strengthen at-risk states. Such guidance shall serve as the strategic plan that governs United States and coordinated international efforts to enhance the ca-

capacity of governmental and nongovernmental entities to work toward the goal of eliminating the ability of al-Qaeda and its violent extremist affiliates to establish or maintain safe havens.

§ 3047(c)(1) (National Security Act of 1947, § 112(c)(1))

SEC. 112. (a) PROVISION OF INTELLIGENCE INFORMATION TO THE UNITED NATIONS.—(1) No United States intelligence information may be provided to the United Nations or any organization affiliated with the United Nations, or to any officials or employees thereof, unless the President certifies to the appropriate committees of Congress that the Director of National Intelligence, in consultation with the Secretary of State and the Secretary of Defense, has established and implemented procedures, and has worked with the United Nations to ensure implementation of procedures, for protecting from unauthorized disclosure United States intelligence sources and methods connected to such information.

* * * * *

(c) RELATIONSHIP TO EXISTING LAW.—Nothing in this section shall be construed to—

(1) [impair or otherwise affect the authority of the Director of National Intelligence to protect intelligence sources and methods from unauthorized disclosure pursuant to section 103(c)(7) of this Act; or] *(1) impair or otherwise affect the authority of the Director of National Intelligence to protect intelligence sources and methods from unauthorized disclosure pursuant to section 102A(i) of this Act (50 U.S.C. 3024(i)); or*

§ 3072a(1) (Intelligence Authorization Act for Fiscal Year 2004, § 311(b)(1))

SEC. 311. AUTHORITY OF FEDERAL BUREAU OF INVESTIGATION TO AWARD PERSONAL SERVICE CONTRACTS.

* * * * *

(b) REPORTS ON EXERCISE OF AUTHORITY.—(1) Not later than one year after the date of enactment of this Act, and annually thereafter, the Director of the Federal Bureau of Investigation shall submit to the appropriate committees of Congress a report on the exercise of the authority in section 302 of the National Security Act of 1947 (50 U.S.C. 3072), as added by subsection (a).

§ 3092 note (Intelligence Authorization Act, Fiscal Year 1991, § 405(a))

SEC. 405. FURNISHING OF INTELLIGENCE INFORMATION TO THE SENATE AND HOUSE SELECT COMMITTEES ON INTELLIGENCE.

(a) FURNISHING OF SPECIFIC INFORMATION.—In accordance with title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), the head of any department or agency of the United States involved in any intelligence activities which may pertain to United States military personnel listed as prisoner, missing, or unaccounted for in military actions shall furnish any information or documents in the possession, custody, or control of the department or agency, or person paid by such department or agency, whenever requested by the Permanent Select Committee on Intelligence of the

House of Representatives or the Select Committee on Intelligence of the Senate.

§ 3097 note (Intelligence Authorization Act for Fiscal Year 2004, § 312(d))

SEC. 312. BUDGET TREATMENT OF COSTS OF ACQUISITION OF MAJOR SYSTEMS BY THE INTELLIGENCE COMMUNITY.

* * * * *

(d) LIMITATIONS.—(1)(A) For each major system for which funds have been authorized for a fiscal year before fiscal year 2005, or for which funds are sought in the budget of the President for fiscal year 2005, as submitted to Congress pursuant to section 1105(a) of title 31, United States Code, and for which no independent cost estimate has been provided to Congress, no contract, or option to contract, for the procurement or acquisition of such major system may be entered into, or option to contract be exercised, before the date of the enactment of an Act to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government.

* * * * *

(2) Commencing as of the date of the submittal to Congress of the budget of the President for fiscal year 2006 pursuant to section 1105(a) of title 31, United States Code, no funds may be obligated or expended for the development or procurement of a major system until the President has complied with the requirements of section 506A of the National Security Act of 1947 (*50 U.S.C. 3097*) (as added by subsection (b)) with respect to such major system.

(3) In this subsection, the terms “independent cost estimate” and “major system” have the meaning given such terms in subsection (e) of section 506A of the National Security Act of 1947 (*50 U.S.C. 3097(e)*) (as so added).

§ 3098 note (Intelligence Authorization Act for Fiscal Year 2010, § 305(b))

SEC. 305. ANNUAL PERSONNEL LEVEL ASSESSMENTS FOR THE INTELLIGENCE COMMUNITY.

* * * * *

(b) APPLICABILITY DATE.—The first assessment required to be submitted under section 506B(b) of the National Security Act of 1947 (*50 U.S.C. 3098(b)*), as added by subsection (a), shall be submitted to the congressional intelligence committees at the time that the President submits to Congress the budget for fiscal year 2012 pursuant to section 1105 of title 31, United States Code.

§ 3100 note (Intelligence Authorization Act for Fiscal Year 2010, § 322(b))

SEC. 322. INTELLIGENCE COMMUNITY BUSINESS SYSTEM TRANSFORMATION.

* * * * *

(b) IMPLEMENTATION.—

(1) CERTAIN DUTIES.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall designate a chair and other members to serve on

the board established under subsection (f) of such section 506D of the National Security Act of 1947 (*50 U.S.C. 3100(f)*) (as added by subsection (a)).

(2) ENTERPRISE ARCHITECTURE.—

(A) SCHEDULE FOR DEVELOPMENT.—The Director shall develop the enterprise architecture required by subsection (b) of such section 506D (*50 U.S.C. 3100(b)*) (as so added), including the initial Business Enterprise Architecture for business transformation, not later than 60 days after the enactment of this Act.

§ 3101 note (Intelligence Authorization Act for Fiscal Year 2010, § 323(a)(2))

SEC. 323. REPORTS ON THE ACQUISITION OF MAJOR SYSTEMS.

(a) REPORTS.—

* * * * *

(2) APPLICABILITY DATE OF QUARTERLY REPORTS.—The first report required to be submitted under subsection (b) of section 506E of the National [security] *Security Act of 1947 (50 U.S.C. 3101(b))*, as added by paragraph (1) of this subsection, shall be submitted with respect to the first fiscal quarter that begins on a date that is not less than 180 days after the date of the enactment of this Act.

§ 3103 (National Security Act of 1947, § 506G)

SEC. 506G. (a) FUTURE YEAR INTELLIGENCE PLANS.—(1) The Director of National Intelligence, with the concurrence of the Director of the Office of Management and Budget, shall provide to the congressional intelligence committees a Future Year Intelligence Plan, as described in paragraph (2), for—

* * * * *

(d) MAJOR SYSTEM AFFORDABILITY REPORT.—(1) The Director of National Intelligence, with the concurrence of the Director of the Office of Management and Budget, shall prepare a report on the acquisition of a major system funded under the National Intelligence Program before the time that the President submits to Congress the budget for the first fiscal year in which appropriated funds are anticipated to be obligated for the development or procurement of such major system.

(2) The report on such major system shall include an assessment of whether, and to what extent, such acquisition, if developed, procured, and operated, is projected to cause an increase in the most recent Future Year Intelligence Plan and Long-term Budget Projection submitted under [section 506G] *this section* for an element of the intelligence community.

§ 3103 note (Intelligence Authorization Act for Fiscal Year 2010, § 325(b))

SEC. 325. FUTURE BUDGET PROJECTIONS

* * * * *

(b) APPLICABILITY DATE.—The first Future Year Intelligence Plan and Long-term Budget Projection required to be submitted under subsection (a) and (b) of section 506G of the National Security Act

of 1947 (*50 U.S.C. 3103(a), (b)*), as added by subsection (a), shall be submitted to the congressional intelligence committees at the time that the President submits to Congress the budget for fiscal year 2012 pursuant to section 1105 of title 31, United States Code.

§ 3104 note (Intelligence Authorization Act for Fiscal Year 2010, § 367(a)(1)(B))

SEC. 367. SECURITY CLEARANCES: REPORTS; RECIPROCITY.

(a) REPORTS RELATING TO SECURITY CLEARANCES.—

(1) QUADRENNIAL AUDIT; SECURITY CLEARANCE DETERMINATIONS.—

* * * * *

(B) INITIAL AUDIT.—The first audit required to be conducted under section 506H(a)(1) of the National Security Act of 1947 (*50 U.S.C. 3104(a)(1)*), as added by subparagraph (A) of this paragraph, shall be completed not later than February 1, 2011.

§ 3105 note (Intelligence Authorization Act for Fiscal Year 2012, § 307(a)(2))

SEC. 307. UPDATES OF INTELLIGENCE RELATING TO TERRORIST RECIDIVISM OF DETAINEES HELD AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) UPDATES AND CONSOLIDATION OF LANGUAGE.—

* * * * *

(2) INITIAL UPDATE.—The initial update required by section 506I(b) of such Act (*50 U.S.C. 3105(b)*), as added by paragraph (1) of this subsection, shall be made publicly available not later than 10 days after the date the first report following the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2012 is submitted to members and committees of Congress pursuant to section 319 of the Supplemental Appropriations Act, 2009 (Public Law 11132; 10 U.S.C. 801 note).

§ 3107 note (Intelligence Authorization Act for Fiscal Year 2010, § 332(b))

SEC. 332. CERTIFICATION OF COMPLIANCE WITH OVERSIGHT REQUIREMENTS.

* * * * *

(b) APPLICABILITY DATE.—The first certification or statement required to be submitted by the head of each element of the intelligence community under section 508 of the National Security Act of 1947 (*50 U.S.C. 3107*), as added by subsection (a), shall be submitted not later than 90 days after the date of the enactment of this Act.

§ 3142 note (Intelligence Authorization Act for Fiscal Year 2000, § 501(b))

SEC. 501. PROTECTION OF OPERATIONAL FILES OF THE NATIONAL IMAGERY AND MAPPING AGENCY.

* * * * *

(b) TREATMENT OF CERTAIN TRANSFERRED RECORDS.—Any record transferred to the National Geospatial-Intelligence Agency from ex-

empted operational files of the Central Intelligence Agency covered by section 701(a) of the National Security Act of 1947 [(50 U.S.C. 431(a))] (50 U.S.C. 3141(a)) shall be placed in the operational files of the National Geospatial-Intelligence Agency that are established pursuant to [section 105B of the National Security Act of 1947] section 702 of the National Security Act of 1947 (50 U.S.C. 3142), as added by subsection (a).

§ 3161 note (Intelligence Authorization Act for Fiscal Year 2000, § 305(c))

SEC. 305. ACCESS TO COMPUTERS AND COMPUTER DATA OF EXECUTIVE BRANCH EMPLOYEES WITH ACCESS TO CLASSIFIED INFORMATION.

* * * * *

(c) APPLICABILITY.—The President shall modify the procedures required by section 801(a)(3) of the National Security Act of 1947 (50 U.S.C. 3161(a)(3)) to take into account the amendment to that section made by subsection (a) of this section not later than 90 days after the date of the enactment of this Act.

§ 3161 note (Public Interest Declassification Act of 2000, title VII)

TITLE VII—DECLASSIFICATION OF INFORMATION

* * * * *

SEC. 704. IDENTIFICATION, COLLECTION, AND REVIEW FOR DECLASSIFICATION OF INFORMATION OF ARCHIVAL VALUE OR EXTRAORDINARY PUBLIC INTEREST.

(a) BRIEFINGS ON AGENCY DECLASSIFICATION PROGRAMS.—(1) As requested by the Board, or by the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives, the head of any agency with the authority under an Executive order to classify information shall provide to the Board, the Select Committee on Intelligence of the Senate, or the Permanent Select Committee on Intelligence of the House of Representatives, on an annual basis, a summary briefing and report on such agency's progress and plans in the declassification of national security information. Such briefing shall cover the declassification goals set by statute, regulation, or policy, the agency's progress with respect to such goals, and the agency's planned goals and priorities for its declassification activities over the next 2 fiscal years. Agency briefings and reports shall give particular attention to progress on the declassification of records and materials that are of archival value or extraordinary public interest to the people of the United States.

(2)(A) The annual briefing and report under paragraph (1) for agencies within the Department of Defense, including the military departments and the elements of the intelligence community, shall be provided on a consolidated basis.

(B) In this paragraph, the term "elements of the intelligence community" means the elements of the intelligence community speci-

fied or designated under section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (50 U.S.C. 3003(4)).

* * * * *

SEC. 705. PROTECTION OF NATIONAL SECURITY INFORMATION AND OTHER INFORMATION.

* * * * *

(c) **AUTHORITIES OF DIRECTOR OF NATIONAL INTELLIGENCE.**—Nothing in this title shall be construed to limit the authorities of the Director of National Intelligence as the head of the intelligence community, including the Director's responsibility to protect intelligence sources and methods from unauthorized disclosure as required by [section 103(c)(6) of the National Security Act of 1947 (50 U.S.C. 403–3(c)(6))] *section 102A(i) of the National Security Act of 1947 (50 U.S.C. 3024(i))*.

§ 3223 (National Security Act of 1947, § 1023)

SEC. 1023. The head of a department or agency containing an element of the intelligence community may establish an undergraduate or graduate training program with respect to civilian employees and prospective civilian employees of such element similar in purpose, conditions, content, and administration to the program that the Secretary of Defense is authorized to establish under section 16 of the National Security Agency Act of 1959 [(50 U.S.C. 402 note)] (50 U.S.C. 3614).

§ 3232(c) (National Security Act of 1947, § 1102(c))

SEC. 1102. (a) **INSPECTION PROCESS.**—In order to protect intelligence sources and methods from unauthorized disclosure, the Director of National Intelligence shall establish and implement an inspection process for all agencies and departments of the United States that handle classified information relating to the national security of the United States intended to assure that those agencies and departments maintain effective operational security practices and programs directed against counterintelligence activities.

* * * * *

(c) **COMPLETION OF FINANCIAL DISCLOSURE STATEMENTS REQUIRED FOR ACCESS TO CERTAIN CLASSIFIED INFORMATION.**—The Director of National Intelligence shall establish and implement a process by which each head of an element of the intelligence community directs that all employees of that element, in order to be granted access to classified information referred to in subsection (a) of section 1.3 of Executive Order No. 12968 (August 2, 1995; 60 Fed. Reg. 40245; [50 U.S.C. 435 note] 50 U.S.C. 3161 note), submit financial disclosure forms as required under subsection (b) of such section.

§ 3303(b) (Department of Defense Appropriations Act, 1995, § 8131(b))

SEC. 8131. (a) No project for the construction of any facility, or improvement to any facility, having an estimated Federal cost in excess of \$300,000, may be undertaken in any fiscal year unless specifically identified as a separate item in the President's annual fiscal year budget request or otherwise specifically authorized and

appropriated if such facility or improvement would be used primarily by personnel of the intelligence community.

(b) As used in this section, the term “intelligence community” has the same meaning given that term in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (50 U.S.C. 3003(4)).

§ 3304 note (Intelligence Appropriations Act for Fiscal Year 1995, § 604(2))

SEC. 604. DEFINITIONS.

As used in this title:

* * * * *

(2) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the same meaning given that term in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (50 U.S.C. 3003(4)).

§ 3306(d) (Implementing Recommendations of the 9/11 Commission Act of 2007, § 601(d))

SEC. 601. AVAILABILITY TO PUBLIC OF CERTAIN INTELLIGENCE FUNDING INFORMATION.

* * * * *

(d) DEFINITION.—As used in this section, the term “National Intelligence Program” has the meaning given the term in section 3(6) of the National Security Act of 1947 [(50 U.S.C. 401(a)(6))] (50 U.S.C. 3003(6)).

§ 3307(c)(1) (National Defense Authorization Act for Fiscal Year 2008, § 1079(c)(1))

SEC. 1079. COMMUNICATIONS WITH THE COMMITTEES ON ARMED SERVICES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.

* * * * *

(c) DEFINITIONS.—In this section:

(1) 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))] (50 U.S.C. 3003(4)).

§ 3308(a)(3)(B) (Intelligence Authorization Act for Fiscal Year 2010, § 348(a)(3)(B))

SEC. 348. INFORMATION ACCESS BY THE COMPTROLLER GENERAL OF THE UNITED STATES.

(a) DNI DIRECTIVE GOVERNING ACCESS.—

* * * * *

(3) RELATIONSHIP TO OTHER LAWS.—The directive issued under paragraph (1) and any amendment to such directive issued under paragraph (2) shall be consistent with the provisions of—

* * * * *

(B) the National Security Act of 1947 [(50 U.S.C. 401 et seq.)] (50 U.S.C. 3001 et seq.).

§ 3325(c) (Intelligence Authorization Act for Fiscal Year 2000, § 313(c))

SEC. 313. REAFFIRMATION OF LONGSTANDING PROHIBITION AGAINST DRUG TRAFFICKING BY EMPLOYEES OF THE INTELLIGENCE COMMUNITY.

* * * * *

(c) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a(4))] (50 U.S.C. 3003(4)).

§ 3329(b) (Intelligence Authorization Act, Fiscal Year 1992, § 403(b))

SEC. 403. INTELLIGENCE COMMUNITY CONTRACTING.

* * * * *

(b) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 [50 U.S.C. 401a(4)] (50 U.S.C. 3003(4)).

§ 3341 note (Intelligence Authorization Act for Fiscal Year 2013, § 306(a) (matter before paragraph (1)))

SEC. 306. STRATEGY FOR SECURITY CLEARANCE RECIPROCITY.

(a) STRATEGY.—The President shall develop a strategy and a schedule for carrying out the requirements of section 3001(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 [(50 U.S.C. 435b(d))] (50 U.S.C. 3341(d)). Such strategy and schedule shall include—

§ 3343(c)(4)(B)(iii) (Intelligence Reform and Terrorism Prevention Act of 2004, § 3002(c)(4)(B)(iii))

SEC. 3002. SECURITY CLEARANCES; LIMITATIONS.

* * * * *

(c) DISQUALIFICATION.—

* * * * *

(4) ANNUAL REPORT.—

* * * * *

(B) DEFINITIONS.—In this paragraph:

* * * * *

(iii) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term “congressional intelligence committees” has the meaning given that term in section 3 of the National Security Act of 1947 [(50 U.S.C. 401a)] (50 U.S.C. 3003).

§ 3344 (Reducing Over-Classification Act, § 7)

SEC. 7. CLASSIFICATION TRAINING PROGRAM.

(a) IN GENERAL.—The head of each Executive agency, in accordance with Executive Order 13526 (50 U.S.C. 3161 note), shall require annual training for each employee who has original classification authority. For employees who perform derivative classification, or are responsible for analysis, dissemination, preparation, produc-

tion, receipt, publication, or otherwise communication of classified information, training shall be provided at least every two years. Such training shall—

- (1) educate the employee, as appropriate, regarding—
 (A) the guidance established under subparagraph (G) of section 102A(g)(1) of the National Security Act of 1947 [(50 U.S.C. 403–1(g)(1))] (50 U.S.C. 3024(g)(1)), as added by section 5(a)(3), regarding the formatting of finished intelligence products;

§ 3344 note (Reducing Over-Classification Act, § 3(1))

SEC. 3. DEFINITIONS.

In this Act:

- (1) DERIVATIVE CLASSIFICATION AND ORIGINAL CLASSIFICATION.—The terms “derivative classification” and “original classification” have the meanings given those terms in Executive Order No. 13526 (50 U.S.C. 3161 note).

§ 3348(g)(2)(B)(iii) (National Defense Authorization Act for Fiscal Year 1994, § 1152(g)(2)(B)(iii))

SEC. 1152. REPORTS RELATING TO CERTAIN SPECIAL ACCESS PROGRAMS AND SIMILAR PROGRAMS.

* * * * *

(g) DEFINITIONS.—For purposes of this section:

- (2) COVERED DEPARTMENT OR AGENCY.—(A) Except as provided in subparagraph (B), the term “covered department or agency” means any department or agency of the Federal Government that carries out a special access program.

(B) Such term does not include—

* * * * *

- (iii) an agency in the Intelligence Community (as defined in section 3(4) of the National Security Act of 1947 [(50 U.S.C. 401a)] (50 U.S.C. 3003(4))).

§ 3363 (Intelligence Authorization Act for Fiscal Year 2003, § 343)

SEC. 343. TERRORIST IDENTIFICATION CLASSIFICATION SYSTEM.

* * * * *

(c) INFORMATION SHARING.—Subject to [section 103(c)(7) of the National Security Act of 1947 (50 U.S.C. 403–3(c)(7))] section 102A(i) of the National Security Act of 1947 (50 U.S.C. 3024(i)), relating to the protection of intelligence sources and methods, the Director shall provide for the sharing of the list, and information on the list, with such departments and agencies of the Federal Government, State and local government agencies, and entities of foreign governments and international organizations as the Director considers appropriate.

(d) REPORT ON CRITERIA FOR INFORMATION SHARING.—(1) Not later than March 1, 2003, the Director shall submit to the congressional intelligence committees a report describing the criteria used to determine which types of information on the list required by subsection (a) are to be shared, and which types of information are not to be shared, with various departments and agencies of the

Federal Government, State and local government agencies, and entities of foreign governments and international organizations.

(2) The report shall include a description of the circumstances in which the Director has determined that sharing information on the list with the departments and agencies of the Federal Government, and of State and local governments, described by subsection (c) would be inappropriate due to the concerns addressed by [section 103(c)(7) of the National Security Act of 1947] *section 102A(i) of the National Security Act of 1947 (50 U.S.C. 3024(i))*, relating to the protection of sources and methods, and any instance in which the sharing of information on the list has been inappropriate in light of such concerns.

§ 3364(a) (National Security Intelligence Reform Act of 2004, § 1019(a))

SEC. 1019. ASSIGNMENT OF RESPONSIBILITIES RELATING TO ANALYTIC INTEGRITY.

(a) ASSIGNMENT OF RESPONSIBILITIES.—For purposes of carrying out section 102A(h) of the National Security Act of 1947 (*50 U.S.C. 3024(h)*) (as added by section 1011(a)), the Director of National Intelligence shall, not later than 180 days after the date of enactment of this Act, assign an individual or entity to be responsible for ensuring that finished intelligence products produced by any element or elements of the intelligence community are timely, objective, independent of political considerations, based upon all sources of available intelligence, and employ the standards of proper analytic tradecraft.

§ 3365(1) (United and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, § 203(d)(1))

SEC. 203. AUTHORITY TO SHARE CRIMINAL INVESTIGATIVE INFORMATION.

* * * * *

(d) FOREIGN INTELLIGENCE INFORMATION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, it shall be lawful for foreign intelligence or counterintelligence (as defined in section 3 of the National Security Act of 1947 [(50 U.S.C. 401a)] (*50 U.S.C. 3003*)) or foreign intelligence information obtained as part of a criminal investigation to be disclosed to any Federal law enforcement, intelligence, protective, immigration, national defense, or national security official in order to assist the official receiving that information in the performance of his official duties. Any Federal official who receives information pursuant to this provision may use that information only as necessary in the conduct of that person's official duties subject to any limitations on the unauthorized disclosure of such information. Consistent with the responsibility of the Director of Central Intelligence to protect intelligence sources and methods, and the responsibility of the Attorney General to protect sensitive law enforcement information, it shall be lawful for information revealing a threat of actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power, domestic or international sabotage, domestic or international terrorism, or clandestine

intelligence gathering activities by an intelligence service or network of a foreign power or by an agent of a foreign power, within the United States or elsewhere, obtained as part of a criminal investigation to be disclosed to any appropriate Federal, State, local, or foreign government official for the purpose of preventing or responding to such a threat. Any official who receives information pursuant to this provision may use that information only as necessary in the conduct of that person's official duties subject to any limitations on the unauthorized disclosure of such information, and any State, local, or foreign official who receives information pursuant to this provision may use that information only consistent with such guidelines as the Attorney General and Director of Central Intelligence shall jointly issue.

§ 3366 (Intelligence Authorization Act for Fiscal Year 2010, § 402(b))

SEC. 402. AUTHORITIES FOR INTELLIGENCE INFORMATION SHARING.

* * * * *

(b) **AUTHORITIES OF HEAD OF OTHER DEPARTMENTS AND AGENCIES.**—Notwithstanding any other provision of law, the head of any department or agency of the United States is authorized to receive and utilize funds made available to the department or agency by the Director of National Intelligence pursuant to section 102A(d)(2) of the National Security Act of 1947 [(50 U.S.C. 403–1(d)(2))] (*50 U.S.C. 3024(d)(2)*), as amended by subsection (a), and receive and utilize any system referred to in such section that is made available to such department or agency.

§ 3382(c)(2) (Intelligence Authorization Act for Fiscal Year 2003, § 902(c)(2))

SEC. 902. NATIONAL COUNTERINTELLIGENCE EXECUTIVE.

* * * * *

(c) **DUTIES.**—Subject to the direction and control of the Director of National Intelligence, the duties of the National Counterintelligence Executive are as follows:

* * * * *

(2) To act as chairperson of the National Counterintelligence Policy Board under section 811 of the Counterintelligence and Security Enhancements Act of 1994 (title VIII of Public Law 103–359; [50 U.S.C. 402a] (*50 U.S.C. 3381*), as amended by section 903 of this Act.

§ 3506(a)(1) (Central Intelligence Agency Act of 1949, § 5(a)(1))

SEC. 5. (a) In the performance of its functions, the Central Intelligence Agency is authorized to—

(1) Transfer to and receive from other Government agencies such sums as may be approved by the Office of Management and Budget, for the performance of any of the functions or activities authorized under section 104A of the National Security Act of 1947 [(50 U.S.C. 403–4a).] (*50 U.S.C. 3036*), and any other Government agency is authorized to transfer to or re-

ceive from the Agency such sums without regard to any provisions of law limiting or prohibiting transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this chapter without regard to limitations of appropriations from which transferred;

§ 3507 (Central Intelligence Agency Act of 1949, § 6)

SEC. 6. In the interests of the security of the foreign intelligence activities of the United States and in order further to implement section 102A(i) of the National Security Act of 1947 (*50 U.S.C. 3024(i)*) that the Director of National Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of sections 1 and 2 of the Act of August 28, 1935 (49 Stat. 956, 957; 5 U.S.C. 654), and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: Provided, That in furtherance of this section, the Director of the Office of Management and Budget shall make no reports to the Congress in connection with the Agency under section 607 of the Act of June 30, 1945, as amended (5 U.S.C. 947(b)).

§ 3510b (Intelligence Authorization Act for Fiscal Year 1987, § 506)

SEC. 506. Pursuant to the authority granted in section 8 of the Central Intelligence Agency Act of 1949 [(50 U.S.C. 403j)] (*50 U.S.C. 3510*), the Director of Central Intelligence shall establish an undergraduate training program with respect to civilian employees of the Central Intelligence Agency similar in purpose, conditions, content, and administration to the program which the Secretary of Defense is authorized to establish under section 16 of the [National Security Act of 1959] *National Security Agency Act of 1959* [(50 U.S.C. 402 note)] (*50 U.S.C. 3614*) for civilian employees of the National Security Agency.

§ 3517(d)(4) (Central Intelligence Agency Act of 1949, § 17(d)(4))

SEC. 17. INSPECTOR GENERAL FOR THE AGENCY.

* * * * *

(d) SEMIANNUAL REPORTS; IMMEDIATE REPORTS OF SERIOUS OR FLAGRANT PROBLEMS; REPORTS OF FUNCTIONAL PROBLEMS; REPORTS TO CONGRESS ON URGENT CONCERNS.—(1) The Inspector General shall, not later than October 31 and April 30 of each year, prepare and submit to the Director a classified semiannual report summarizing the activities of the Office during the immediately preceding six-month periods ending September 30 and March 31, respectively. Not later than 30 days after the date of the receipt of such reports, the Director shall transmit such reports to the intelligence committees with any comments he may deem appropriate. Such reports shall, at a minimum, include a list of the title or subject of each inspection, investigation, review, or audit conducted during the reporting period and—

* * * * *

(4) Pursuant to Title V of the National Security Act of 1947 (*50 U.S.C. 3091 et seq.*), the Director shall submit to the intelligence committees any report or findings and recommendations of an inspection, investigation, or audit conducted by the office which has been requested by the Chairman or Ranking Minority Member of either committee.

§ 3518a (Intelligence Authorization Act, Fiscal Year 1990, § 306)

SEC. 306. The special accrual rates provided by section 303 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2153) and by section 18 of the Central Intelligence Agency Act of 1949 (*50 U.S.C. 3518*) for computation of the annuity of an individual who has served abroad as an officer or employee of the Central Intelligence Agency shall be used to compute that portion of the annuity of such individual relating to such service abroad whether or not the individual is employed by the Central Intelligence Agency at the time of retirement from Federal service.

§ 3520 note (Intelligence Renewal and Reform Act of 1996, § 813(b) (matter before paragraph (1)))

SEC. 813. GENERAL COUNSEL OF THE CENTRAL INTELLIGENCE AGENCY.

* * * * *

(b) APPLICABILITY OF APPOINTMENT REQUIREMENTS.—The requirement established by section 20 of the Central Intelligence Agency Act of 1949 (*50 U.S.C. 3520*), as added by subsection (a), for the appointment by the President, by and with the advice and consent of the Senate, of an individual to the position of General Counsel of the Central Intelligence Agency shall apply as follows:

§ 3607(b)(3) (National Security Agency Act of 1959, § 9(b)(3))

(b) The Director of the National Security Agency, on behalf of the Secretary of Defense, may provide to certain civilian and military personnel of the Department of Defense who are assigned to special cryptologic activities outside the United States and who are designated by the Secretary of Defense for the purposes of this subsection—

* * * * *

(3) special retirement accrual in the same manner provided in section 303 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees [(50 U.S.C. 403 note)] (*50 U.S.C. 2153*) and in section 18 of the Central Intelligence Agency Act of 1949 (*50 U.S.C. 3518*).

**DIVISION C—TECHNICAL AMENDMENTS
TO UPDATE STATUTORY REFERENCES
TO PROVISIONS CLASSIFIED TO TITLE
52, UNITED STATES CODE**

TITLE 2—THE CONGRESS

§ 8(b) (Revised Statutes, § 26(b))

SEC. 8. (a) IN GENERAL.—Except as provided in subsection (b), the time for holding elections in any State, District, or Territory for a Representative or Delegate to fill a vacancy, whether such vacancy is caused by a failure to elect at the time prescribed by law, or by the death, resignation, or incapacity of a person elected, may be prescribed by the laws of the several States and Territories respectively.

(b) SPECIAL RULES IN EXTRAORDINARY CIRCUMSTANCES.—

* * * * *

(5) PROTECTING ABILITY OF ABSENT MILITARY AND OVERSEAS VOTERS TO PARTICIPATE IN SPECIAL ELECTIONS.—

(A) DEADLINE FOR TRANSMITTAL OF ABSENTEE BALLOTS.—

In conducting a special election held under this subsection to fill a vacancy in its representation, the State shall ensure to the greatest extent practicable (including through the use of electronic means) that absentee ballots for the election are transmitted to absent uniformed services voters and overseas voters (as such terms are defined in the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 *et seq.*)) not later than 15 days after the Speaker of the House of Representatives announces that the vacancy exists.

(B) Period for ballot transit time.—Notwithstanding the deadlines referred to in paragraphs (2) and (3), in the case of an individual who is an absent uniformed services voter or an overseas voter (as such terms are defined in the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 *et seq.*)), a State shall accept and process any otherwise valid ballot or other election material from the voter so long as the ballot or other material is received by the appropriate State election official not later than 45 days after the State transmits the ballot or other material to the voter.

* * * * *

(7) RULE OF CONSTRUCTION REGARDING FEDERAL ELECTION LAWS.—Nothing in this subsection may be construed to affect the application to special elections under this subsection of any Federal law governing the administration of elections for Federal office (including any law providing for the enforcement of any such law), including, but not limited to, the following:

(A) The Voting Rights Act of 1965 [(42 U.S.C. 1973 *et seq.*)] (52 U.S.C. 10301 *et seq.*), as amended.

(B) The Voting Accessibility for the Elderly and Handicapped Act [(42 U.S.C. 1973ee et seq.)] (52 U.S.C. 20101 et seq.), as amended.

(C) The Uniformed and Overseas Citizens Absentee Voting Act [(42 U.S.C. 1973ff et seq.)] (52 U.S.C. 20301 et seq.), as amended.

(D) The National Voter Registration Act of 1993 [(42 U.S.C. 1973gg et seq.)] (52 U.S.C. 20501 et seq.), as amended.

* * * * *

(G) The Help America Vote Act of 2002 [(42 U.S.C. 15301 et seq.)] (52 U.S.C. 20901 et seq.), as amended.

§ 503(d)(1) (Legislative Branch Appropriations Act, 1991, § 311(d)(1))

SEC. 311. (a) Except as otherwise provided in this section, funds appropriated by this Act or any other Act for expenses of official mail of any person entitled to use the congressional frank may be expended only in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate or the Committee on House Oversight of the House of Representatives, as applicable. Such regulations shall require—

* * * * *

(d) No Senator or Member of the House of Representatives may maintain or use, directly or indirectly, an unofficial office account or defray official expenses for franked mail, employee salaries, office space, furniture, or equipment and any associated information technology services (excluding handheld communications devices) from—

(1) funds received from a political committee or derived from a contribution or expenditure (as such terms are defined in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101));

§ 1604(d) (Lobbying Disclosure Act of 1995, § 5(d))

SEC. 5. REPORTS BY REGISTERED LOBBYISTS.

* * * * *

(d) SEMIANNUAL REPORTS ON CERTAIN CONTRIBUTIONS.—

(1) IN GENERAL.—Not later than 30 days after the end of the semiannual period beginning on the first day of January and July of each year, or on the first business day after such 30th day if the 30th day is not a business day, each person or organization who is registered or is required to register under paragraph (1) or (2) of section 4(a) of this title, and each employee who is or is required to be listed as a lobbyist under section 4(b)(6) or subsection (b)(2)(C) of this section, shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives containing—

* * * * *

(E) the date, recipient, and amount of funds contributed or disbursed during the semiannual period by the person

or organization or a political committee established or controlled by the person or organization—

* * * * *

except that this subparagraph shall not apply if the funds are provided to a person who is required to report the receipt of the funds under section 304 of the Federal Election Campaign Act [(2 U.S.C. 434)] (52 U.S.C. 30104);

* * * * *

(2) DEFINITION.—In this subsection, the term “leadership PAC” has the meaning given such term in section 304(i)(8)(B) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(i)(8)(B)).

§ 6314(e) (Supplemental Appropriations Act, 1973, § 506(e))

SEC. 506. The contingent fund of the Senate is made available for payment (including reimbursement) to or on behalf of each Senator, upon certification of the Senator, for the following expenses incurred by the Senator and his staff:

* * * * *

(e) Subject to and in accordance with regulations promulgated by the Committee on Rules and Administration of the Senate, a Senator and the employees in his office shall be reimbursed under this section for travel expenses incurred by the Senator or employee while traveling on official business within the United States. The term “travel expenses” includes actual transportation expenses, essential travel-related expenses, and, where applicable, per diem expenses (but not in excess of actual expenses). A Senator or an employee of the Senator shall not be reimbursed for any travel expenses (other than actual transportation expenses) for any travel occurring during the sixty days immediately before the date of any primary or general election (whether regular, special, or runoff) in which the Senator is a candidate for public office (within the meaning of [section 301(b) of the Federal Campaign Act of 1971] *section 301(2) of the Federal Campaign Act of 1971 (52 U.S.C. 30101(2))*), unless his candidacy in such election is uncontested. For purposes of this subsection and subsection (a)(6) of this section, an employee in the Office of the President pro tempore, Deputy President pro tempore, Majority Leader, Minority Leader, Majority Whip, Minority Whip, Secretary of the Conference of the Majority, or Secretary of the Conference of the Minority shall be considered to be an employee in the office of the Senator holding such office.

§ 6565 (Supplemental Appropriations Act, 1973, § 504)

SEC. 504. The Secretary of the Senate is hereafter authorized to advance, in his discretion, to any designated employee under his jurisdiction, such sums as may be necessary, not exceeding \$1,500, to defray official travel expenses in assisting the Secretary in carrying out his duties under the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 *et seq.*). Any such employee shall, as soon as practicable, furnish to the Secretary a detailed voucher for such expenses incurred and make settlement with respect to any amount so advanced.

§ 6566 (Legislative Branch Appropriation Act, 1973, 3rd paragraph under the heading “ADMINISTRATIVE PROVISIONS” at 86 Stat. 435)

For the purpose of carrying out his duties under the Federal Election Campaign Act of 1971 (*52 U.S.C. 30101 et seq.*), the Secretary of the Senate is authorized, from and after July 1, 1972, (1) to procure technical support services, (2) to procure the temporary or intermittent services of individual technicians, experts, or consultants, or organizations thereof, in the same manner and under the same conditions, to the extent applicable, as a standing committee of the Senate may procure such services under section 4301(i) of this title, (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency, and (4) to incur official travel expenses. Payments to carry out the provisions of this paragraph shall be made from funds included in the appropriation “Miscellaneous Items” under the heading “Contingent Expenses of the Senate” upon vouchers approved by the Secretary of the Senate. All sums received by the Secretary under authority of the Federal Election Campaign Act of 1971 shall be covered into the Treasury as miscellaneous receipts.

§ 6633(a) (Legislative Branch Appropriations Act, 2008, § 7(a))

SEC. 7. MEDIA SUPPORT SERVICES. (a) DEFINITIONS.—In this section, the terms “national committee” and “political party” have the meaning given such terms in section 301 of the Federal Election Campaign Act of 1971 [2 U.S.C. 431] (*52 U.S.C. 30101*).

TITLE 3—THE PRESIDENT

§ 102 note (Presidential Transition Act of 1963, § 3(h)(3)(B))

SEC. 3. (a) The Administrator of General Services, referred to hereafter in this Act as “the Administrator,” is authorized to provide, upon request, to each President-elect and each Vice-President elect, for use in connection with his preparations for the assumption of official duties as President or Vice President necessary services and facilities, including the following:

* * * * *

(h)(1)(A) In the case of an eligible candidate, the Administrator—

* * * * *

(3)(A) Notwithstanding any other provision of law, an eligible candidate may establish a separate fund for the payment of expenditures in connection with the eligible candidate’s preparations for the assumption of official duties as President or Vice-President, including expenditures in connection with any services or facilities provided under this subsection (whether before such services or facilities are available under this section or to supplement such services or facilities when so provided). Such fund shall be established and maintained in such manner as to qualify such fund for purposes of section 501(c)(4) of the Internal Revenue Code of 1986.

(B)(i) The eligible candidate may—

(I) transfer to any separate fund established under subparagraph (A) contributions (within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 [(2 U.S.C. 431(8))] (52 U.S.C. 30101(8))) the candidate received for the general election for President or Vice-President or payments from the Presidential Election Campaign Fund under chapter 95 of the Internal Revenue Code of 1986 the candidate received for the general election; and

* * * * *

(ii) Any expenditures from the separate fund that are made from such contributions or payments described in clause (i)(I) shall be treated as expenditures (within the meaning of section 301(9) of such Act [(2 U.S.C. 431(9))] (52 U.S.C. 30101(9))) or qualified campaign expenses (within the meaning of section 9002(11) of such Code), whichever is applicable.

TITLE 5—GOVERNMENT ORGANIZATION AND EMPLOYEES

§ 7323(a)(2)

§ 7323. Political activity authorized; prohibitions

(a) Subject to the provisions of subsection (b), an employee may take an active part in political management or in political campaigns, except an employee may not—

* * * * *

(2) knowingly solicit, accept, or receive a political contribution from any person, unless such person is—

(A) a member of the same Federal labor organization as defined under section 7103(4) of this title or a Federal employee organization which as of the date of enactment of the Hatch Act Reform Amendments of 1993 had a multicandidate political committee (as defined under section 315(a)(4) of the Federal Election Campaign Act of 1971 [(2 U.S.C. 441a(a)(4))] (52 U.S.C. 30116(a)(4)));

* * * * *

(C) the solicitation is for a contribution [to the multicandidate political committee (as defined under section 315(a)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(4))] *to the multicandidate political committee (as defined under section 315(a)(4) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(a)(4)))* of such Federal labor organization as defined under section 7103(4) of this title or a Federal employee organization which as of the date of the enactment of the Hatch Act Reform Amendments of 1993 [had a multicandidate political committee (as defined under section 315(a)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(4))] *had a multicandidate political committee (as defined under section 315(a)(4) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(a)(4)))*; or

TITLE 6—DOMESTIC SECURITY

§ 331(d) (Homeland Security Act of 2002, § 601(d))

SEC. 601. TREATMENT OF CHARITABLE TRUSTS FOR MEMBERS OF THE ARMED FORCES OF THE UNITED STATES AND OTHER GOVERNMENTAL ORGANIZATIONS

(a) FINDINGS.—Congress finds the following:

* * * * *

(d) TREATMENT OF JOHNNY MICHEAL SPANN PATRIOT TRUSTS.—Each Johnny Micheal Spann Patriot Trust shall refrain from conducting the activities described in clauses (i) and (ii) of section 301(20)(A) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30101(20)(A)(i), (ii)*) so that a general solicitation of funds by an individual described in paragraph (1) of section 323(e) of such Act (*52 U.S.C. 30125(e)(1)*) will be permissible if such solicitation meets the requirements of paragraph (4)(A) of such section.

TITLE 10—ARMED FORCES

§ 1566

§ 1566. Voting assistance: compliance assessments; assistance

* * * * *

(b) VOTING ASSISTANCE PROGRAMS DEFINED.—In this section, the term “voting assistance programs” means—

(1) the Federal Voting Assistance Program carried out under the Uniformed and Overseas Citizens Absentee Voting Act [(42 U.S.C. 1973ff et seq.)] (*52 U.S.C. 20301 et seq.*); and

* * * * *

(e) REGULAR MILITARY DEPARTMENT ASSESSMENTS.—The Secretary of each military department shall include in the set of issues and programs to be reviewed during any management effectiveness review or inspection at the installation level an assessment of compliance with the Uniformed and Overseas Citizens Absentee Voting Act [(42 U.S.C. 1973ff et seq.)] (*52 U.S.C. 20301 et seq.*) and with Department of Defense regulations regarding the Federal Voting Assistance Program.

* * * * *

(i) REGISTRATION AND VOTING INFORMATION FOR MEMBERS AND DEPENDENTS.—(1) The Secretary of each military department, using a variety of means including both print and electronic media, shall, to the maximum extent practicable, ensure that members of the armed forces and their dependents who are qualified to vote have ready access to information regarding voter registration requirements and deadlines (including voter registration), absentee ballot application requirements and deadlines, and the availability of voting assistance officers to assist members and dependents to understand and comply with these requirements.

(2) The Secretary of each military department shall make the national voter registration form prepared for purposes of the Uniformed and Overseas Citizens Absentee Voting Act (*52 U.S.C.*

20301 et seq.) by the Federal Election Commission available so that each person who enlists shall receive such form at the time of the enlistment, or as soon thereafter as practicable.

§ 1566a

§ 1566a. Voting assistance: voting assistance offices

(a) DESIGNATION OF OFFICES ON MILITARY INSTALLATIONS AS VOTER ASSISTANCE OFFICES.—Under regulations prescribed by the Secretary of Defense under subsection (f), the Secretaries of the military departments shall designate offices on installations under their jurisdiction, or at such installations as the Secretary of the military department concerned shall determine are best located to provide access to voter assistance services for all covered individuals in a particular location, to provide absent uniformed services voters, particularly those individuals described in subsection (b), and their family members with the following:

(1) Information on voter registration procedures and absentee ballot procedures (including the official post card form prescribed under section 101 of the Uniformed and Overseas Citizens Absentee Voting Act [(42 U.S.C. 1973ff)] (52 U.S.C. 20301)).

* * * * *

(4) Information and assistance, if requested, to request an absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act [(42 U.S.C. 1973ff et seq.)] (52 U.S.C. 20301 et seq.).

* * * * *

(e) AUTHORITY TO DESIGNATE VOTING ASSISTANCE OFFICES AS VOTER REGISTRATION AGENCY ON MILITARY INSTALLATIONS.—The Secretary of Defense may authorize the Secretaries of the military departments to designate offices on military installations as voter registration agencies under section 7(a)(2) of the National Voter Registration Act of 1993 [(42 U.S.C. 1973gg-5(a)(2))] (52 U.S.C. 20506(a)(2)) for all purposes of such Act. Any office so designated shall discharge the requirements of this section, under the regulations prescribed by the Secretary of Defense under subsection (f).

* * * * *

(g) DEFINITIONS.—In this section:

(1) The term “absent uniformed services voter” has the meaning given that term in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act [(42 U.S.C. 1973ff-6(1))] (52 U.S.C. 20310(1)).

(2) The term “Federal office” has the meaning given that term in section 107(3) of the Uniformed and Overseas Citizens Absentee Voting Act [(42 U.S.C. 1973ff-6(3))] (52 U.S.C. 20310(3)).

(3) The term “Presidential designee” means the official designated by the President under section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act [(42 U.S.C. 1973ff(a))] (52 U.S.C. 20301(a)).

TITLE 18—CRIMES AND CRIMINAL PROCEDURE

§ 602(a)(4)

§ 602. Solicitation of political contributions

(a) It shall be unlawful for—

* * * * *

(4) a person receiving any salary or compensation for services from money derived from the Treasury of the United States; to knowingly solicit any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30101(8)*) from any other such officer, employee, or person. Any person who violates this section shall be fined under this title or imprisoned not more than 3 years, or both.

§ 603

§ 603. Making political contributions

(a) It shall be unlawful for an officer or employee of the United States or any department or agency thereof, or a person receiving any salary or compensation for services from money derived from the Treasury of the United States, to make any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30101(8)*) to any other such officer, employee or person or to any Senator or Representative in, or Delegate or Resident Commissioner to, the Congress, if the person receiving such contribution is the employer or employing authority of the person making the contribution. Any person who violates this section shall be fined under this title or imprisoned not more than three years, or both.

(b) For purposes of this section, a contribution to an authorized committee as defined in section 302(e)(1) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30102(e)(1)*) shall be considered a contribution to the individual who has authorized such committee.

§ 607(b)

§ 607. Place of solicitation

* * * * *

(b) The prohibition in subsection (a) shall not apply to the receipt of contributions by persons on the staff of a Senator or Representative in, or Delegate or Resident Commissioner to, the Congress or Executive Office of the President, provided, that such contributions have not been solicited in any manner which directs the contributor to mail or deliver a contribution to any room, building, or other facility referred to in subsection (a), and provided that such contributions are transferred within seven days of receipt to a political committee within the meaning of section 302(e) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30102(e)*).

§ 608**§ 608. Absent uniformed services voters and overseas voters**

(a) Whoever knowingly deprives or attempts to deprive any person of a right under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 *et seq.*) shall be fined in accordance with this title or imprisoned not more than five years, or both.

(b) Whoever knowingly gives false information for the purpose of establishing the eligibility of any person to register or vote under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 *et seq.*), or pays or offers to pay, or accepts payment for registering or voting under such Act shall be fined in accordance with this title or imprisoned not more than five years, or both.

§ 1531 note (Partial-Birth Abortion Ban Act of 2003, § 2)**SEC. 2. FINDINGS.**

The Congress finds and declares the following:

* * * * *

(9) In *Katzenbach v. Morgan*, 384 U.S. 641 (1966), the Supreme Court articulated its highly deferential review of congressional factual findings when it addressed the constitutionality of section 4(e) of the Voting Rights Act of 1965 (52 U.S.C. 10303(e)). Regarding Congress' factual determination that section 4(e) would assist the Puerto Rican community in "gaining nondiscriminatory treatment in public services," the Court stated that "[i]t was for Congress, as the branch that made this judgment, to assess and weigh the various conflicting considerations ***. It is not for us to review the congressional resolution of these factors. It is enough that we be able to perceive a basis upon which the Congress might resolve the conflict as it did. There plainly was such a basis to support section 4(e) in the application in question in this case." *Id.* at 653.

(10) *Katzenbach's* highly deferential review of Congress' factual conclusions was relied upon by the United States District Court for the District of Columbia when it upheld the "bailout" provisions of the Voting Rights Act of 1965 [(42 U.S.C. 1973c)] (52 U.S.C. 10304), stating that "congressional fact finding, to which we are inclined to pay great deference, strengthens the inference that, in those jurisdictions covered by the Act, state actions discriminatory in effect are discriminatory in purpose". *City of Rome, Georgia v. U.S.*, 472 F. Supp. 221 (D.D.C. 1979) *aff'd* *City of Rome, Georgia v. U.S.*, 446 U.S. 156 (1980).

TITLE 20—EDUCATION**§ 1078–12(b)(1)(A)(ii)(VII) (Higher Education Act of 1965, § 428L(b)(1)(A)(ii)(VII))****SEC. 428L. LOAN REPAYMENT FOR CIVIL LEGAL ASSISTANCE ATTORNEYS.**

* * * * *

(b) DEFINITIONS.—In this section

(1) CIVIL LEGAL ASSISTANCE ATTORNEY.—The term “civil legal assistance attorney” means an attorney who—

(A) is a full-time employee of—

* * * * *

(ii) a protection and advocacy system or client assistance program that provides legal assistance with respect to civil matters and receives funding under—

* * * * *

(VII) section 291 of the Help America Vote Act of 2002 [(42 U.S.C. 15461)] (52 U.S.C. 21061).

§ 1094(a)(23) (Higher Education Act of 1965, § 487(a)(23))

SEC. 487. (a) REQUIRED FOR PROGRAMS OF ASSISTANCE; CONTENTS.—In order to be an eligible institution for the purposes of any program authorized under this title, an institution must be an institution of higher education or an eligible institution (as that term is defined for the purpose of that program) and shall, except with respect to a program under subpart 4 of part A, enter into a program participation agreement with the Secretary. The agreement shall condition the initial and continuing eligibility of an institution to participate in a program upon compliance with the following requirements:

* * * * *

(23)(A) The institution, if located in a State to which section 4(b) of the National Voter Registration Act of 1993 [(42 U.S.C. 1973gg–2(b))] (52 U.S.C. 20503(b)) does not apply, will make a good faith effort to distribute a mail voter registration form, requested and received from the State, to each student enrolled in a degree or certificate program and physically in attendance at the institution, and to make such forms widely available to students at the institution.

* * * * *

(C) This paragraph shall apply to general and special elections for Federal office, as defined in section 301(3) of the Federal Election Campaign Act of 1971 [(2 U.S.C. 431(3))] (52 U.S.C. 30101(3)), and to the elections for Governor or other chief executive within such State).

TITLE 22—FOREIGN RELATIONS AND INTERCOURSE

§ 3944(b)(2) (Foreign Service Act of 1980, § 304(b)(2))

SEC. 304. APPOINTMENT OF CHIEFS OF MISSION.—(a)(1) An individual appointed or assigned to be a chief of mission should possess clearly demonstrated competence to perform the duties of a chief of mission, including, to the maximum extent practicable, a useful knowledge of the principal language or dialect of the country in which the individual is to serve, and knowledge and understanding of the history, the culture, the economic and political institutions, and the interests of that country and its people.

* * * * *

(b)(1) In order to assist the President in selecting qualified candidates for appointment or assignment as chiefs of mission, the Secretary of State shall from time to time furnish the President with the names of career members of the Service who are qualified to serve as chiefs of mission, together with pertinent information about such members.

(2) Each individual nominated by the President to be a chief of mission, ambassador at large, or minister shall, at the time of nomination, file with the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives a report of contributions made by such individual and by members of his or her immediate family during the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination. The report shall be verified by the oath of the nominee, taken before any individual authorized to administer oaths. The chairman of the Committee on Foreign Relations of the Senate shall have each such report printed in the Congressional Record. As used in this paragraph, the term "contribution" has the same meaning given such term by section 301(8) of the Federal Election Campaign Act of 1971 [(2 U.S.C. 431(8))] (*52 U.S.C. 30101(8)*), and the term "immediate family" means the spouse of the nominee, and any child, parent, grandparent, brother, or sister of the nominee and the spouses of any of them.

TITLE 26—INTERNAL REVENUE CODE

§ 527 note (Public Law 95—502, § 302(b)(1))

SEC. 302. (a) Paragraph (3) of section 527(c) of the Internal Revenue Code of 1986 (defining exempt function income) is amended by striking out "or" at the end of subparagraph (B), by adding "or" at the end of subparagraph (C), and by inserting after subparagraph (C) the following new subparagraph:

* * * * *

(b)(1) The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1974, except that notwithstanding any other provision of law to the contrary, no amounts held at the date of enactment of this bill by an organization described in section 527(e)(1) of the Internal Revenue Code of 1986 in escrow, in separate accounts for the payment of Federal taxes, or in any other fund which are proceeds described in section 527(c)(3)(D) of such Code may be used, directly or indirectly, to make a contribution or expenditure [(as defined in section 301(e) and (f) of the Federal Election Campaign Act of 1971; 2 U.S.C. 431(f))] (*as defined in section 301(8) and (9) of the Federal Election Campaign Act of 1971; 52 U.S.C. 30101(8), (9)*) in connection with any election held before January 1, 1979.

§ 527 note (Public Law 107—276, § 4)**SEC. 4. NOTIFICATION OF INTERACTION OF REPORTING REQUIREMENTS.**

(a) IN GENERAL.—The Secretary of the Treasury, in consultation with the Federal Election Commission, shall publicize—

* * * * *

(2) the interaction of requirements to file a notification or report under section 527 of the Internal Revenue Code of 1986 and reports under the Federal Election Campaign Act of 1971 (*52 U.S.C. 30101 et seq.*).

(b) INFORMATION.—Information provided under subsection (a) shall be included in any appropriate form, instruction, notice, or other guidance issued to the public by the Secretary of the Treasury or the Federal Election Commission regarding reporting requirements of political organizations (as defined in section 527 of the Internal Revenue Code of 1986) or reporting requirements under the Federal Election Campaign Act of 1971 (*52 U.S.C. 30101 et seq.*).

§ 6033(g)(3) (Internal Revenue Code of 1986, § 6033(g)(3))**SEC. 6033. RETURNS BY EXEMPT ORGANIZATIONS.**

* * * * *

(g) RETURNS REQUIRED BY POLITICAL ORGANIZATIONS.—

* * * * *

(3) MANDATORY EXCEPTIONS FROM FILING.—Paragraph (2) shall not apply to an organization—

* * * * *

(C) which is an authorized committee (as defined in section 301(6) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30101(6)*)) of a candidate for Federal office,

(D) which is a national committee (as defined in section 301(14) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30101(14)*)) of a political party,

* * * * *

(F) which is required to report under the Federal Election Campaign Act of 1971 (*52 U.S.C. 30101 et seq.*) as a political committee (as defined in section 301(4) of such Act (*52 U.S.C. 30101(4)*)), or

§ 9002(3) (Internal Revenue Code of 1986, § 9002(3))**SEC. 9002. DEFINITIONS.**

For purposes of this chapter

* * * * *

(3) The term “Commission” means the Federal Election Commission established by section 306(a)(1) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30106(a)(1)*).

§ 9004(a)(1) (Internal Revenue Code of 1986, § 9004(a)(1))**SEC. 9004. ENTITLEMENT OF ELIGIBLE CANDIDATES TO PAYMENTS**

(a) IN GENERAL.—Subject to the provisions of this chapter—

(1) The eligible candidates of each major party in a presidential election shall be entitled to equal payments under section 9006 in an amount which, in the aggregate, shall not exceed the expenditure limitations applicable to such candidates under section 315(b)(1)(B) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30116(b)(1)(B)*).

§ 9008 (Internal Revenue Code of 1986, § 9008)

SEC. 9008. PAYMENTS FOR PRESIDENTIAL NOMINATING CONVENTIONS.

* * * * *
 (b) ENTITLEMENT TO PAYMENTS FROM THE FUND.—

* * * * *
 (5) ADJUSTMENT OF ENTITLEMENTS.—The entitlements established by this subsection shall be adjusted in the same manner as expenditure limitations established by section 315(b) and section 315(d) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30116(b), (d)*) are adjusted pursuant to the provisions of section 315(c) of such Act (*52 U.S.C. 30116(c)*).

* * * * *
 (g) CERTIFICATION BY COMMISSION.—Any major party or minor party may file a statement with the Commission in such form and manner and at such times as it may require, designating the national committee of such party. Such statement shall include the information required by section 303(b) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30103(b)*), together with such additional information as the Commission may require. Upon receipt of a statement filed under the preceding sentences, the Commission promptly shall verify such statement according to such procedures and criteria as it may establish and shall certify to the Secretary for payment in full to any such committee of amounts to which such committee may be entitled under subsection (b). Such certifications shall be subject to an examination and audit which the Commission shall conduct no later than December 31, of the calendar year in which the presidential nominating convention involved is held.

§ 9032(3) (Internal Revenue Code of 1986, § 9032(3))

SEC. 9032. DEFINITIONS.

For purposes of this chapter.

* * * * *
 (3) The term “Commission” means the Federal Election Commission established by section 306(a)(1) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30106(a)(1)*).

§ 9034(b) (Internal Revenue Code of 1986, § 9034(b))

SEC. 9034. ENTITLEMENT OF ELIGIBLE CANDIDATES TO PAYMENTS.

* * * * *
 (b) LIMITATIONS.—The total amount of payments to which a candidate is entitled under subsection (a) shall not exceed 50 percent of the expenditure limitation applicable under section 315(b)(1)(A)

of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30116(b)(1)(A)*).

§ 9035(a) (Internal Revenue Code of 1986, § 9035(a))

SEC. 9035. QUALIFIED CAMPAIGN EXPENSE LIMITATIONS.

(a) EXPENDITURE LIMITATIONS.—No candidate shall knowingly incur qualified campaign expenses in excess of the expenditure limitation applicable under section 315(b)(1)(A) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30116(b)(1)(A)*), and no candidate shall knowingly make expenditures from his personal funds, or the personal funds of his immediate family, in connection with his campaign for nomination for election to the office of President in excess of, in the aggregate, \$50,000.

TITLE 28—JUDICIARY AND JUDICIAL PROCEDURE

§ 1869(c)

§ 1869. Definitions

For purposes of this chapter

* * * * *

(c) “voter registration lists” shall mean the official records maintained by State or local election officials of persons registered to vote in either the most recent State or the most recent Federal general election, or, in the case of a State or political subdivision thereof that does not require registration as a prerequisite to voting, other official lists of persons qualified to vote in such election. The term shall also include the list of eligible voters maintained by any Federal examiner pursuant to the Voting Rights Act of 1965 (*52 U.S.C. 10301 et seq.*) where the names on such list have not been included on the official registration lists or other official lists maintained by the appropriate State or local officials. With respect to the districts of Guam and the Virgin Islands, “voter registration lists” shall mean the official records maintained by territorial election officials of persons registered to vote in the most recent territorial general election;

TITLE 29—LABOR

§ 3001(a)(8) (Assistive Technology Act of 1998, § 2(a)(8))

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

* * * * *

(8) The combination of significant recent changes in Federal policy (including changes to section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), accessibility provisions of the Help America Vote Act of 2002 [(42 U.S.C. 15301 et seq.)] (*52 U.S.C. 20901 et seq.*), and the amendments made to the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) by the No Child Left Behind Act of 2001) and the rapid

and unending evolution of technology require a Federal-State investment in State assistive technology systems to continue to ensure that individuals with disabilities reap the benefits of the technological revolution and participate fully in life in their communities.

TITLE 31—MONEY AND FINANCE

§ 1113 note (National Defense Authorization Act for Fiscal Year 2000, § 1031(14))

SEC. 1031. PRESERVATION OF CERTAIN DEFENSE REPORTING REQUIREMENTS.

Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

* * * * *

(14) Section 101(b)(6) of the Uniformed and Overseas Citizens Absentee Voting Act [(42 U.S.C. 1973ff(b)(6))] (*52 U.S.C. 20301(b)(6)*).

TITLE 36—PATRIOTIC AND NATIONAL OBSERVANCE, CEREMONIES, AND ORGANIZATIONS

§ 510(c)

§ 510. Disclosure of and prohibition on certain donations

* * * * *

(c) LIMITATION.—The committee shall not accept any donation from a foreign national (as defined in section 319(b) of the Federal Election Campaign Act of 1971 [(2 U.S.C. 441e(b))]) (*52 U.S.C. 30121(b))*).

TITLE 39—POSTAL SERVICE

§ 3406(a) (matter before paragraph (1))

§ 3406. Balloting materials under the Uniformed and Overseas Citizens Absentee Voting Act

(a) Balloting materials under the Uniformed and Overseas Citizens Absentee Voting Act (*52 U.S.C. 20301 et seq.*) (individually or in bulk)—

§ 3629

§ 3629. Reduced rates for voter registration purposes

The Postal Service shall make available to a State or local voting registration official the rate for any class of mail that is available to a qualified nonprofit organization under section 3626 for the purpose of making a mailing that the official certifies is required or authorized by the National Voter Registration Act of 1993 (*52 U.S.C. 20501 et seq.*).

TITLE 42—THE PUBLIC HEALTH AND WELFARE

§ 405(r)(9)(A) (matter before clause (i)) (Social Security Act, § 205(r)(9)(A) (matter before clause (i)))

SEC. 205. (a) The Commissioner of Social Security shall have full power and authority to make rules and regulations and to establish procedures, not inconsistent with the provisions of this subchapter, which are necessary or appropriate to carry out such provisions, and shall adopt reasonable and proper rules and regulations to regulate and provide for the nature and extent of the proofs and evidence and the method of taking and furnishing the same in order to establish the right to benefits hereunder.

* * * * *

(r)(1) The Commissioner of Social Security shall undertake to establish a program under which—

* * * * *

(9)(A) The Commissioner of Social Security shall, upon the request of the official responsible for a State driver’s license agency pursuant to the Help America Vote Act of 2002 (*52 U.S.C. 20901 et seq.*)—

§ 5043(a) (Domestic Volunteer Service Act of 1973, § 403(a))

SEC. 403. (a) No part of any funds appropriated to carry out this chapter, or any program administered by the Corporation under this chapter, shall be used to finance, directly or indirectly, any activity designed to influence the outcome of any election to Federal office, or the outcome of any election to any State or local public office, or any voter registration activity, or to pay the salary of any officer or employee of the Corporation, who, in an official capacity as such an officer or employee, engages in any such activity. As used in this section, the term “election” (when referring to an election for Federal office) has the same meaning given such term by section 301(1) of the Federal Election Campaign Act of 1971 (Public Law 92–225) (*52 U.S.C. 30101(1)*), and the term “Federal office” has the same meaning given such term by section 301(3) of such Act (*52 U.S.C. 30101(3)*).

TITLE 47—TELECOMMUNICATIONS

§ 315(b)(2)(F) (Communications Act of 1934, § 315(b)(2)(F))

SEC. 315. (a) If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station: *Provided*, That such licensee shall have no power of censorship over the material broadcast under the provisions of this section. No obligation is imposed under this subsection upon any licensee to allow the use of its station by any such candidate. Appearance by a legally qualified candidate on any—

* * * * *

(b) CHARGES.—

(1) IN GENERAL.—The charges made for the use of any broadcasting station by any person who is a legally qualified candidate for any public office in connection with his campaign for nomination for election, or election, to such office shall not exceed—

* * * * *

(2) CONTENT OF BROADCASTS.—

* * * * *

(F) DEFINITIONS.—For purposes of this paragraph, the terms “authorized committee” and “Federal office” have the meanings given such terms by section 301 of the Federal Election Campaign Act of 1971 [(2 U.S.C. 431)] (52 U.S.C. 30101).

TITLE 48—TERRITORIES AND INSULAR POSSESSIONS

§ 1732 note (Public Law 108–376, § 1(5))

SECTION 1. FINDINGS.

Congress finds the following:

* * * * *

(5) American Samoa law requiring members of the Armed Forces on active duty and other overseas voters to register in person also prevents participation in the Federal election process and is contrary to the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

TITLE 50—WAR AND NATIONAL DEFENSE

§ 4025 (Servicemembers Civil Relief Act, § 705)

(a) IN GENERAL.—For the purposes of voting for any Federal office (as defined in section 301 of the Federal Election Campaign Act of 1971 [(2 U.S.C. 431)] (52 U.S.C. 30101)) or a State or local office, a person who is absent from a State in compliance with military or naval orders shall not, solely by reason of that absence—

* * * * *

(b) SPOUSES.—For the purposes of voting for any Federal office (as defined in section 301 of the Federal Election Campaign Act of 1971 [(2 U.S.C. 431)] (52 U.S.C. 30101)) or a State or local office, a person who is absent from a State because the person is accompanying the person’s spouse who is absent from that same State in compliance with military or naval orders shall not, solely by reason of that absence—

TITLE 52—VOTING AND ELECTIONS

§ 10101(a)(2)(C) (Revised Statutes, § 2004(a)(2)(C))

Sec. 2004. (a)(1) All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding.

(2) No person acting under color of law shall—

* * * * *

(C) employ any literacy test as a qualification for voting in any election unless (i) such test is administered to each individual and is conducted wholly in writing, and (ii) a certified copy of the test and of the answers given by the individual is furnished to him within twenty-five days of the submission of his request made within the period of time during which records and papers are required to be retained and preserved pursuant to title III of the Civil Rights Act of 1960 [(42 U.S.C. 1974–74e; 74 Stat. 88)] (52 U.S.C. 20701 *et seq.*): *Provided, however,* That the Attorney General may enter into agreements with appropriate State or local authorities that preparation, conduct, and maintenance of such tests in accordance with the provisions of applicable State or local law, including such special provisions as are necessary in the preparation, conduct, and maintenance of such tests for persons who are blind or otherwise physically handicapped, meet the purposes of this subparagraph and constitute compliance therewith.

§ 10301 note (Fannie Lou Hamer, Rosa Parks, Coretta Scott King, Cesar E. Chavez, Barbara C. Jordan, William C. Velasquez, and Dr. Hector P. Garcia Voting Rights Act Reauthorization and Amendments Act of 2006, § 2(b))

SEC. 2. CONGRESSIONAL PURPOSE AND FINDINGS.

* * * * *

(b) FINDINGS.—The Congress finds the following

(1) Significant progress has been made in eliminating first generation barriers experienced by minority voters, including increased numbers of registered minority voters, minority voter turnout, and minority representation in Congress, State legislatures, and local elected offices. This progress is the direct result of the Voting Rights Act of 1965 (52 U.S.C. 10301 *et seq.*).

* * * * *

(4) Evidence of continued discrimination includes—

(A) the hundreds of objections interposed, requests for more information submitted followed by voting changes withdrawn from consideration by jurisdictions covered by the Voting Rights Act of 1965, and section 5 (52 U.S.C. 10304) enforcement actions undertaken by the Department

of Justice in covered jurisdictions since 1982 that prevented election practices, such as annexation, at-large voting, and the use of multi-member districts, from being enacted to dilute minority voting strength;

* * * * *

(C) the continued filing of section 2 (*52 U.S.C. 10301*) cases that originated in covered jurisdictions; and

(D) the litigation pursued by the Department of Justice since 1982 to enforce sections 4(e), 4(f)(4), and 203 of such Act (*52 U.S.C. 10303(e), (f)(4), 10503*) to ensure that all language minority citizens have full access to the political process.

* * * * *

(6) The effectiveness of the Voting Rights Act of 1965 has been significantly weakened by the United States Supreme Court decisions in *Reno v. Bossier Parish II* and *Georgia v. Ashcroft*, which have misconstrued Congress' original intent in enacting the Voting Rights Act of 1965 and narrowed the protections afforded by section 5 of such Act (*52 U.S.C. 10304*).

§ 10301 note (Public Law 94-73, § 208)

SEC. 208. If any amendments made by this Act or the application of any provision thereof to any person or circumstance is judicially determined to be invalid, the remainder of the Voting Rights Act of 1965 (*52 U.S.C. 10301 et seq.*), or the application of such provision to other persons or circumstances shall not be affected by such determination.

§ 10303(d) (Voting Rights Act of 1965, § 4(d))

SEC. 4. (a)(1) To assure that the right of citizens of the United States to vote is not denied or abridged on account of race or color, no citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State with respect to which the determinations have been made under the first two sentences of subsection (b) or in any political subdivision of such State (as such subdivision existed on the date such determinations were made with respect to such State), though such determinations were not made with respect to such subdivision as a separate unit, or in any political subdivision with respect to which such determinations have been made as a separate unit, unless the United States District Court for the District of Columbia issues a declaratory judgment under this section. No citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State with respect to which the determinations have been made under the third sentence of subsection (b) of this section or in any political subdivision of such State (as such subdivision existed on the date such determinations were made with respect to such State), though such determinations were not made with respect to such subdivision as a separate unit, or in any political subdivision with respect to which such determinations have been made as a separate unit, unless the United States District Court for the District of Columbia issues a declaratory judgment under this section. A declaratory judgment under this section shall issue only if

such court determines that during the ten years preceding the filing of the action, and during the pendency of such action—

* * * * *

(d) For purposes of this section no State or political subdivision shall be determined to have engaged in the use of tests or devices for the purpose or with the effect of denying or abridging the right to vote on account of race or color, or in contravention of the guarantees set forth in **section 4(f)(2)** *subsection (f)(2)* if (1) incidents of such use have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

§ 20104(c) (Voting Accessibility for the Elderly and Handicapped Act, § 5(c))

SEC. 5. (a) Each State shall make available registration and voting aids for Federal elections for handicapped and elderly individuals, including—

* * * * *

(c) The chief election officer of each State shall provide public notice, calculated to reach elderly and handicapped voters, of the availability of aids under this section, assistance under section 208 of the Voting Rights Act of 1965 **[(42 U.S.C. 1973aa-6)]** *(52 U.S.C. 10508)*, and the procedures for voting by absentee ballot, not later than general public notice of registration and voting is provided.

§ 20106 (Voting Accessibility for the Elderly and Handicapped Act, § 7)

SEC. 7. This chapter shall not be construed to impair any right guaranteed by the Voting Rights Act of 1965 **[(42 U.S.C. 1973 et seq.)]** *(52 U.S.C. 10301 et seq.)*.

§ 20301 note (National Defense Authorization Act for Fiscal Year 2002, § 1601(b)(2))

SEC. 1601. SENSE OF CONGRESS REGARDING THE IMPORTANCE OF VOTING.

* * * * *

(b) UNIFORMED SERVICES VOTER DEFINED.—In this section, the term “uniformed services voter” means—

* * * * *

(2) a member of the merchant marine (as defined in section 107 of the Uniformed and Overseas Citizens Absentee Voting Act **[(42 U.S.C. 1973ff6)]** *(52 U.S.C. 20310)*); and

§ 20302(c) (Uniformed and Overseas Citizens Absentee Voting Act, § 102(c))

SEC. 102. STATE RESPONSIBILITIES.

* * * * *

(c) REPORT ON NUMBER OF ABSENTEE BALLOTS TRANSMITTED AND RECEIVED.—Not later than 90 days after the date of each regularly scheduled general election for Federal office, each State and unit of local government which administered the election shall (through the State, in the case of a unit of local government) submit a report

to the Election Assistance Commission (established under the Help America Vote Act of 2002) (*52 U.S.C. 20901 et seq.*) on the combined number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election and the combined number of such ballots which were returned by such voters and cast in the election, and shall make such report available to the general public.

§ 20302 note (Military and Overseas Voter Empowerment Act, § 576)

SEC. 576. CLARIFICATION REGARDING DELEGATION OF STATE RESPONSIBILITIES TO LOCAL JURISDICTIONS.

Nothing in the Uniformed and Overseas Citizens Absentee Voting Act [(42 U.S.C. 1973ff et seq.)] (*52 U.S.C. 20301 et seq.*) may be construed to prohibit a State from delegating its responsibilities in carrying out the requirements of such Act, including any requirements imposed as a result of the provisions of and amendments made by this Act, to jurisdictions in the State.

§ 20302 note (Help America Vote Act of 2002, § 703(b))

SEC. 703. REPORT ON ABSENTEE BALLOTS TRANSMITTED AND RECEIVED AFTER GENERAL ELECTIONS.

* * * * *

(b) DEVELOPMENT OF STANDARDIZED FORMAT FOR REPORTS.—The Election Assistance Commission, working with the Election Assistance Commission Board of Advisors and the Election Assistance Commission Standards Board, shall develop a standardized format for the reports submitted by States and units of local government under section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act (*52 U.S.C. 20302(c)*) (as added by subsection (a)), and shall make the format available to the States and units of local government submitting such reports.

§ 20311 (Military and Overseas Voter Empowerment Act, § 589)

SEC. 589. TECHNOLOGY PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ABSENT UNIFORMED SERVICES VOTER.—The term “absent uniformed services voter” has the meaning given such term in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act [(42 U.S.C. 1973ff–6(1))] (*52 U.S.C. 20310(1)*).

(2) OVERSEAS VOTER.—The term “overseas voter” has the meaning given such term in section 107(5) of such Act (*52 U.S.C. 20310(5)*).

(3) PRESIDENTIAL DESIGNEE.—The term “Presidential designee” means the individual designated under section 101(a) of such Act (*52 U.S.C. 20301(a)*).

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Presidential designee may establish 1 or more pilot programs under which the feasibility of new election technology is tested for the benefit of absent uniformed services voters and overseas voters claiming rights under the

Uniformed and Overseas Citizens Absentee Voting Act [(42 U.S.C. 1973ff et seq.)] (52 U.S.C. 20301 et seq.).

* * * * *

(e) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Election Assistance Commission and the National Institute of Standards and Technology shall provide the Presidential designee with best practices or standards in accordance with electronic absentee voting guidelines established under the first sentence of section 1604(a)(2) of the National Defense Authorization Act for Fiscal Year 2002 [(Public Law 107–107; 115 Stat. 1277; 42 U.S.C. 1973ff note)] (Public Law 107–107; 115 Stat. 1277; 52 U.S.C. 20301 note), as amended by section 567 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108375; 118 Stat. 1919) to support the pilot program or programs.

§ 20502 (National Voter Registration Act of 1993, § 3)

SEC. 3. DEFINITIONS.

As used in this Act—

(1) the term “election” has the meaning stated in section 301(1) of the Federal Election Campaign Act of 1971 [(2 U.S.C. 431(1))] (52 U.S.C. 30101(1));

(2) the term “Federal office” has the meaning stated in section 301(3) of the Federal Election Campaign Act of 1971 [(2 U.S.C. 431(3))] (52 U.S.C. 30101(3));

§ 20505 (National Voter Registration Act of 1993, § 6)

SEC. 6. MAIL REGISTRATION

* * * * *

(c) FIRST TIME VOTERS.—(1) Subject to paragraph (2), a State may by law require a person to vote in person if—

* * * * *

(2) Paragraph (1) does not apply in the case of a person—

(A) who is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act [(42 U.S.C. 1973ff1 et seq.)] (52 U.S.C. 20301 et seq.);

(B) who is provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act [(42 U.S.C. 1973ee–1(b)(2)(B)(ii))] (52 U.S.C. 20102(b)(2)(B)(ii)); or

§ 20507(b)(1) (National Voter Registration Act of 1993, § 8(b)(1))

SEC. 8. REQUIREMENTS WITH RESPECT TO ADMINISTRATION OF VOTER REGISTRATION.

* * * * *

(b) CONFIRMATION OF VOTER REGISTRATION.—Any State program or activity to protect the integrity of the electoral process by ensuring the maintenance of an accurate and current voter registration roll for elections for Federal office—

(1) shall be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 [(42 U.S.C. 1973 et seq.)] (52 U.S.C. 10301 ET SEQ.); and

§ 20510(d) (National Voter Registration Act of 1993, § 11(d))

SEC. 11. CIVIL ENFORCEMENT AND PRIVATE RIGHT OF ACTION.

* * * * *

(d) RELATION TO OTHER LAWS.—(1) The rights and remedies established by this section are in addition to all other rights and remedies provided by law, and neither the rights and remedies established by this section nor any other provision of this Act shall supersede, restrict, or limit the application of the Voting Rights Act of 1965 [(42 U.S.C. 1973 et seq.)] (52 U.S.C. 10301 et seq.). (2) Nothing in this Act authorizes or requires conduct that is prohibited by the Voting Rights Act of 1965 [(42 U.S.C. 1973 et seq.)] (52 U.S.C. 10301 et seq.).

§ 20902 note (Financial Services And General Government Appropriations Act, 2009, § 625(b))

SEC. 625. (a) Section 102(a)(3)(B) of the Help America Vote Act of 2002 (42 U.S.C. 15302(a)(3)(B)) is amended by striking “March 1, 2008” and inserting “November 1, 2010”.

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.).

§ 20902 note (U.S. Troop Readiness, Veterans’ Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007, § 6301(b))

SEC. 6301. (a) Section 102(a)(3)(B) of the Help America Vote Act of 2002 (42 U.S.C. 15302(a)(3)(B)) is amended by striking “January 1, 2006” and inserting “March 1, 2008”.

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.).

§ 20929 (Help America Vote Act of 2002, § 209)

SEC. 209. LIMITATION ON RULEMAKING AUTHORITY.

The Commission shall not have any authority to issue any rule, promulgate any regulation, or take any other action which imposes any requirement on any State or unit of local government, except to the extent permitted under section 9(a) of the National Voter Registration Act of 1993 [(42 U.S.C. 1973gg–7(a))] (52 U.S.C. 20508(a)).

§ 20982(a)(1) (Help America Vote Act of 2002, § 242(a)(1))

SEC. 242. STUDY, REPORT, AND RECOMMENDATIONS ON BEST PRACTICES FOR FACILITATING MILITARY AND OVERSEAS VOTING.

(a) STUDY.—

(1) IN GENERAL.— The Commission, in consultation with the Secretary of Defense, shall conduct a study on the best practices for facilitating voting by absent uniformed services voters (as defined in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20310(1))) and overseas voters (as defined in section 107(5) of such Act (52 U.S.C. 20310(5))).

§ 21001(b)(3) (Help America Vote Act of 2002, § 251(b)(3))

SEC. 251. REQUIREMENTS PAYMENTS.

* * * * *

(b) USE OF FUNDS.—

* * * * *

(3) ACTIVITIES UNDER UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.—A State shall use a requirements payment made using funds appropriated pursuant to the authorization under section 257(a)(4) only to meet the requirements under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 *et seq.*) imposed as a result of the provisions of and amendments made by the Military and Overseas Voter Empowerment Act.

§ 21003(e) (Help America Vote Act of 2002, § 253(e))

SEC. 253. CONDITION FOR RECEIPT OF FUNDS.

* * * * *

(e) CHIEF STATE ELECTION OFFICIAL DEFINED.—In this subtitle, the “chief State election official” of a State is the individual designated by the State under section 10 of the National Voter Registration Act of 1993 [(42 U.S.C. 1973gg–8)] (52 U.S.C. 20509) to be responsible for coordination of the State’s responsibilities under such Act.

§ 21006 (matter before paragraph (1)) (Help America Vote Act of 2002, § 256 matter before paragraph (1))

SEC. 256. REQUIREMENT FOR PUBLIC NOTICE AND COMMENT.

For purposes of [section 251(a)(1)(C)] *section 253(b)(1)(C)*, a State plan meets the public notice and comment requirements of this section if—

§ 21041(b)(1) (Help America Vote Act of 2002, § 271(b)(1))

SEC. 271. GRANTS FOR RESEARCH ON VOTING TECHNOLOGY IMPROVEMENTS.

* * * * *

(b) ELIGIBILITY.—An entity is eligible to receive a grant under this subpart if it submits to the Commission (at such time and in such form as the Commission may require) an application containing—

(1) certifications that the research and development funded with the grant will take into account the need to make voting equipment fully accessible for individuals with disabilities, including the blind and visually impaired, the need to ensure that such individuals can vote independently and with privacy, and the need to provide alternative language accessibility for individuals with limited proficiency in the English language (consistent with the requirements of the Voting Rights Act of 1965 (52 U.S.C. 10301 *et seq.*)); and

§ 21051(b)(1) (Help America Vote Act of 2002, § 281(b)(1))

SEC. 281. PILOT PROGRAM.

* * * * *

(b) **ELIGIBILITY.**—An entity is eligible to receive a grant under this subpart if it submits to the Commission (at such time and in such form as the Commission may require) an application containing

- (1) certifications that the pilot programs funded with the grant will take into account the need to make voting equipment fully accessible for individuals with disabilities, including the blind and visually impaired, the need to ensure that such individuals can vote independently and with privacy, and the need to provide alternative language accessibility for individuals with limited proficiency in the English language (consistent with the requirements of the Voting Rights Act of 1965 (*52 U.S.C. 10301 et seq.*) and the requirements of this Act); and

§ 21081(a)(4) (Help America Vote Act of 2002, § 301(a)(4))

SEC. 301. VOTING SYSTEMS STANDARDS.

(a) **REQUIREMENTS.**—Each voting system used in an election for Federal office shall meet the following requirements:

- * * * * *
- (4) **ALTERNATIVE LANGUAGE ACCESSIBILITY.**—The voting system shall provide alternative language accessibility pursuant to the requirements of section 203 of the Voting Rights Act of 1965 [(42 U.S.C. 1973aa–1a)] (*52 U.S.C. 10503*).

§ 21082(a) (matter after paragraph (5)(B)) (Help America Vote Act of 2002, § 302(a) (matter after paragraph (5)(B)))

SEC. 302. PROVISIONAL VOTING AND VOTING INFORMATION REQUIREMENTS.

- * * * * *
- (5)(A) At the time that an individual casts a provisional ballot, the appropriate State or local election official shall give the individual written information that states that any individual who casts a provisional ballot will be able to ascertain under the system established under subparagraph (B) whether the vote was counted, and, if the vote was not counted, the reason that the vote was not counted.

(B) The appropriate State or local election official shall establish a free access system (such as a toll-free telephone number or an Internet website) that any individual who casts a provisional ballot may access to discover whether the vote of that individual was counted, and, if the vote was not counted, the reason that the vote was not counted.

States described in section 4(b) of the National Voter Registration Act of 1993 [42 U.S.C. 1973gg–2(b)] (*52 U.S.C. 20503(b)*) may meet the requirements of this subsection using voter registration procedures established under applicable State law. The appropriate State or local official shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system established under paragraph (5)(B). Access to information about an individual provisional ballot shall be restricted to the individual who cast the ballot.

§ 21083 (Help America Vote Act of 2002, § 303)

SEC. 303. COMPUTERIZED STATEWIDE VOTE REGISTRATION LIST REQUIREMENTS AND REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.

(a) COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST REQUIREMENTS.—

* * * * *

(2) COMPUTERIZED LIST MAINTENANCE.—

(A) IN GENERAL.— The appropriate State or local election official shall perform list maintenance with respect to the computerized list on a regular basis as follows:

(i) If an individual is to be removed from the computerized list, such individual shall be removed in accordance with the provisions of the National Voter Registration Act of 1993 [(42 U.S.C. 1973gg et seq.)] (52 U.S.C. 20501 et seq.), including subsections (a)(4), (c)(2), (d), and (e) of section 8 of such Act [(42 U.S.C. 1973gg-6)] (52 U.S.C. 20507).

(ii) For purposes of removing names of ineligible voters from the official list of eligible voters—

(I) under section 8(a)(3)(B) of such Act [(42 U.S.C. 1973gg-6(a)(3)(B))] (52 U.S.C. 20507(a)(3)(B)), the State shall coordinate the computerized list with State agency records on felony status; and

(II) by reason of the death of the registrant under section 8(a)(4)(A) of such Act [(42 U.S.C. 1973gg-6(a)(4)(A))] (52 U.S.C. 20507(a)(4)(A)), the State shall coordinate the computerized list with State agency records on death. (iii) Notwithstanding the preceding provisions of this subparagraph, if a State is described in section 4(b) of the National Voter Registration Act of 1993 [(42 U.S.C. 1973gg-2(b))] (52 U.S.C. 20503(b)), that State shall remove the names of ineligible voters from the computerized list in accordance with State law.

* * * * *

(4) MINIMUM STANDARD FOR ACCURACY OF STATE VOTER REGISTRATION RECORDS.—The State election system shall include provisions to ensure that voter registration records in the State are accurate and are updated regularly, including the following:

(A) A system of file maintenance that makes a reasonable effort to remove registrants who are ineligible to vote from the official list of eligible voters. Under such system, consistent with the National Voter Registration Act of 1993 [(42 U.S.C. 1973gg et seq.)] (52 U.S.C. 20501 et seq.), registrants who have not responded to a notice and who have not voted in 2 consecutive general elections for Federal office shall be removed from the official list of eligible

voters, except that no registrant may be removed solely by reason of a failure to vote.

* * * * *

(b) REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.—

(1) IN GENERAL.—Notwithstanding section 6(c) of the National Voter Registration Act of 1993 [(42 U.S.C. 1973gg–4(c))] (52 U.S.C. 20505(c)) and subject to paragraph (3), a State shall, in a uniform and nondiscriminatory manner, require an individual to meet the requirements of paragraph (2) if—

* * * * *

(3) INAPPLICABILITY.—Paragraph (1) shall not apply in the case of a person—

(A) who registers to vote by mail under section 6 of the National Voter Registration Act of 1993 [(42 U.S.C. 1973gg–4)] (52 U.S.C. 20505) and submits as part of such registration either—

* * * * *

(B)(i) who registers to vote by mail under section 6 of the National Voter Registration Act of 1993 [(42 U.S.C. 1973gg–4)] (52 U.S.C. 20505) and submits with such registration either—

* * * * *

(C) who is—

(i) entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act [42 U.S.C. 1973ff–1 et seq.] (52 U.S.C. 20301 et seq.);

(ii) provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act [(42 U.S.C. 1973ee–1(b)(2)(B)(ii))] (52 U.S.C. 20102(b)(2)(B)(ii)); or

* * * * *

(4) CONTENTS OF MAIL-IN REGISTRATION FORM.—

(A) IN GENERAL.—The mail voter registration form developed under section 6 of the National Voter Registration Act of 1993 [(42 U.S.C. 1973gg–4)] (52 U.S.C. 20505) shall include the following:

* * * * *

(5) CONSTRUCTION.—Nothing in this subsection shall be construed to require a State that was not required to comply with a provision of the National Voter Registration Act of 1993 [(42 U.S.C. 1973gg et seq.)] (52 U.S.C. 20501 et seq.) before the date of the enactment of this Act to comply with such a provision after such date.

§ 21132 (Help America Vote Act of 2002, § 802(a))

SEC. 802. NATIONAL VOTER REGISTRATION ACT OF 1993.

(a) TRANSFER OF FUNCTIONS.— There are transferred to the Election Assistance Commission established under section 201 (52 U.S.C. 20921) all functions which the Federal Election Commission exercised under section 9(a) of the National Voter Registration Act [(42 U.S.C. 1973gg–7(a))] (52 U.S.C. 20508(a)) before the date of the enactment of this Act.

§ 21144(a) (Help America Vote Act of 2002, § 905(a))

SEC. 905. OTHER CRIMINAL PENALTIES.

(a) CONSPIRACY TO DEPRIVE VOTES OF A FAIR ELECTION.—Any individual who knowingly and willfully gives false information in registering or voting in violation of section 11(c) of the National Voting Rights Act of 1965 [(42 U.S.C. 1973i(c))] (52 U.S.C. 10307(c)), or conspires with another to violate such section, shall be fined or imprisoned, or both, in accordance with such section.

§ 21145 (Help America Vote Act of 2002, § 906)

SEC. 906. NO EFFECT ON OTHER LAWS.

(a) IN GENERAL.—Except as specifically provided in section 303(b) of this Act (52 U.S.C. 21083(b)) with regard to the National Voter Registration Act of 1993 [(42 U.S.C. 1973gg et seq.)] (52 U.S.C. 20501 et seq.), nothing in this Act may be construed to authorize or require conduct prohibited under any of the following laws, or to supersede, restrict, or limit the application of such laws:

(1) The Voting Rights Act of 1965 [(42 U.S.C. 1973 et seq.)] (52 U.S.C. 10301 et seq.).

(2) The Voting Accessibility for the Elderly and Handicapped Act [(42 U.S.C. 1973ee et seq.)] (52 U.S.C. 20101 et seq.).

(3) The Uniformed and Overseas Citizens Absentee Voting Act [(42 U.S.C. 1973ff et seq.)] (52 U.S.C. 20301 et seq.).

(4) The National Voter Registration Act of 1993 [(42 U.S.C. 1973gg et seq.)] (52 U.S.C. 20501 et seq.).

* * * * *

(b) NO EFFECT ON PRECLEARANCE OR OTHER REQUIREMENTS UNDER VOTING RIGHTS ACT.—The approval by the Administrator or the Commission of a payment or grant application under title I or title II, or any other action taken by the Commission or a State under such title, shall not be considered to have any effect on requirements for preclearance under section 5 of the Voting Rights Act of 1965 [(42 U.S.C. 1973c)] (52 U.S.C. 10304) or any other requirements of such Act (52 U.S.C. 10301 et seq.).

§ 30101 note (Bipartisan Campaign Reform Act of 2002, § 402)

SEC. 402. EFFECTIVE DATES AND REGULATIONS.

(a) GENERAL EFFECTIVE DATE.—

* * * * *

(4) PROVISIONS NOT TO APPLY TO RUNOFF ELECTIONS.—Section 323(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30125(b)) (as added by section 101(a), section 103(a), title II, sections 304 (including [section 315(j) of Federal Election Campaign Act of 1971] section 315(j) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(j)), as added by section 304(a)(2)), 305 (notwithstanding subsection (c) of such section), 311, 316, 318, and 319, and title V (and the amendments made by such sections and titles) shall take effect on November 6, 2002, but shall not apply with respect to runoff elections, recounts, or election contests resulting from elections held prior to such date.

(b) SOFT MONEY OF NATIONAL POLITICAL PARTIES.—

(1) IN GENERAL.—Except for subsection (b) of such section, section 323 of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30125*) (as added by section 101(a)) shall take effect on November 6, 2002.

(2) TRANSITIONAL RULES FOR THE SPENDING OF SOFT MONEY OF NATIONAL POLITICAL PARTIES.—

(A) IN GENERAL.—Notwithstanding section 323(a) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30125(a)*) (as added by section 101(a)), if a national committee of a political party described in such section (including any person who is subject to such section under paragraph (2) of such section), has received funds described in such section prior to November 6, 2002, the rules described in subparagraph (B) shall apply with respect to the spending of the amount of such funds in the possession of such committee as of such date.

(B) USE OF EXCESS SOFT MONEY FUNDS.—

* * * * *

(ii) PROHIBITION ON USING SOFT MONEY FOR HARD MONEY EXPENSES, DEBTS, AND OBLIGATIONS.—A national committee of a political party may not use the amount described in subparagraph (A) for any expenditure (as defined in section 301(9) of the Federal Election Campaign Act of 1971 [(2 U.S.C. 431(9))]) (*52 U.S.C. 30101(9)*) or for retiring outstanding debts or obligations that were incurred for such an expenditure.

§ 30101 note (Federal Election Campaign Act Amendments of 1979, § 301(b))

SEC. 301. (a) Except as provided in subsection (b), the amendments made by this Act are effective upon enactment.

(b) For authorized committees of candidates for President and Vice President, section 304(b) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30104(b)*) shall be effective for elections occurring after January 1, 1981.

§ 30101 note (Federal Election Campaign Act Amendments of 1979, § 303(b))

SEC. 303. (a) The Federal Election Commission shall transmit to the Congress proposed rules and regulations necessary for the purpose of implementing the provisions of this Act, and the amendments made by this Act, prior to February 29, 1980.

(b) The provisions of section 311(d) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30111(d)*) allowing disapproval of rules and regulations by either House of Congress within 30 legislative days after receipt shall, with respect to rules and regulations required to be proposed under subsection (a) of this section, be deemed to allow such disapproval within 15 legislative days after receipt.

§ 30104 note (Honest Leadership and Open Government Act of 2007, § 204(b))

SEC. 204. DISCLOSURE OF BUNDLED CONTRIBUTIONS.

* * * * *

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to reports filed under section 304 of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30104*) after the expiration of the 3-month period which begins on the date that the regulations required to be promulgated by the Federal Election Commission under section 304(i)(5) of such Act (*52 U.S.C. 30104(i)(5)*) (as added by subsection (a)) become final.

§ 30104 note (Bipartisan Campaign Reform Act of 2002, § 201(b))

SEC. 201. DISCLOSURE OF ELECTIONEERING COMMUNICATIONS.

* * * * *

(b) **RESPONSIBILITIES OF FEDERAL COMMUNICATIONS COMMISSION.**—The Federal Communications Commission shall compile and maintain any information the Federal Election Commission may require to carry out section 304(f) of the Federal Election Campaign Act of 1971 (*52 U.S.C. 30104(f)*) (as added by subsection (a)), and shall make such information available to the public on the Federal Communication Commission’s website.

§ 30108 note (Federal Election Campaign Act Amendments of 1976, § 108(b))

SEC. 108. (a) Section 312(A) of the Act and section 312(b) of the Act (2 U.S.C. 437f(a), 437f(b), as redesignated by section 105, are amended to read as follows:

* * * * *

(b) The Commission shall, no later than 90 days after the date of the enactment of this Act, conform the advisory opinions issued before such date of enactment to the [requirements established by section 312(a) of the Act] *requirements established by section 308(a) of the Act (52 U.S.C. 30108(a))*, as amended by subsection (a) of this section. The provisions of [section 312(b) of the Act] *section 308(b) of the Act (52 U.S.C. 30108(b))*, as amended by subsection (a) of this section, shall apply with respect to all advisory opinions issued before the date of the enactment of this Act as conformed to meet the requirements of [section 312(a) of the Act] *section 308(a) of the Act (52 U.S.C. 30108(a))*, as amended by subsection (a) of this section.

§ 30112(b) (Bipartisan Campaign Reform Act of 2002, § 502(b))

SEC. 502. MAINTENANCE OF WEBSITE OF ELECTION REPORTS.

* * * * *

(b) **ELECTION-RELATED REPORT.**—In this section, the term “election-related report” means any report, designation, or statement required to be filed under the Federal Election Campaign Act of 1971 (*52 U.S.C. 30101 et seq.*).

§ 30119 (Federal Election Campaign Act of 1971, § 317)

SEC. 317. (a) It shall be unlawful for any person—

* * * * *

(b) This section does not prohibit or make unlawful the establishment or administration of, or the solicitation of contributions to, any separate segregated fund by any corporation, labor organization, membership organization, cooperative, or corporation without capital stock for the purpose of influencing the nomination for election, or election, of any person to Federal office, unless the **【provisions of section 321】** *provisions of section 316* prohibit or make unlawful the establishment or administration of, or the solicitation of contributions to, such fund. Each specific prohibition, allowance, and duty applicable to a corporation, labor organization, or separate segregated fund **【under section 321】** *under section 316* applies to a corporation, labor organization, or separate segregated fund to which this subsection applies.

(c) For purposes of this section, the term “labor organization” has the meaning given it by **【section 321(b)(1)】** *section 316(b)(1)*.

○