

(b) Process for review of grant applicants prior to award**(1) In general**

The head of an element of the intelligence community may not award a grant to a person or entity who submitted a certification under subsection (a) until such certification is received by the head of an element of the intelligence community and submitted to the Director of National Intelligence pursuant to the process set forth in paragraph (2).

(2) Process**(A) In general**

The Director of National Intelligence, in coordination with such heads of elements of the intelligence community as the Director considers appropriate, shall establish a process to review the awarding of a grant to an applicant who submitted a certification under subsection (a).

(B) Elements

The process established under subparagraph (A) shall include the following:

- (i) The immediate transmission of a copy of each applicant's certification made under subsection (a) to the Director of National Intelligence.
- (ii) The review of the certification and any accompanying disclosures submitted under subsection (a) as soon as practicable.
- (iii) Authorization for the heads of the elements of the intelligence community to take such actions as may be necessary, including denial or revocation of a grant, to ensure a grant does not pose an unacceptable risk of—
 - (I) misappropriation of United States intellectual property, research and development, and innovation efforts; or
 - (II) other counterintelligence threats.

(c) Annual report required

Not later than 1 year after December 23, 2022, and not less frequently than once each year thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees an annual report identifying the following for the 1-year period covered by the report:

- (1) The number of applications for grants received by each element of the intelligence community.
- (2) The number of such applications that were reviewed using the process established under subsection (b)(2), disaggregated by element of the intelligence community.
- (3) The number of such applications that were denied and the number of grants that were revoked, pursuant to the process established under subsection (b)(2), disaggregated by element of the intelligence community.

(July 26, 1947, ch. 343, title I, § 121, as added Pub. L. 117-263, div. F, title LXIII, § 6302(a), Dec. 23, 2022, 136 Stat. 3501.)

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE**

Pub. L. 117-263, div. F, title LXIII, § 6302(b), Dec. 23, 2022, 136 Stat. 3502, provided that: “Subsections (a) and

(b) of section 121 of such Act [act July 26, 1947, 50 U.S.C. 3061], as added by subsection (a), shall apply only with respect to grants awarded by an element of the intelligence community after the date of the enactment of this Act [Dec. 23, 2022].”

[For definition of “intelligence community” as used in section 6302(b) of Pub. L. 117-263, set out above, see section 6002 of Pub. L. 117-263, set out as a note under section 3003 of this title.]

§ 3062. Office of Engagement**(a) Establishment**

There is within the Office of the Director of National Intelligence an Office of Engagement (in this section referred to as the “Office”).

(b) Head; staff**(1) Head**

The Director of National Intelligence shall appoint as head of the Office an individual with requisite experience in matters relating to the duties of the Office, as determined by the Director of National Intelligence. Such head of the Office shall report directly to the Director of National Intelligence.

(2) Staff

To assist the head of the Office in fulfilling the duties of the Office, the head shall employ full-time equivalent staff in such number, and with such requisite expertise in matters relating to such duties, as may be determined by the head.

(c) Duties

The duties of the Office shall be as follows:

(1) To ensure coordination across the elements of the intelligence community efforts regarding outreach, relationship development, and associated knowledge and relationship management, with covered entities, consistent with the protection of intelligence sources and methods.

(2) To assist in sharing best practices regarding such efforts among the elements of the intelligence community.

(3) To establish and implement metrics to assess the effectiveness of such efforts.

(d) Covered entity defined

In this section, the term “covered entity” means an entity that is not an entity of the United States Government, including private sector companies, institutions of higher education, trade associations, think tanks, laboratories, international organizations, and foreign partners and allies.

(July 26, 1947, ch. 343, title I, § 122, as added Pub. L. 118-31, div. G, title V, § 7503(a), Dec. 22, 2023, 137 Stat. 1082.)

Statutory Notes and Related Subsidiaries**RULE OF CONSTRUCTION**

Pub. L. 118-31, div. G, title V, § 7503(e), Dec. 22, 2023, 137 Stat. 1083, provided that: “Nothing in this section [enacting this section and provisions set out as notes under this section], or an amendment made by this section, shall be construed as restricting or preempting engagement or outreach activities of elements of the intelligence community.”

[For definition of “intelligence community” as used in section 7503(e) of Pub. L. 118-31, set out above, see

section 7002 of Pub. L. 118-31, set out as a note under section 3003 of this title.]

DEADLINE

Pub. L. 118-31, div. G, title V, §7503(b), Dec. 22, 2023, 137 Stat. 1083, provided that: “To the extent and in such amounts as specifically provided in advance in appropriations Acts for the purposes detailed in section 122 of the National Security Act of 1947 [50 U.S.C. 3062], as added by subsection (a), the Director of National Intelligence shall establish the Office of Engagement by not later than 1 year after the date of the enactment of this Act [Dec. 22, 2023].”

TRANSFER

Pub. L. 118-31, div. G, title V, §7503(c), Dec. 22, 2023, 137 Stat. 1083, provided that: “The Director shall transfer to the Office of Engagement all functions within the Office of the Director of National Intelligence that, on the day before the date of the enactment of this Act [Dec. 22, 2023], performed duties set forth in section 122 of the National Security Act of 1947 [50 U.S.C. 3062], as added by subsection (a).”

DEFINITIONS

Pub. L. 118-31, div. G, title V, §7503(f), Dec. 22, 2023, 137 Stat. 1083, provided that: “In this section [enacting this section and provisions set out as notes under this section], the term ‘Office of Engagement’ means the Office of Engagement established under section 122 of the National Security Act of 1947 [50 U.S.C. 3062], as added by subsection (a).”

SUBCHAPTER II—MISCELLANEOUS PROVISIONS

§ 3071. National Security Agency voluntary separation

(a) Short title

This section may be cited as the “National Security Agency Voluntary Separation Act”.

(b) Definitions

For purposes of this section—

(1) the term “Director” means the Director of the National Security Agency; and

(2) the term “employee” means an employee of the National Security Agency, serving under an appointment without time limitation, who has been currently employed by the National Security Agency for a continuous period of at least 12 months prior to the effective date of the program established under subsection (c), except that such term does not include—

(A) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title 5 or another retirement system for employees of the Government; or

(B) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under any of the retirement systems referred to in subparagraph (A).

(c) Establishment of program

Notwithstanding any other provision of law, the Director, in his sole discretion, may establish a program under which employees may, after October 1, 2000, be eligible for early retirement, offered separation pay to separate from service voluntarily, or both.

(d) Early retirement

An employee who—

(1) is at least 50 years of age and has completed 20 years of service; or

(2) has at least 25 years of service,

may, pursuant to regulations promulgated under this section, apply and be retired from the National Security Agency and receive benefits in accordance with chapter 83 or 84 of title 5 if the employee has not less than 10 years of service with the National Security Agency.

(e) Amount of separation pay and treatment for other purposes

(1) Amount

Separation pay shall be paid in a lump sum and shall be equal to the lesser of—

(A) an amount equal to the amount the employee would be entitled to receive under section 5595(c) of title 5 if the employee were entitled to payment under such section; or

(B) \$25,000.

(2) Treatment

Separation pay shall not—

(A) be a basis for payment, and shall not be included in the computation, of any other type of Government benefit; and

(B) be taken into account for the purpose of determining the amount of any severance pay to which an individual may be entitled under section 5595 of title 5 based on any other separation.

(f) Reemployment restrictions

An employee who receives separation pay under such program may not be reemployed by the National Security Agency for the 12-month period beginning on the effective date of the employee’s separation. An employee who receives separation pay under this section on the basis of a separation occurring on or after March 30, 1994, and accepts employment with the Government of the United States within 5 years after the date of the separation on which payment of the separation pay is based shall be required to repay the entire amount of the separation pay to the National Security Agency. If the employment is with an Executive agency (as defined by section 105 of title 5), the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position. If the employment is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position. If the employment is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(g) Bar on certain employment

(1) Bar

An employee may not be separated from service under this section unless the employee agrees that the employee will not—

(A) act as agent or attorney for, or otherwise represent, any other person (except the