

1799; Pub. L. 90-608, ch. IV, § 402, Oct. 21, 1968, 82 Stat. 1194; Ex. Ord. No. 11725, § 3, eff. June 29, 1973, 38 F.R. 17175; Ex. Ord. No. 12148, §§ 1-103, 4-102, July 20, 1979, 44 F.R. 43239; Pub. L. 97-89, title V, § 504, Dec. 4, 1981, 95 Stat. 1153; Pub. L. 100-453, title V, § 503, Sept. 29, 1988, 102 Stat. 1910; Pub. L. 108-458, title I, § 1071(a)(1)(U), Dec. 17, 2004, 118 Stat. 3689; Pub. L. 109-295, title VI, § 612(c), Oct. 4, 2006, 120 Stat. 1410.)

### Editorial Notes

#### REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act”, meaning act July 26, 1947, ch. 343, 61 Stat. 495, known as the National Security Act of 1947, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

#### CODIFICATION

Section was formerly classified to section 405 of this title prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

2004—Subsec. (a). Pub. L. 108-458 substituted “Director of National Intelligence” for “Director of Central Intelligence” in two places.

1988—Subsec. (a). Pub. L. 100-453 substituted “Retired members of the uniformed services employed by the Director of Central Intelligence who hold no other office or position under the United States for which they receive compensation, other” for “Other” in last sentence.

1981—Subsec. (a). Pub. L. 97-89, § 504(a), substituted “at a daily rate not to exceed the daily equivalent of the rate of pay in effect for grade GS-18 of the General Schedule established by section 5332 of title 5” for “at a rate not to exceed \$50 for each day of service”.

Subsec. (b). Pub. L. 97-89, § 504(b), substituted “section 203, 205, or 207 of title 18” for “section 281, 283, or 284 of title 18”.

1956—Subsec. (a). Act Aug. 10, 1956, struck out “Secretary of Defense, the” after “The”.

1954—Act Sept. 3, 1954, amended section generally, substituting the “Director of the Office of Defense Mobilization” for “Chairman of the National Security Resources Board” in subsec. (a), and substituting “sections 281, 283, or 284 of title 18” for “sections 198 or 203 of title 18 or section 119(e) of title 41”.

1949—Subsec. (a). Act Aug. 10, 1949, inserted reference to National Security Council, and increased per diem payable to consultants from \$35 to \$50.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2004 AMENDMENT

For Determination by President that amendment by Pub. L. 108-458 take effect on Apr. 21, 2005, see Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 23925, set out as a note under section 3001 of this title.

Amendment by Pub. L. 108-458 effective not later than six months after Dec. 17, 2004, except as otherwise expressly provided, see section 1097(a) of Pub. L. 108-458, set out in an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of this title.

#### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-89 effective Oct. 1, 1981, see section 806 of Pub. L. 97-89, set out as an Effective Date note under section 1621 of Title 10, Armed Forces.

#### TRANSFER OF FUNCTIONS

For abolition of Office of Defense Mobilization and its Director and transfers and delegations of their func-

tions to Office of Emergency Planning, Office of Emergency Preparedness, President, Federal Preparedness Agency, Federal Emergency Management Agency, and Secretary of Homeland Security, see Transfer of Functions notes set out under former section 3042 of this title.

#### TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 1013 of Title 5, Government Organization and Employees.

#### ADVISORY COMMITTEE MEMBERS AND PERSONNEL; PER DIEM COMPENSATION

Act June 24, 1948, ch. 632, 62 Stat. 648, which related to authority of former Chairman of National Security Resources Board to appoint advisory committee members and part-time advisory personnel at rates up to \$50 per day, was superseded by section 3073(a) of this title.

#### REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

### Executive Documents

#### TRANSFER OF FUNCTIONS

National Security Council transferred to Executive Office of President by Reorg. Plan No. 4 of 1949, eff. Aug. 19, 1949, 14 F.R. 5227, 63 Stat. 1067. See note set out under section 3021 of this title.

### § 3073a. Requirements for certain employment activities by former intelligence officers and employees

#### (a) Post-employment restrictions

##### (1) Covered post-service position

###### (A) Permanent restriction

Except as provided by paragraph (2)(A), an employee of an element of the intelligence community who occupies a covered intelligence position may not occupy a covered post-service position for a designated prohibited foreign country following the date on which the employee ceases to occupy a covered intelligence position.

###### (B) Temporary restriction

Except as provided by paragraph (2)(A), an employee of an element of the intelligence community who occupies a covered intelligence position may not occupy a covered post-service position during the 30-month period following the date on which the em-

ployee ceases to occupy a covered intelligence position.

**(2) Waiver**

**(A) Authority to grant waivers**

The applicable head of an intelligence community element may waive a restriction in paragraph (1) with respect to an employee or former employee who is subject to that restriction only after—

(i) the employee or former employee submits to the applicable head of the intelligence community element a written application for such waiver in such form and manner as the applicable head of the intelligence community element determines appropriate; and

(ii) the applicable head of the element of the intelligence community determines that granting such waiver will not harm the national security interests of the United States.

**(B) Period of waiver**

A waiver issued under subparagraph (A) shall apply for a period not exceeding 5 years. The applicable head of the intelligence community element may renew such a waiver.

**(C) Revocation**

The applicable head of the intelligence community element may revoke a waiver issued under subparagraph (A) to an employee or former employee, effective on the date that is 60 days after the date on which the applicable head of the intelligence community element provides the employee or former employee written notice of such revocation.

**(D) Tolling**

The 30-month restriction in paragraph (1)(B) shall be tolled for an employee or former employee during the period beginning on the date on which a waiver is issued under subparagraph (A) and ending on the date on which the waiver expires or on the effective date of a revocation under subparagraph (C), as the case may be.

**(E) Reporting to Congress**

On a quarterly basis, the head of each element of the intelligence community shall submit to the congressional intelligence committees and the congressional defense committees for Department of Defense elements of the intelligence community, a written notification of each waiver or revocation that shall include the following:

(i) With respect to a waiver issued to an employee or former employee—

(I) the covered intelligence position held or formerly held by the employee or former employee; and

(II) a brief description of the covered post-service employment, including the employer and the recipient of the representation, advice, or services.

(ii) With respect to a revocation of a waiver issued to an employee or former employee—

(I) the details of the waiver, including any renewals of such waiver, and the dates of such waiver and renewals; and

(II) the specific reasons why the applicable head of the intelligence community element determined that such revocation is warranted.

**(b) Covered post-service employment reporting**

**(1) Requirement**

During the period described in paragraph (2), an employee who ceases to occupy a covered intelligence position shall—

(A) report covered post-service employment to the head of the element of the intelligence community that employed such employee in such covered intelligence position upon accepting such covered post-service employment; and

(B) annually (or more frequently if the head of such element considers it appropriate) report covered post-service employment to the head of such element.

**(2) Period described**

The period described in this paragraph is the period beginning on the date on which an employee ceases to occupy a covered intelligence position.

**(3) Regulations**

The head of each element of the intelligence community shall issue regulations requiring, as a condition of employment, each employee of such element occupying a covered intelligence position to sign a written agreement requiring the regular reporting of covered post-service employment to the head of such element pursuant to paragraph (1).

**(c) Penalties**

**(1) Criminal penalties**

A former employee who knowingly and willfully violates subsection (a) or who knowingly and willfully fails to make a required report under subsection (b) shall be fined under title 18 or imprisoned for not more than 5 years, or both. Each report under subsection (b) shall be subject to section 1001 of title 18.

**(2) Security clearances**

The head of an element of the intelligence community shall revoke the security clearance of a former employee if the former employee knowingly and willfully fails to make a required report under subsection (b) or knowingly and willfully makes a false report under such subsection.

**(d) Provision of information**

**(1) Training**

The head of each element of the intelligence community shall regularly provide training on the restrictions under subsection (a) and the reporting requirements under subsection (b) to employees of that element who occupy a covered intelligence position.

**(2) Written notice about reporting requirements**

The head of each element of the intelligence community shall provide written notice of the

reporting requirements under subsection (b) to an employee when the employee occupies a covered intelligence position.

**(3) Written notice about restrictions**

The head of each element of the intelligence community shall provide written notice of the restrictions under subsection (a) to any person who may be subject to such restrictions on or after December 23, 2022—

(A) when the head of the element determines that such person may become subject to such covered intelligence position restrictions; and

(B) when the person occupies a covered intelligence position.

**(4) Written advisory opinions**

Upon request from a current employee who occupies a covered intelligence position or a former employee who previously occupied a covered intelligence position, the applicable head of the element of the intelligence community concerned may provide a written advisory opinion to such current or former employee regarding whether a proposed employment, representation, or provision of advice or services constitutes covered post-service employment as defined in subsection (g).

**(e) Annual reports**

**(1) Requirement**

Not later than March 31 of each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report on covered post-service employment occurring during the year covered by the report.

**(2) Elements**

Each report under paragraph (1) shall include the following:

(A) The number of former employees who occupy a covered post-service position, broken down by—

- (i) the name of the employer;
- (ii) the foreign government, including by the specific foreign individual, agency, or entity, for whom the covered post-service employment is being performed; and
- (iii) the nature of the services provided as part of the covered post-service employment.

(B) A certification by the Director that—

- (i) each element of the intelligence community maintains adequate systems and processes for ensuring that former employees are submitting reports required under subsection (b);
- (ii) to the knowledge of the heads of the elements of the intelligence community, all former employees who occupy a covered post-service position are in compliance with this section;
- (iii) the services provided by former employees who occupy a covered post-service position do not—
  - (I) pose a current or future threat to the national security of the United States; or
  - (II) pose a counterintelligence risk; and
- (iv) the Director and the heads of such elements are not aware of any credible in-

formation or reporting that any former employee who occupies a covered post-service position has engaged in activities that violate Federal law, infringe upon the privacy rights of United States persons, or constitute abuses of human rights.

**(3) Form**

Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

**(f) Notification**

In addition to the annual reports under subsection (e), if a head of an element of the intelligence community determines that the services provided by a former employee who occupies a covered post-service position pose a threat or risk described in clause (iii) of paragraph (2)(B) of such subsection, or include activities described in clause (iv) of such paragraph, the head shall notify the congressional intelligence committees of such determination by not later than 7 days after making such determination. The notification shall include the following:

- (1) The name of the former employee.
- (2) The name of the employer.
- (3) The foreign government, including the specific foreign individual, agency, or entity, for whom the covered post-service employment is being performed.
- (4) As applicable, a description of—
  - (A) the risk to national security, the counterintelligence risk, or both; and
  - (B) the activities that may violate Federal law, infringe upon the privacy rights of United States persons, or constitute abuses of human rights.

**(g) Definitions**

In this section:

**(1) Covered intelligence position**

The term “covered intelligence position” means a position within an element of the intelligence community that, based on the level of access of a person occupying such position to information regarding sensitive intelligence sources or methods or other exceptionally sensitive matters, the head of such element determines should be subject to the requirements of this section.

**(2) Covered post-service employment**

The term “covered post-service employment” means direct or indirect employment by, representation of, or any provision of advice or services to the government of a foreign country or any company, entity, or other person whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized, in whole or in major part, by any government of a foreign country if such employment, representation, or provision of advice or services relates to national security, intelligence, the military, or internal security.

**(3) Covered post-service position**

The term “covered post-service position” means a position of employment described in paragraph (2).

**(4) Designated prohibited foreign country**

The term “designated prohibited foreign country” means the following:

- (A) The People’s Republic of China.
- (B) The Russian Federation.
- (C) The Democratic People’s Republic of Korea.
- (D) The Islamic Republic of Iran.
- (E) The Republic of Cuba.
- (F) The Syrian Arab Republic.

#### (5) Employee

The term “employee”, with respect to an employee occupying a covered intelligence position, includes an officer or official of an element of the intelligence community, a contractor of such an element, a detailee to such an element, or a member of the Armed Forces assigned to such an element.

#### (6) Former employee

The term “former employee” means an individual—

- (A) who was an employee occupying a covered intelligence position; and
- (B) who is subject to the requirements under subsection (a) or (b).

#### (7) Government of a foreign country

The term “government of a foreign country” has the meaning given the term in section 611(e) of title 22.

(July 26, 1947, ch. 343, title III, § 304, as added Pub. L. 113–293, title III, § 305(a), Dec. 19, 2014, 128 Stat. 3995; amended Pub. L. 117–103, div. X, title III, § 308(a)(1), Mar. 15, 2022, 136 Stat. 966; Pub. L. 117–263, div. F, title LXIII, § 6301(a)–(c), Dec. 23, 2022, 136 Stat. 3498–3500; Pub. L. 118–31, div. G, title III, § 7304, Dec. 22, 2023, 137 Stat. 1025; Pub. L. 118–159, div. F, title LXVI, § 6615, Dec. 23, 2024, 138 Stat. 2506.)

### Editorial Notes

#### PRIOR PROVISIONS

A prior section 304 of act July 26, 1947, ch. 343, title III, 61 Stat. 508, was classified to section 171k of former Title 5, Executive Departments and Government Officers and Employees, prior to repeal by Pub. L. 89–554, § 8(a), Sept. 6, 1966, 80 Stat. 632.

#### AMENDMENTS

2024—Subsec. (a)(1)(A). Pub. L. 118–159, § 6615(d)(1), substituted “paragraph (2)(A)” for “paragraph (2)(A)(i)”.

Subsec. (a)(1)(B). Pub. L. 118–159, § 6615(d)(2), substituted “paragraph (2)(A)” for “paragraph (2)(A)(ii)”.

Subsec. (a)(2)(A). Pub. L. 118–159, § 6615(a)(1), amended subpar. (A) generally. Prior to amendment, subpar. (A) related to authority to grant a temporary waiver of requirements for certain employment activities by former intelligence officers and employees.

Subsec. (a)(2)(B). Pub. L. 118–159, § 6615(a)(2), substituted “applicable head of the intelligence community element” for “Director”.

Subsec. (a)(2)(C). Pub. L. 118–159, § 6615(a)(3), substituted “applicable head of the intelligence community element” for “Director” in two places.

Subsec. (a)(2)(E). Pub. L. 118–159, § 6615(a)(4), amended subpar. (E) generally. Prior to amendment, subpar. (E) related to notification to congressional intelligence committees of issuance of a waiver or a revocation of a waiver.

Subsec. (d)(4). Pub. L. 118–159, § 6615(b), added par. (4).

Subsec. (g)(2). Pub. L. 118–159, § 6615(c), substituted “to the government of a foreign country or any company, entity, or other person whose activities are directly or indirectly supervised, directed, controlled, fi-

nanced, or subsidized, in whole or in major part, by any government of a foreign country if such employment, representation, or provision of advice or services relates to national security, intelligence, the military, or internal security” for “relating to national security, intelligence, the military, or internal security to, the government of a foreign country or any company, entity, or other person whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized, in whole or in major part, by any government of a foreign country”.

2023—Subsec. (d)(1). Pub. L. 118–31, § 7304(1), which directed insertion of “the restrictions under subsection (a) and” before “the report requirements”, was executed by making the insertion before “the reporting requirements” to reflect the probable intent of Congress.

Subsec. (d)(2). Pub. L. 118–31, § 7304(2), substituted “occupies” for “ceases to occupy”.

Subsec. (d)(3)(B). Pub. L. 118–31, § 7304(3), substituted “when the person occupies a covered intelligence position” for “before the person ceases to occupy a covered intelligence position”.

2022—Pub. L. 117–103 amended section generally. Prior to amendment, section related to reporting of certain employment activities by former intelligence officers and employees.

Subsecs. (a), (b). Pub. L. 117–263, § 6301(a), amended subsecs. (a) and (b) generally. Prior to amendment, subsecs. (a) and (b) related to temporary restriction and covered post-service employment reporting, respectively.

Subsec. (d)(2). Pub. L. 117–263, § 6301(c)(2), inserted “about reporting requirements” after “Written notice” in heading.

Subsec. (d)(3). Pub. L. 117–263, § 6301(c)(1), added par. (3).

Subsec. (g)(4) to (7). Pub. L. 117–263, § 6301(b), added par. (4) and redesignated former pars. (4) to (6) as (5) to (7), respectively.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2022 AMENDMENT

Pub. L. 117–263, div. F, title LXIII, § 6301(e), Dec. 23, 2022, 136 Stat. 3501, provided that: “Subsection (a)(1)(A) of such section 304 [50 U.S.C. 3073a(a)(1)(A)], as amended by subsection (a) of this section, shall apply only to persons who occupy a covered intelligence position on or after the date that is 45 days after the date on which new or updated regulations are issued under subsection (d)(2) of this section [section 6301(d)(2) of Pub. L. 117–263, set out in a note below].”

Pub. L. 117–103, div. X, title III, § 308(a)(2), Mar. 15, 2022, 136 Stat. 970, provided that: “Such section 304 [50 U.S.C. 3073a], as amended by paragraph (1), shall apply with respect to employees who occupy covered intelligence positions (as defined in such section) on or after the date of the enactment of this Act [Mar. 15, 2022].”

#### REVISED REGULATIONS

Pub. L. 117–263, div. F, title LXIII, § 6301(d), Dec. 23, 2022, 136 Stat. 3500, provided that:

“(1) DEFINITION OF COVERED INTELLIGENCE POSITION.—In this subsection, the term ‘covered intelligence position’ has the meaning given such term by such section 304 [50 U.S.C. 3073a].

“(2) SUBMISSION.—Not later than 30 days after the date of the enactment of this Act [Dec. 23, 2022], the head of each element of the intelligence community shall submit to the congressional intelligence committees new or updated regulations issued to carry out such section 304, as amended by subsections (a), (b), and (c) of this section.

“(3) REQUIREMENTS.—The regulations issued under paragraph (1) shall—

“(A) include provisions that advise personnel of the intelligence community of the appropriate manner in which such personnel may opt out of positions that—

“(i) have been designated as covered intelligence positions before the effective date established in subsection (e) of this section; or

“(ii) may be designated as covered intelligence provisions before such designation becomes final; and

“(B) establish a period of not fewer than 30 days and not more than 60 days after receipt of the written notice required under paragraph (3) of subsection (d) of such section 304 [50 U.S.C. 3073a(d)(3)], as added by subsection (c)(1) of this section, within which such personnel may opt out of a covered intelligence position and the accompanying obligations imposed by subsection (a)(1)(A) of such section 304 [50 U.S.C. 3073a(a)(1)(A)], as amended by subsection (a) of this section.

“(4) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees—

“(A) a written certification for each head of an element of the intelligence community who has issued new or updated regulations pursuant to paragraph (2); and

“(B) for each head of an element of the intelligence community who has not issued such new or updated regulations, an explanation for the failure to issue such new or updated regulations.”

[For definitions of “intelligence community” and “congressional intelligence committees” as used in section 6301(d) 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.]

Pub. L. 117-103, div. X, title III, §308(a)(3), Mar. 15, 2022, 136 Stat. 970, provided that:

“(A) SUBMISSION.—Not later than 90 days after the date of the enactment of this Act [Mar. 15, 2022], the head of each element of the intelligence community shall submit to the congressional intelligence committees new or updated regulations issued under such section 304 [50 U.S.C. 3073a], as amended by paragraph (1).

“(B) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees—

“(i) a written certification for each head of an element of the intelligence community who has issued the updated regulations under such section 304, as amended by paragraph (1); and

“(ii) for each head of an element of the intelligence community who has not issued such updated regulations, an explanation for the failure to issue such updated regulations.”

[For definitions of “congressional intelligence committees” and “intelligence community” as used in section 308(a)(3) of div. X of Pub. L. 117-103, set out above, see section 2 of div. X of Pub. L. 117-103, set out as a note under section 3003 of this title.]

#### REGULATIONS AND CERTIFICATION

Pub. L. 113-293, title III, §305(b), Dec. 19, 2014, 128 Stat. 3996, provided that:

“(1) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act [Dec. 19, 2014], the head of each element of the intelligence community shall issue the regulations required under section 304 of the National Security Act of 1947 [50 U.S.C. 3073a], as added by subsection (a) of this section.

“(2) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees—

“(A) a certification that each head of an element of the intelligence community has prescribed the regulations required under section 304 of the National Security Act of 1947, as added by subsection (a) of this section; or

“(B) if the Director is unable to submit the certification described under subparagraph (A), an explanation as to why the Director is unable to submit such certification, including a designation of which heads of an element of the intelligence community have prescribed the regulations required under such section 304 and which have not.”

[For definitions of terms used in section 305(b) of Pub. L. 113-293, set out above, see section 2 of Pub. L. 113-293, set out as a note under section 3003 of this title.]

#### INITIAL REPORT

Pub. L. 117-103, div. X, title III, §308(a)(4), Mar. 15, 2022, 136 Stat. 970, provided that: “In the first report submitted by the Director of National Intelligence under subsection (e) of such section 304 [50 U.S.C. 3073a(e)], as amended by paragraph (1), the Director shall include an assessment of the licensing requirements under the Arms Export Control Act (22 U.S.C. 2751 et seq.) and recommendations with respect to strengthening the activities regulated under such section 304.”

#### § 3074. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this chapter (other than the provisions and purposes of sections 3023, 3025, 3035, 3038 of this title and subchapters III, IV, and V).

(July 26, 1947, ch. 343, title III, §307, 61 Stat. 509; Pub. L. 103-178, title III, §309, Dec. 3, 1993, 107 Stat. 2036.)

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning act July 26, 1947, ch. 343, 61 Stat. 495, known as the National Security Act of 1947, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

##### CODIFICATION

Section was formerly classified to section 411 of this title prior to editorial reclassification and renumbering as this section, and to section 171m of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

##### AMENDMENTS

1993—Pub. L. 103-178 inserted exception relating to sections 3023, 3025, 3035, and 3038 of this title and subchapters III, IV, and V.

#### § 3075. “Function” and “Department of Defense” defined

(a) As used in sections 3002, 3021, 3023, 3025, and 3073 of this title, the term “function” includes functions, powers, and duties.

(b) As used in this Act, the term “Department of Defense” shall be deemed to include the military departments of the Army, the Navy, and the Air Force, and all agencies created under title II of this Act.

(July 26, 1947, ch. 343, title III, §308, 61 Stat. 509; Aug. 10, 1949, ch. 412, §12(e), 63 Stat. 591; Pub. L. 116-92, div. E, title LXVII, §6742(b)(10), Dec. 20, 2019, 133 Stat. 2240.)

#### Editorial Notes

##### REFERENCES IN TEXT

Title II of this Act, referred to in subsec. (b), means title II of the National Security Act of 1947, act July 26, 1947, ch. 343, 61 Stat. 499. Section 201(d) of title II, which was formerly classified to section 408 of this title prior to editorial reclassification and renumbering as section 3005 of this title, was repealed by Pub. L. 87-651, §307,