

“(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,