

LIMITATIONS ON MAJOR SYSTEM PROCUREMENT,
ACQUISITION, AND DEVELOPMENT

Pub. L. 108-177, title III, §312(d), Dec. 13, 2003, 117 Stat. 2609, provided that:

“(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.

“(B) Subparagraph (A) shall not affect any contract for procurement or acquisition that was entered into before the date of the enactment of this Act [Dec. 13, 2003].

“(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 (as added by subsection (b)) [50 U.S.C. 415a-1] 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 (as so added) [50 U.S.C. 415a-1(e)].”

§ 415a-2. Exhibits for inclusion with budget justification books

Beginning with the fiscal year 2010 budget request, the Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books.

(1) For procurement programs requesting more than \$20,000,000 in any fiscal year, the P-1, Procurement Program; P-5, Cost Analysis; P-5a, Procurement History and Planning; P-21, Production Schedule; and P-40¹ Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than \$10,000,000 in any fiscal year, the R-1, RDT&E Program; R-2, RDT&E Budget Item Justification; R-3, RDT&E Project Cost Analysis; and R-4, RDT&E Program Schedule Profile.

(Pub. L. 110-329, div. C, title VIII, §8107, Sept. 30, 2008, 122 Stat. 3644.)

CODIFICATION

Section was enacted as part of the Department of Defense Appropriations Act, 2009, and also as part of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, and not as part of the National Security Act of 1947 which comprises this chapter.

SIMILAR PROVISIONS

Provisions similar to those in this section were contained in the following appropriation act:

Pub. L. 111-118, div. A, title VIII, §8100, Dec. 19, 2009, 123 Stat. 3450.

¹ So in original. Probably should be followed by a comma.

§ 415a-3. Future-years intelligence program: submission to Congress

The Director of National Intelligence shall submit to Congress each year, at or about the time that the President’s budget is submitted to Congress that year under section 1105(a) of title 31, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

(Pub. L. 111-118, div. A, title VIII, §8104, Dec. 19, 2009, 123 Stat. 3451.)

CODIFICATION

Section was enacted as part of the Department of Defense Appropriations Act, 2010, and not as part of the National Security Act of 1947 which comprises this chapter.

SIMILAR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation act:

Pub. L. 110-329, div. C, title VIII, §8112, Sept. 30, 2008, 122 Stat. 3645.

§ 415b. Dates for submittal of various annual and semiannual reports to the congressional intelligence committees

(a) Annual reports

(1) The date for the submittal to the congressional intelligence committees of the following annual reports shall be the date each year provided in subsection (c)(1)(A) of this section:

(A) The annual report on intelligence required by section 404d of this title.

(B) The annual report on intelligence provided to the United Nations required by section 404g(b)(1) of this title.

(C) The annual report on the protection of the identities of covert agents required by section 423 of this title.

(D) The annual report of the Inspectors General of the intelligence community on proposed resources and activities of their offices required by section 8H(g) of the Inspector General Act of 1978.

(E) The annual report on the acquisition of technology relating to weapons of mass destruction and advanced conventional munitions required by section 2366 of this title.

(F) The annual report on commercial activities as security for intelligence collection required by section 437(c) of title 10.

(G) The annual update on foreign industrial espionage required by section 2170b(b) of the Appendix to this title.

(H) The annual report on certifications for immunity in interdiction of aircraft engaged in illicit drug trafficking required by section 2291-4(c)(2) of title 22.

(I) The annual report on activities under the David L. Boren National Security Education Act of 1991 (title VIII of Public Law 102-183; 50 U.S.C. 1901 et seq.) required by section 806(a) of that Act (50 U.S.C. 1906(a)).

(N)¹ The annual report on hiring and retention of minority employees in the intelligence

¹ So in original. There are no subpars. designated “(J)”, “(K)”, “(L)”, or “(M)”.