

108 Stat. 3438; amended Pub. L. 106-120, title III, § 305(b), Dec. 3, 1999, 113 Stat. 1611.)

#### REFERENCES IN TEXT

Executive Order No. 12356, referred to in par. (2), is set out as a note under section 435 of this title.

The Atomic Energy Act of 1954, referred to in par. (2), is act Aug. 1, 1946, ch. 724, as added by act Aug. 30, 1954, ch. 1073, § 1, 68 Stat. 921, and amended, which is classified generally to chapter 23 (§2011 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 2011 of Title 42 and Tables.

#### AMENDMENTS

1999—Par. (8). Pub. L. 106-120 added par. (8).

### SUBCHAPTER VII—APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES

#### §§ 441 to 441d. Omitted

#### CODIFICATION

Sections 441 to 441d were omitted pursuant to section 441d which provided that this subchapter ceased to be effective on Jan. 6, 2000.

Section 441, act July 26, 1947, ch. 343, title IX, §901, as added Pub. L. 104-93, title III, §303(a), Jan. 6, 1996, 109 Stat. 964, authorized the President to stay the imposition of an economic, cultural, diplomatic, or other sanction or related action by the United States Government concerning a foreign country, organization, or person when to proceed without delay would seriously risk the compromise of an ongoing criminal investigation directly related to the activities giving rise to the sanction or an intelligence source or method directly related to the activities giving rise to the sanction.

Section 441a, act July 26, 1947, ch. 343, title IX, §902, as added Pub. L. 104-93, title III, §303(a), Jan. 6, 1996, 109 Stat. 964, authorized the President to extend the period of a stay obtained pursuant to section 441 of this title.

Section 441b, act July 26, 1947, ch. 343, title IX, §903, as added Pub. L. 104-93, title III, §303(a), Jan. 6, 1996, 109 Stat. 964, related to reports to Congress.

Section 441c, act July 26, 1947, ch. 343, title IX, §904, as added Pub. L. 104-93, title III, §303(a), Jan. 6, 1996, 109 Stat. 965, authorized the President to stay the imposition of a sanction related to the proliferation of weapons of mass destruction, their delivery systems, or advanced conventional weapons otherwise required to be imposed by certain other laws.

Section 441d, act July 26, 1947, ch. 343, title IX, §905, as added Pub. L. 104-93, title III, §303(a), Jan. 6, 1996, 109 Stat. 965; amended Pub. L. 104-293, title III, §304, Oct. 11, 1996, 110 Stat. 3464; Pub. L. 105-107, title III, §304, Nov. 20, 1997, 111 Stat. 2252; Pub. L. 105-272, title III, §303, Oct. 20, 1998, 112 Stat. 2400, provided that this subchapter would cease to be effective on Jan. 6, 2000.

### SUBCHAPTER VIII—ADDITIONAL MISCELLANEOUS PROVISIONS

#### § 442. Applicability to United States intelligence activities of Federal laws implementing international treaties and agreements

##### (a) In general

No Federal law enacted on or after December 27, 2000, that implements a treaty or other international agreement shall be construed as making unlawful an otherwise lawful and authorized intelligence activity of the United States Government or its employees, or any other person to the extent such other person is carrying out such activity on behalf of, and at the direction of, the United States, unless such Federal law specifically addresses such intelligence activity.

#### (b) Authorized intelligence activities

An intelligence activity shall be treated as authorized for purposes of subsection (a) of this section if the intelligence activity is authorized by an appropriate official of the United States Government, acting within the scope of the official duties of that official and in compliance with Federal law and any applicable Presidential directive.

(July 26, 1947, ch. 343, title X, §1001, as added Pub. L. 106-567, title III, §308(a), Dec. 27, 2000, 114 Stat. 2839.)

### CHAPTER 16—DEFENSE INDUSTRIAL RESERVES

#### Sec.

451 to 454. Transferred or Repealed.

455. Authorization of appropriations.

456 to 462. Omitted.

#### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 40 sections 474, 490.

#### §§ 451 to 453. Transferred

#### CODIFICATION

Sections 451, 452, and 453 of this title were transferred to section 2535 of Title 10, Armed Forces, and redesignated as subsecs. (a), (c), and (b), respectively, of section 2535 by Pub. L. 102-484, div. D, title XLII, § 4235(a)(2), (3), (b), Oct. 23, 1992, 106 Stat. 2690, 2691.

Section 451, acts July 2, 1948, ch. 811, §2, 62 Stat. 1225; Nov. 16, 1973, Pub. L. 93-155, title VIII, §809, 87 Stat. 617, related to Congressional declaration of purpose and policy in enacting this chapter.

Section 452, acts July 2, 1948, ch. 811, §3, 62 Stat. 1225; Nov. 16, 1973, Pub. L. 93-155, title VIII, §809, 87 Stat. 617, defined "Secretary", "Defense Industrial Reserve", and "plant equipment package" for purposes of this chapter.

Section 453, acts July 2, 1948, ch. 811, §4, 62 Stat. 1226; Nov. 16, 1973, Pub. L. 93-155, title VIII, §809, 87 Stat. 617; Nov. 14, 1986, Pub. L. 99-661, div. A, title XIII, §1359(a), 100 Stat. 3999, related to powers and duties of Secretary of Defense, reimbursement for transferred Defense Industrial Reserve equipment, and regulations.

#### SHORT TITLE

Section 1 of act July 2, 1948, as amended by Pub. L. 93-155, §809, provided: "That this Act [enacting this chapter] may be cited as the 'Defense Industrial Reserve Act'."

#### § 454. Repealed. Pub. L. 101-510, div. A, title XIII, § 1303(a), Nov. 5, 1990, 104 Stat. 1669

Section, acts July 2, 1948, ch. 811, §5, 62 Stat. 1226; Nov. 16, 1973, Pub. L. 93-155, title VIII, §809, 87 Stat. 618, related to reports concerning status of defense industrial reserve.

#### § 455. Authorization of appropriations

There are authorized to be appropriated such sums as the Congress may from time to time determine to be necessary to enable the Secretary to carry out the provisions of this chapter.

(July 2, 1948, ch. 811, §6, 62 Stat. 1226; Pub. L. 93-155, title VIII, §809, Nov. 16, 1973, 87 Stat. 618.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 14 of act July 2, 1948, ch. 811, 62 Stat. 1228 (classified to section 462 of this title) prior to the general amendment of act July 2, 1948, by Pub. L. 93-155.

## AMENDMENTS

1973—Pub. L. 93-155 substituted provisions respecting authorization of appropriations, for prior provisions respecting acceptance of plants by Administrator of General Services, disposition of plants, and conditions of lease, now covered in section 453 of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1941f of Appendix to this title.

## §§ 456 to 462. Omitted

## CODIFICATION

Sections 456 to 462 were omitted in the general amendment of act July 2, 1948, ch. 811 by Pub. L. 93-155, title VIII, §809, Nov. 16, 1973, 87 Stat. 617. See sections 453 to 455 of this title.

Section 456, act July 2, 1948, ch. 811, §7, 62 Stat. 1227, related to powers of Secretary of Defense respecting property in national industrial reserve. See section 453 of this title.

Section 457, act July 2, 1948, ch. 811, §8, 62 Stat. 1227, related to transportation, maintenance, disposition, etc., of transferred property. See section 453 of this title.

Section 458, act July 2, 1948, ch. 811, §9, 62 Stat. 1227, related to limitation on acquisition of property.

Section 459, act July 2, 1948, ch. 811, §10, 62 Stat. 1227, provided for an Industrial Reserve Review Committee, its composition, appointment, tenure, and compensation and related to inapplicability of certain laws to Committee solely by reason of appointment to and membership on such Committee.

Section 460, act July 2, 1948, ch. 811, §11, 62 Stat. 1228, related to duties of Industrial Reserve Review Committee, including making of recommendations to Secretary of Defense.

Section 461, act July 2, 1948, ch. 811, §12, 62 Stat. 1228, provided for reports to Congress. See section 454 of this title.

Section 462, acts July 2, 1948, ch. 811, §14, 62 Stat. 1228; June 30, 1949, ch. 288, title I, §103, 63 Stat. 380, authorized appropriations. See section 455 of this title.

## CHAPTER 17—ARMING AMERICAN VESSELS

## § 481. Repealed. Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641

Section, act June 29, 1948, ch. 715, §1, 62 Stat. 1095, provided for arming of American vessels during a war or national emergency. See section 351 of Title 10, Armed Forces.

## CHAPTER 18—AIR-WARNING SCREEN

Sec.	
491.	Establishment and development of land-based air warning and control installations and facilities; extent of appropriation; procurement of communication services.
492.	Acquisition of land.
493.	Authorization of appropriations.
494.	Supervision and control of project.

**§ 491. Establishment and development of land-based air warning and control installations and facilities; extent of appropriation; procurement of communication services**

The Secretary of the Air Force is authorized to establish and develop within and without the continental limits of the United States in fulfilling the air defense responsibilities of the Department of the Air Force such land-based air warning and control installations and facilities, by the construction, installation, or equipment

of temporary or permanent public works, including buildings, facilities, appurtenances, utilities, and access roads, and to provide for necessary administration and planning therefor, without regard to section 3324(a) and (b) of title 31, as he may deem necessary in the interest of national security: *Provided*, That not to exceed \$85,500,000 shall be appropriated for the construction of public works authorized by this section.

The Secretary of the Air Force is authorized to procure communication services required for the semiautomatic ground environment system. No contract for such services may be for a period of more than ten years from the date communication services are first furnished under such contract. The aggregate contingent liability of the Government under the termination provisions of all contracts authorized hereunder may not exceed a total of \$222,000,000 and the General Accounting Office shall have access to such carrier records and accounts as it may deem necessary for the purpose of audit. In procuring such services, the Secretary of the Air Force shall utilize to the fullest extent practicable the facilities and capabilities of communication common carriers, including rural telephone cooperatives, within their respective service areas and for power supply, shall utilize to the fullest extent practicable, the facilities and capabilities of public utilities and rural electric cooperatives within their respective service areas. Negotiations with communication common carriers, including cooperatives, and representation in proceedings involving such carriers before Federal and State regulatory bodies where such negotiations or proceedings involve contracts authorized by this paragraph shall be in accordance with the provisions of section 481 of title 40.

(Mar. 30, 1949, ch. 41, §1, 63 Stat. 17; Aug. 3, 1956, ch. 939, title III, §303, 70 Stat. 1012; Pub. L. 97-214, §10(b)(4), July 12, 1982, 96 Stat. 175; Pub. L. 104-316, title I, §128(a), Oct. 19, 1996, 110 Stat. 3841.)

## CODIFICATION

“Section 3324(a) and (b) of title 31” substituted in text for “section 3648 of the Revised Statutes (31 U.S.C. 529)” on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

## AMENDMENTS

1996—Pub. L. 104-316, in third sentence of second par., struck out “no termination payment shall be final until audited and approved by” after “\$222,000,000 and”, struck out “which” after “Office”, and inserted “of audit” after “for the purpose”.

1982—Pub. L. 97-214 struck out reference to sections 1136 [10 U.S.C. 4774, 9774] and 3734 [40 U.S.C. 259, 267] of the Revised Statutes.

1956—Act Aug. 3, 1956, authorized procurement of communication services required for the semiautomatic ground environment system.

## EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-214 effective Oct. 1, 1982, and applicable to military construction projects, and to construction and acquisition of military family housing, authorized before, on, or after such date, see section 12(a) of Pub. L. 97-214, set out as an Effective Date note under section 2801 of Title 10, Armed Forces.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 492 of this title.