

make resulting recommendations to the President; and

(3) perform such other functions as the President may direct.

(Pub. L. 107–296, title IX, §904, Nov. 25, 2002, 116 Stat. 2259.)

#### § 495. Staff composition

The Council shall have a staff, the head of which shall be a civilian Executive Secretary, who shall be appointed by the President. The President is authorized to fix the pay of the Executive Secretary at a rate not to exceed the rate of pay payable to the Executive Secretary of the National Security Council.

(Pub. L. 107–296, title IX, §905, Nov. 25, 2002, 116 Stat. 2259.)

#### § 496. Relation to the National Security Council

The President may convene joint meetings of the Homeland Security Council and the National Security Council with participation by members of either Council or as the President may otherwise direct.

(Pub. L. 107–296, title IX, §906, Nov. 25, 2002, 116 Stat. 2259.)

### SUBCHAPTER X—CONSTRUCTION

#### § 511. Information security responsibilities of certain agencies

##### (1) National security responsibilities

(A) Nothing in this chapter (including any amendment made by this chapter) shall supersede any authority of the Secretary of Defense, the Director of Central Intelligence, or other agency head, as authorized by law and as directed by the President, with regard to the operation, control, or management of national security systems, as defined by section 3532(3)<sup>1</sup> of title 44.

(B) Omitted

##### (2) Atomic Energy Act of 1954

Nothing in this chapter shall supersede any requirement made by or under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.). Restricted Data or Formerly Restricted Data shall be handled, protected, classified, downgraded, and declassified in conformity with the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).

(Pub. L. 107–296, title X, §1001(c), Nov. 25, 2002, 116 Stat. 2267.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 107–296, Nov. 25, 2002, 116 Stat. 2135, known as the Homeland Security Act of 2002, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

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. 919, which is classified principally 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.

<sup>1</sup> So in original. Probably should be section “3532(b)(2)”.

#### CODIFICATION

Section is comprised of section 1001(c) of Pub. L. 107–296. Par. (1)(B) of section 1001(c) of Pub. L. 107–296 amended section 2224 of Title 10, Armed Forces.

#### CHANGE OF NAME

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108–458, set out as a note under section 3001 of Title 50, War and National Defense.

#### SHORT TITLE

For short title of title X of Pub. L. 107–296, which enacted this subchapter, as the “Federal Information Security Management Act of 2002”, see section 1001(a) of Pub. L. 107–296, set out as a note under section 101 of this title.

#### § 512. Construction

Nothing in this chapter, or the amendments made by this chapter, affects the authority of the National Institute of Standards and Technology or the Department of Commerce relating to the development and promulgation of standards or guidelines under paragraphs (1) and (2) of section 278g–3(a) of title 15.

(Pub. L. 107–296, title X, §1006, Nov. 25, 2002, 116 Stat. 2273.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 107–296, Nov. 25, 2002, 116 Stat. 2135, known as the Homeland Security Act of 2002, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

#### § 513. Federal air marshal program

##### (1) Sense of Congress

It is the sense of Congress that the Federal air marshal program is critical to aviation security.

##### (2) Limitation on statutory construction

Nothing in this chapter, including any amendment made by this chapter, shall be construed as preventing the Under Secretary of Transportation for Security from implementing and training Federal air marshals.

(Pub. L. 107–296, title XIV, §1402(c), Nov. 25, 2002, 116 Stat. 2305.)

#### REFERENCES IN TEXT

This chapter, referred to in par. (2), was in the original “this Act”, meaning Pub. L. 107–296, Nov. 25, 2002, 116 Stat. 2135, known as the Homeland Security Act of 2002, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.