

REFERENCES IN TEXT

Section 309 of the Intelligence Authorization Act for Fiscal Year 1998, referred to in subsec. (b)(5), is section 309 of Pub. L. 105-107, title III, Nov. 20, 1997, 111 Stat. 2253, which was set out as a note under former section 403-3 of Title 50, War and National Defense, and is now set out as a note under section 3024 of Title 50.

CODIFICATION

Section is comprised of section 202 of Pub. L. 107-173. Subsec. (a)(4)(B) of section 202 of Pub. L. 107-173 amended section 1379 of this title.

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.

ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of this title.

§ 1723. Commission on Interoperable Data Sharing**(a) Establishment**

Not later than one year after October 26, 2001, the President shall establish a Commission on Interoperable Data Sharing (in this section referred to as the "Commission"). The purposes of the Commission shall be to—

- (1) monitor the protections described in section 1721(c)(3) of this title;
- (2) provide oversight of the interoperable electronic data system described in section 1722 of this title; and
- (3) report to Congress annually on the Commission's findings and recommendations.

(b) Composition

The Commission shall consist of nine members, who shall be appointed by the President, as follows:

- (1) One member, who shall serve as Chair of the Commission.
- (2) Eight members, who shall be appointed from a list of nominees jointly provided by the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the Senate, and the Minority Leader of the Senate.

(c) Considerations

The Commission shall consider recommendations regarding the following issues:

- (1) Adequate protection of privacy concerns inherent in the design, implementation, or operation of the interoperable electronic data system.
- (2) Timely adoption of security innovations, consistent with generally accepted security standards, to protect the integrity and confidentiality of information to prevent the

risks of accidental or unauthorized loss, access, destruction, use modification, or disclosure of information.

(3) The adequacy of mechanisms to permit the timely correction of errors in data maintained by the interoperable data system.

(4) Other protections against unauthorized use of data to guard against the misuse of the interoperable data system or the data maintained by the system, including recommendations for modifications to existing laws and regulations to sanction misuse of the system.

(d) Authorization of appropriations

There are authorized to be appropriated to the Commission such sums as may be necessary to carry out this section.

(Pub. L. 107-173, title II, § 203, May 14, 2002, 116 Stat. 551.)

§ 1724. Personnel management authorities for positions involved in the development and implementation of the interoperable electronic data system ("Chimera system")**(a) In general**

Notwithstanding any other provision of law relating to position classification or employee pay or performance, the Attorney General may hire and fix the compensation of necessary scientific, technical, engineering, and other analytical personnel for the purpose of the development and implementation of the interoperable electronic data system described in section 1722(a)(2) of this title (also known as the "Chimera system").

(b) Limitation on rate of pay

Except as otherwise provided by law, no employee compensated under subsection (a) may be paid at a rate in excess of the rate payable for a position at level III of the Executive Schedule.

(c) Limitation on total calendar year payments

Total payments to employees under any system established under this section shall be subject to the limitation on payments to employees under section 5307 of title 5.

(d) Operating plan

Not later than 90 days after May 14, 2002, the Attorney General shall submit to the Committee on Appropriations, the Committee on the Judiciary, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate and the Committee on Appropriations, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on International Relations of the House of Representatives an operating plan—

- (1) describing the Attorney General's intended use of the authority under this section; and
- (2) identifying any provisions of title 5 being waived for purposes of the development and implementation of the Chimera system.

(e) Termination date

The authority of this section shall terminate upon the implementation of the Chimera system.

(Pub. L. 107-173, title II, § 204, May 14, 2002, 116 Stat. 551.)