

(2) Defense property security regulation described

For purposes of paragraph (1), a defense property security regulation is a property security regulation that, pursuant to lawful authority—

(A) shall be or has been promulgated or approved by the Secretary of Defense (or by a military commander designated by the Secretary of Defense or by a military officer, or a civilian officer or employee of the Department of Defense, holding a senior Department of Defense director position designated by the Secretary of Defense) for the protection or security of Department of Defense property; or

(B) shall be or has been promulgated or approved by the Administrator of the National Aeronautics and Space Administration for the protection or security of NASA property.

(3) Property security regulation described

For purposes of paragraph (2), a property security regulation, with respect to any property, is a regulation—

(A) relating to fire hazards, fire protection, lighting, machinery, guard service, disrepair, disuse, or other unsatisfactory conditions on such property, or the ingress there-to or egress or removal of persons therefrom; or

(B) otherwise providing for safeguarding such property against destruction, loss, or injury by accident or by enemy action, sabotage, or other subversive actions.

(4) Definitions

In this subsection:

(A) Department of Defense property

The term “Department of Defense property” means covered property subject to the jurisdiction, administration, or in the custody of the Department of Defense, any Department or agency of which that Department consists, or any officer or employee of that Department or agency.

(B) NASA property

The term “NASA property” means covered property subject to the jurisdiction, administration, or in the custody of the National Aeronautics and Space Administration or any officer or employee thereof.

(C) Covered property

The term “covered property” means aircraft, airports, airport facilities, vessels, harbors, ports, piers, water-front facilities, bases, forts, posts, laboratories, stations, vehicles, equipment, explosives, or other property or places.

(D) Regulation as including order

The term “regulation” includes an order.

(b) Posting

Any regulation or order covered by subsection (a) shall be posted in conspicuous and appropriate places.

(Sept. 23, 1950, ch. 1024, title I, §21, 64 Stat. 1005; Pub. L. 109-163, div. A, title X, §1053, Jan. 6, 2006, 119 Stat. 3435.)

AMENDMENTS

2006—Pub. L. 109-163 amended section generally. Prior to amendment, section related to security regulations and orders and penalties for violations.

§ 798. Repealed. Pub. L. 103-199, title VIII, § 803(1), Dec. 17, 1993, 107 Stat. 2329

Section, act Sept. 23, 1950, ch. 1024, title I, §1(b), 64 Stat. 987, provided that the Internal Security Act of 1950 not be construed to authorize, require, or establish military or civilian censorship or in any way to limit or infringe upon freedom of press or of speech as guaranteed by Constitution.

SUBCHAPTER II—EMERGENCY DETENTION OF SUSPECTED SECURITY RISKS

§§ 811 to 826. Repealed. Pub. L. 92-128, §2(a), Sept. 25, 1971, 85 Stat. 348

Section 811, act Sept. 23, 1950, ch. 1024, title II, §101, 64 Stat. 1019, related to Congressional finding of necessity.

Section 812, act Sept. 23, 1950, ch. 1024, title II, §102, 64 Stat. 1021, related to declaration of “internal security emergency” by the President, events warranting the declaration, and period of existence.

Section 813, act Sept. 23, 1950, ch. 1024, title II, §103, 64 Stat. 1021, related to detention during emergency and to release.

Section 814, act Sept. 23, 1950, ch. 1024, title II, §104, 64 Stat. 1022, related to procedure for apprehension and detention, providing in subsecs. (a) to (h), respectively, for warrants and applications; service of warrants and apprehension, and copies for persons apprehended; places of confinement, provision for transportation, food, shelter, etc., and supervision; preliminary hearing, rights of detainee, evidence, orders and reports of hearing officer, and appointment of preliminary hearing officers; receipt of additional information upon request of detainee, and revocation or modification of detention order; presentation of evidence in case of Board or court review and right to withhold certain information; regulations by Attorney General and exclusion of forced labor and confinement with criminals; and bi-monthly reports to President and Congress during emergency.

Section 815, act Sept. 23, 1950, ch. 1024, title II, §105, 64 Stat. 1023, related to the Detention Review Board, providing in subsecs. (a) to (d), respectively, for creation of Board, membership, terms, designation of Chairman, and removal; Board divisions, vacancies, powers of remaining members, quorums, official seal, and judicial notice thereof; reports to Congress and its contents; and dissolution upon termination of emergency, release of detainees, conclusion of proceedings, and subsequent establishment.

Section 816, act Sept. 23, 1950, ch. 1024, title II, §106, 64 Stat. 1024, related to salaries of Board members, other personnel, use of agencies and services, expenses, and appropriations.

Section 817, act Sept. 23, 1950, ch. 1024, title II, §107, 64 Stat. 1024, specified the District of Columbia as Board headquarters and related to meetings and hearings outside the District.

Section 818, act Sept. 23, 1950, ch. 1024, title II, §108, 64 Stat. 1024, related to rules and regulations by the Board and applicability of the Administrative Procedure Act.

Section 819, act Sept. 23, 1950, ch. 1024, title II, §109, 64 Stat. 1025, related to powers and duties of Board, providing in subsecs. (a) to (j), respectively, for review of, and action on, orders and claims, and determination of security risks; time for hearing on petition for review, the notice and place; information which may be given to detainee in review cases; subpoenas, oaths, affirmations, witnesses, evidence, aid of courts, and contempt; service of papers, fees and mileage, and information