

Sec.	
425.	Prohibition of unauthorized use of name, initials, or seal: specified intelligence agencies.
426.	Integration of Department of Defense intelligence, surveillance, and reconnaissance capabilities.
427.	Conflict Records Research Center.
428.	Defense industrial security.
429.	Appropriations for Defense intelligence elements: accounts for transfers; transfer authority.
430.	Tactical Exploitation of National Capabilities Executive Agent.
430a.	Executive agent for management and oversight of alternative compensatory control measures.
430b.	Executive agent for open-source intelligence tools.

AMENDMENTS

2015—Pub. L. 114-92, div. A, title X, §§1081(a)(5), 1083(a)(2), title XVI, §1631(b), Nov. 25, 2015, 129 Stat. 1001, 1004, 1111, added items 430 to 430b.

2013—Pub. L. 113-66, div. A, title X, §1071(b), Dec. 26, 2013, 127 Stat. 868, added item 427.

2012—Pub. L. 112-87, title IV, §433(b), Jan. 3, 2012, 125 Stat. 1895, added item 429.

2011—Pub. L. 112-81, div. A, title X, §1061(4)(B), Dec. 31, 2011, 125 Stat. 1583, struck out item 427 “Intelligence oversight activities of Department of Defense: annual reports”.

Pub. L. 111-383, div. A, title X, §1075(d)(10), Jan. 7, 2011, 124 Stat. 4373, made technical correction to directory language of Pub. L. 111-84, §921(b)(2). See 2009 Amendment note below.

2009—Pub. L. 111-84, div. A, title X, §1073(a)(5), Oct. 28, 2009, 123 Stat. 2472, redesignated item 438 as 428.

Pub. L. 111-84, div. A, title IX, §921(b)(2), Oct. 28, 2009, 123 Stat. 2432, as amended by Pub. L. 111-383, div. A, title X, §1075(d)(10), Jan. 7, 2011, 124 Stat. 4373, added item 423 and struck out former item 423 “Authority to use proceeds from counterintelligence operations of the military departments”.

2008—Pub. L. 110-417, [div. A], title VIII, §845(a)(2), Oct. 14, 2008, 122 Stat. 4542, added item 438.

2006—Pub. L. 109-364, div. A, title IX, §932(b), Oct. 17, 2006, 120 Stat. 2363, added item 427.

2003—Pub. L. 108-136, div. A, title IX, §§921(d)(5)(B)(ii), 923(c)(2), Nov. 24, 2003, 117 Stat. 1569, 1576, substituted “Disclosure of organizational and personnel information: exemption for specified intelligence agencies” for “Disclosure of organizational and personnel information: exemption for Defense Intelligence Agency, National Reconnaissance Office, and National Imagery and Mapping Agency” in item 424 and added item 426.

2001—Pub. L. 107-108, title V, §501(b)(3), Dec. 28, 2001, 115 Stat. 1404, substituted “Use of funds for certain incidental purposes” for “Counterintelligence official reception and representation expenses” in item 422.

1997—Pub. L. 105-107, title V, §503(d)(2), Nov. 20, 1997, 111 Stat. 2263, added items 424 and 425 and struck out former items 424 “Disclosure of organizational and personnel information: exemption for Defense Intelligence Agency” and 425 “Disclosure of personnel information: exemption for National Reconnaissance Office”.

1993—Pub. L. 103-178, title V, §503(a)(2), Dec. 3, 1993, 107 Stat. 2039, added item 425.

1991—Pub. L. 102-88, title V, §504(a)(1), Aug. 14, 1991, 105 Stat. 437, added subchapter heading.

1989—Pub. L. 101-189, div. A, title XVI, §1622(c)(2), Nov. 29, 1989, 103 Stat. 1604, substituted “Funds for foreign cryptologic support” for “Funds for Foreign Cryptologic Support” in item 421.

1988—Pub. L. 100-453, title VII, §§701(b), 703(b), Sept. 29, 1988, 102 Stat. 1912, 1913, in item 421 substituted “Funds for Foreign Cryptologic Support” for “Funds transfers for foreign cryptologic support” and added item 424.

1987—Pub. L. 100-180, div. A, title XII, §1231(3), Dec. 4, 1987, 101 Stat. 1160, substituted “departments” for “department” in item 423.

§ 421. Funds for foreign cryptologic support

(a) The Secretary of Defense may use appropriated funds available to the Department of Defense for intelligence and communications purposes to pay for the expenses of arrangements with foreign countries for cryptologic support.

(b) The Secretary of Defense may use funds other than appropriated funds to pay for the expenses of arrangements with foreign countries for cryptologic support without regard for the provisions of law relating to the expenditure of United States Government funds, except that—

(1) no such funds may be expended, in whole or in part, by or for the benefit of the Department of Defense for a purpose for which Congress had previously denied funds; and

(2) proceeds from the sale of cryptologic items may be used only to purchase replacement items similar to the items that are sold; and

(3) the authority provided by this subsection may not be used to acquire items or services for the principal benefit of the United States.

(c) Any funds expended under the authority of subsection (a) shall be reported to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives pursuant to the provisions of title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.). Funds expended under the authority of subsection (b) shall be reported pursuant to procedures jointly agreed upon by such committees and the Secretary of Defense.

(Added Pub. L. 96-450, title IV, §401(a), Oct. 14, 1980, 94 Stat. 1977, §140a; amended Pub. L. 97-258, §3(b)(2), Sept. 13, 1982, 96 Stat. 1063; renumbered §128 and amended Pub. L. 99-433, title I, §§101(a)(3), 110(d)(5), Oct. 1, 1986, 100 Stat. 994, 1002; renumbered §421, Pub. L. 100-26, §9(a)(2), Apr. 21, 1987, 101 Stat. 287; Pub. L. 100-453, title VII, §701(a), Sept. 29, 1988, 102 Stat. 1911; Pub. L. 101-189, div. A, title XVI, §1622(c)(3), Nov. 29, 1989, 103 Stat. 1604; Pub. L. 113-291, div. A, title X, §1071(c)(3), Dec. 19, 2014, 128 Stat. 3508.)

REFERENCES IN TEXT

The National Security Act of 1947, referred to in subsection (c), is act July 26, 1947, ch. 343, 61 Stat. 495. Title V of the Act is classified generally to subchapter III (§3091 et seq.) of chapter 44 of Title 50, War and National Defense. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

2014—Subsec. (c). Pub. L. 113-291 substituted “(50 U.S.C. 3091 et seq.)” for “(50 U.S.C. 413 et seq.)”.

1989—Subsec. (c). Pub. L. 101-189 substituted “House of Representatives pursuant to the provisions of title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.). Funds” for “House pursuant to the provisions of title V of the National Security Act of 1947, as amended, and funds”.

1988—Pub. L. 100-453 struck out “transfers” after “Funds” in section catchline and amended text generally. Prior to amendment, text read as follows: “The Secretary of Defense may use funds available to the Department of Defense for intelligence and communications purposes to pay for the expenses of arrangements with foreign countries for cryptologic support.”

1987—Pub. L. 100-26 renumbered section 128 of this title as this section.