

thorized access, use, disclosure, degradation, disruption, modification, or destruction of such information or information systems, including such related consequences caused by an act of terrorism.

(Added Pub. L. 113–66, div. A, title XVI, §1602(a)(1), Dec. 26, 2013, 127 Stat. 941; amended Pub. L. 115–91, div. A, title XVI, §1603(a)–(d)(1), Dec. 12, 2017, 131 Stat. 1722, 1723; Pub. L. 115–232, div. A, title X, §1081(a)(16), Aug. 13, 2018, 132 Stat. 1984; Pub. L. 116–92, div. A, title IX, §902(30), Dec. 20, 2019, 133 Stat. 1546.)

#### REFERENCES IN TEXT

The date of the enactment of this subsection, referred to in subsec. (b)(2)(B), is the date of enactment of Pub. L. 115–91, which was approved Dec. 12, 2017.

Section 1261(c)(2) of the National Defense Authorization Act for Fiscal Year 2013, referred to in subsec. (f)(1)(A), is section 1261(c)(2) of Pub. L. 112–239, which is set out in a note under section 2778 of Title 22, Foreign Relations and Intercourse.

#### PRIOR PROVISIONS

A prior section 2279, act Aug. 10, 1956, ch. 1041, 70A Stat. 127, related to restrictions on alien employees of contractors as to access to plans and specifications, prior to repeal by Pub. L. 103–160, div. A, title VIII, §821(a)(1), Nov. 30, 1993, 107 Stat. 1704.

#### AMENDMENTS

2019—Subsec. (d). Pub. L. 116–92 substituted “Under Secretary of Defense for Acquisition and Sustainment” for “Under Secretary of Defense for Acquisition, Technology, and Logistics”.

2018—Subsec. (c). Pub. L. 115–232 substituted “subsections (a) and (b)” for “subsection (a) and (b)” in introductory provisions.

2017—Pub. L. 115–91, §1603(d)(1)(A), substituted “services and foreign launches” for “services” in section catchline.

Subsec. (a). Pub. L. 115–91, §1603(d)(1)(B), substituted “subsection (c)” for “subsection (b)” in introductory provisions.

Subsec. (a)(2). Pub. L. 115–91, §1603(d)(1)(C), struck out “launch or other” before “satellite services”.

Subsec. (a)(3). Pub. L. 115–91, §1603(a), added par. (3).

Subsec. (b). Pub. L. 115–91, §1603(b)(2), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 115–91, §1603(b)(1), (d)(1)(D), redesignated subsec. (b) as (c) and substituted “prohibitions in subsection (a) and (b)” for “prohibition in subsection (a)” in introductory provisions. Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 115–91, §1603(b)(1), (d)(1)(B), (E), redesignated subsec. (c) as (d) and substituted “subsection (c)” for “subsection (b)” and “prohibition under subsection (a) or (b)” for “prohibition under subsection (a)”. Former subsec. (d) redesignated (e).

Subsec. (e). Pub. L. 115–91, §1603(b)(1), (d)(1)(B), redesignated subsec. (d) as (e) and substituted “subsection (c)” for “subsection (b)”. Former subsec. (e) redesignated (f).

Subsec. (f). Pub. L. 115–91, §1603(b)(1), (c), redesignated subsec. (e) as (f) and amended it generally. Prior to amendment, text read as follows: “In this section, the term ‘covered foreign country’ means a country described in section 1261(c)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2019).”

#### EFFECTIVE DATE OF 2017 AMENDMENT

Pub. L. 115–91, div. A, title XVI, §1603(e), Dec. 12, 2017, 131 Stat. 1723, provided that: “Except as otherwise specifically provided, the amendments made by this section [amending this section] shall apply with respect to contracts for satellite services awarded by the Sec-

retary of Defense on or after the date of the enactment of this Act [Dec. 12, 2017].”

#### § 2279a. Repealed. Pub. L. 115–91, div. A, title XVI, §1601(b)(2)(A), Dec. 12, 2017, 131 Stat. 1719]

Section, added Pub. L. 114–92, div. A, title XVI, §1602(a), Nov. 25, 2015, 129 Stat. 1096, related to principal advisor on space control.

#### TERMINATION OF CERTAIN POSITIONS AND ENTITIES

Pub. L. 115–91, div. A, title XVI, §1601(b)(1), Dec. 12, 2017, 131 Stat. 1719, provided that:

“(1) IN GENERAL.—Effective 30 days after the date of the enactment of this Act [Dec. 12, 2017]—

“(A) the position, and the office of, the Principal Department of Defense Space Advisor (previously known as the Department of Defense Executive Agent for Space) shall be terminated;

“(B) the duties, responsibilities, and personnel of such office specified in subparagraph (A) shall be transferred to a single official selected by the Deputy Secretary of Defense, without delegation, except the Deputy Secretary may not select the Secretary of the Air Force nor the Under Secretary of Defense for Intelligence [now Under Secretary of Defense for Intelligence and Security];

“(C) any reference in Federal law, regulations, guidance, instructions, or other documents of the Federal Government to the Principal Department of Defense Space Advisor or the Department of Defense Executive Agent for Space shall be deemed to be a reference to the official selected by the Deputy Secretary under subparagraph (B);

“(D) the position, and the office of, the Deputy Chief of Staff of the Air Force for Space Operations shall be terminated; and

“(E) the Defense Space Council shall be terminated.”

#### § 2279b. Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise

(a) ESTABLISHMENT.—There is within the Department of Defense a council to be known as the “Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise” (in this section referred to as the “Council”).

(b) MEMBERSHIP.—The members of the Council shall be as follows:

(1) The Under Secretary of Defense for Policy.

(2) The Under Secretary of Defense for Research and Engineering.

(3) The Under Secretary of Defense for Acquisition and Sustainment.

(4) The Vice Chairman of the Joint Chiefs of Staff.

(5) The Commander of the United States Strategic Command.

(6) The Commander of the United States Northern Command.

(7) The Commander of the United States Space Command.

(8) The Commander of United States Cyber Command.

(9) The Director of the National Security Agency.

(10) The Chief Information Officer of the Department of Defense.

(11)<sup>1</sup> The Secretaries of the military departments, who shall be ex officio members.

<sup>1</sup> So in original. There are two pars. (11).

(11)<sup>1</sup> Such other officers of the Department of Defense as the Secretary may designate.

(c) CO-CHAIR.—The Council shall be co-chaired by the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment, and the Vice Chairman of the Joint Chiefs of Staff.

(d) RESPONSIBILITIES.—(1) The Council shall be responsible for oversight of the Department of Defense positioning, navigation, and timing enterprise, including positioning, navigation, and timing services provided to civil, commercial, scientific, and international users.

(2) In carrying out the responsibility for oversight of the Department of Defense positioning, navigation, and timing enterprise as specified in paragraph (1), the Council shall be responsible for the following:

(A) Oversight of performance assessments (including interoperability).

(B) Vulnerability identification and mitigation.

(C) Architecture development.

(D) Resource prioritization.

(E) Such other responsibilities as the Secretary of Defense shall specify for purposes of this section.

(e) ANNUAL REPORTS.—At the same time each year that the budget of the President is submitted to Congress under section 1105(a) of title 31, the Council shall submit to the congressional defense committees a report on the activities of the Council. Each report shall include the following:

(1) A description and assessment of the activities of the Council during the previous fiscal year.

(2) A description of the activities proposed to be undertaken by the Council during the period covered by the current future-years defense program under section 221 of this title.

(3) Any changes to the requirements of the Department of Defense positioning, navigation, and timing enterprise made during the previous year, along with an explanation for why the changes were made and a description of the effects of the changes to the capability of such enterprise.

(4) A breakdown of each program element in such budget that relates to the Department of Defense positioning, navigation, and timing enterprise, including how such program element relates to the operation and sustainment, research and development, procurement, or other activity of such enterprise.

(f) BUDGET AND FUNDING MATTERS.—(1) Not later than 30 days after the President submits to Congress the budget for a fiscal year under section 1105(a) of title 31, the Commander of the United States Space Command shall submit to the Chairman of the Joint Chiefs of Staff an assessment of—

(A) whether such budget allows the Federal Government to meet the required capabilities of the Department of Defense positioning, navigation, and timing enterprise during the fiscal year covered by the budget and the four subsequent fiscal years; and

(B) if the Commander determines that such budget does not allow the Federal Government

to meet such required capabilities, a description of the steps being taken to meet such required capabilities.

(2) Not later than 30 days after the date on which the Chairman of the Joint Chiefs of Staff receives the assessment of the Commander of the United States Space Command under paragraph (1), the Chairman shall submit to the congressional defense committees—

(A) such assessment as it was submitted to the Chairman; and

(B) any comments of the Chairman.

(3) If a House of Congress adopts a bill authorizing or appropriating funds for the activities of the Department of Defense positioning, navigation, and timing enterprise that, as determined by the Council, provides insufficient funds for such activities for the period covered by such bill, the Council shall notify the congressional defense committees of the determination.

(g) NOTIFICATION OF ANOMALIES.—(1) The Secretary of Defense shall submit to the congressional defense committees written notification of an anomaly in the Department of Defense positioning, navigation, and timing enterprise that is reported to the Secretary or the Council by not later than 14 days after the date on which the Secretary or the Council learns of such anomaly, as the case may be.

(2) In this subsection, the term “anomaly” means any unplanned, irregular, or abnormal event, whether unexplained or caused intentionally or unintentionally by a person or a system.

(h) TERMINATION.—The Council shall terminate on the date that is 10 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.

(Added Pub. L. 114–92, div. A, title XVI, §1603(a), Nov. 25, 2015, 129 Stat. 1096; amended Pub. L. 116–92, div. A, title IX, §902(31), Dec. 20, 2019, 133 Stat. 1546; Pub. L. 116–283, div. A, title XVI, §1604(b), Jan. 1, 2021, 134 Stat. 4043.)

#### REFERENCES IN TEXT

The date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, referred to in subsec. (h), is the date of enactment of Pub. L. 114–92, which was approved Nov. 25, 2015.

#### AMENDMENTS

2021—Subsec. (b)(7) to (11). Pub. L. 116–283, §1604(b)(1), added par. (7) and redesignated former pars. (7) to (10) as (8) to (11) (relating to the Secretaries of the military departments), respectively.

Subsec. (f)(1), (2). Pub. L. 116–283, §1604(b)(2), substituted “Space Command” for “Strategic Command” in introductory provisions.

2019—Subsec. (b)(2) to (11). Pub. L. 116–92, §902(31)(A), added pars. (2) and (3), redesignated former pars. (3) to (10) as (4) to (11), respectively, and struck out former par. (2) which read as follows: “The Under Secretary of Defense for Acquisition, Technology, and Logistics.”

Subsec. (c). Pub. L. 116–92, §902(31)(B), substituted “the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment,” for “the Under Secretary of Defense for Acquisition, Technology, and Logistics”.

#### [§ 2279c. Renumbered § 9081]

##### PRIOR PROVISIONS

A prior section 2279c was renumbered section 2279d of this title.