

amended Pub. L. 102-88, title VI, §§602(a)(1), (c)(2), 604, Aug. 14, 1991, 105 Stat. 441, 444, 445; Pub. L. 103-160, div. A, title VIII, §828(d)(1), Nov. 30, 1993, 107 Stat. 1715; Pub. L. 115-232, div. A, title VIII, §809(r), Aug. 13, 2018, 132 Stat. 1844.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (a)(2)(B)(i), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424. Part II of the Act is classified generally to subchapter II (§2301 et seq.) of chapter 32 of Title 22, Foreign Relations and Intercourse. For provisions deeming references to subchapter II to exclude parts IV (§2346 et seq.), VI (§2348 et seq.), and VIII (§2349aa et seq.) of subchapter II, see section 202(b) of Pub. L. 92-226, set out as a note under section 2346 of Title 22, and sections 2348c and 2349aa-5 of Title 22. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of Title 22 and Tables.

The Arms Export Control Act, referred to in subsec. (a)(2)(B)(i), is Pub. L. 90-269, Oct. 22, 1968, 82 Stat. 1320, which is classified principally to chapter 39 (§2751 et seq.) of Title 22. For complete classification of this Act to the Code, see Short Title note set out under section 2751 of Title 22 and Tables.

##### CODIFICATION

Section was formerly classified to section 415 of this title prior to editorial reclassification and renumbering as this section. Some section numbers of this title referenced in amendment notes below reflect the classification of such sections prior to their editorial reclassification.

In subsec. (a)(2)(B)(i), “chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” substituted for “the Federal Property and Administrative Services Act of 1949” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, which Act enacted Title 40, Public Buildings, Property, and Works, and Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

##### AMENDMENTS

2018—Subsec. (a)(2)(B)(i). Pub. L. 115-232 substituted “(including a law enacted pursuant to section 8677(a) of title 10)” for “(including a law enacted pursuant to section 7307(a) of that title)”.

1993—Subsec. (a)(2)(B)(i). Pub. L. 103-160 substituted “section 7307(a)” for “section 7307(b)(1)”.

1991—Subsec. (a)(1). Pub. L. 102-88 inserted “, or the anticipated transfer in any fiscal year of any aggregation of defense articles or defense services,” after “service” and substituted “this subchapter” for “section 413 of this title”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of Title 10, Armed Forces.

#### § 3096. Specificity of National Intelligence Program budget amounts for counterterrorism, counterproliferation, counternarcotics, and counterintelligence

##### (a) In general

The budget justification materials submitted to Congress in support of the budget of the President for a fiscal year that is submitted to Congress under section 1105(a) of title 31 shall

set forth separately the aggregate amount requested for that fiscal year for the National Intelligence Program for each of the following:

- (1) Counterterrorism.
- (2) Counterproliferation.
- (3) Counternarcotics.
- (4) Counterintelligence.

##### (b) Election of classified or unclassified form

Amounts set forth under subsection (a) may be set forth in unclassified form or classified form, at the election of the Director of National Intelligence.

(July 26, 1947, ch. 343, title V, §506, as added Pub. L. 107-306, title III, §311(a), Nov. 27, 2002, 116 Stat. 2390; amended Pub. L. 108-458, title I, §1074(b)(1)(A), Dec. 17, 2004, 118 Stat. 3694; Pub. L. 112-87, title V, §505(2), Jan. 3, 2012, 125 Stat. 1897.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 415a of this title prior to editorial reclassification and renumbering as this section.

##### AMENDMENTS

2012—Subsec. (b). Pub. L. 112-87 substituted “Director of National Intelligence.” for “Director of Central Intelligence.”

2004—Pub. L. 108-458, §1074(b)(1)(A)(ii), struck out “Foreign” before “Intelligence” in section catchline.

Subsec. (a). Pub. L. 108-458, §1074(b)(1)(A)(i), substituted “National Intelligence Program” for “National Foreign Intelligence Program”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2004 AMENDMENT

For Determination by President that amendment by Pub. L. 108-458 take effect on Apr. 21, 2005, see Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 23925, set out as a note under section 3001 of this title.

Amendment by Pub. L. 108-458 effective not later than six months after Dec. 17, 2004, except as otherwise expressly provided, see section 1097(a) of Pub. L. 108-458, set out in an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of this title.

#### § 3097. Budget treatment of costs of acquisition of major systems by the intelligence community

##### (a) Independent cost estimates

(1) The Director of National Intelligence shall, in consultation with the head of each element of the intelligence community concerned, prepare an independent cost estimate of the full life-cycle cost of development, procurement, and operation of each major system to be acquired by the intelligence community.

(2)(A) Each independent cost estimate for a major system shall, to the maximum extent practicable, specify the amount required to be appropriated and obligated to develop, procure, and operate the major system in each fiscal year of the proposed period of development, procurement, and operation of the major system.

(B) For major system acquisitions requiring a service or capability from another acquisition or program to deliver the end-to-end functionality