

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 this title.

#### SIMILAR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 102-396, title IX, §9014, Oct. 6, 1992, 106 Stat. 1903.

Pub. L. 102-172, title VIII, §8014, Nov. 26, 1991, 105 Stat. 1174.

Pub. L. 101-511, title VIII, §8015, Nov. 5, 1990, 104 Stat. 1878.

Pub. L. 101-165, title IX, §9022, Nov. 21, 1989, 103 Stat. 1134.

Pub. L. 100-463, title VIII, §8035, Oct. 1, 1988, 102 Stat. 2270-23.

Pub. L. 100-202, §101(b) [title VIII, §8037], Dec. 22, 1987, 101 Stat. 1329-43, 1329-68.

#### § 3328. Study or plan of surrender; use of appropriations

No part of the funds appropriated in any act shall be used to pay (1) any person, firm, or corporation, or any combinations of persons, firms, or corporations, to conduct a study or to plan when and how or in what circumstances the Government of the United States should surrender this country and its people to any foreign power, (2) the salary or compensation of any employee or official of the Government of the United States who proposes or contracts or who has entered into contracts for the making of studies or plans for the surrender by the Government of the United States of this country and its people to any foreign power in any event or under any circumstances.

(Pub. L. 85-766, ch. XVI, §1602, Aug. 27, 1958, 72 Stat. 884.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 407 of this title prior to editorial reclassification and renumbering as this section.

#### § 3329. Intelligence community contracting

##### (a) In general

The Director of National Intelligence shall direct that elements of the intelligence community, whenever compatible with the national security interests of the United States and consistent with the operational and security concerns related to the conduct of intelligence activities, and where fiscally sound, shall award contracts in a manner that would maximize the procurement of products in the United States.

##### (b) Intelligence community defined

In this section, the term "intelligence community" has the meaning given that term in section 3003(4) of this title.

(Pub. L. 102-183, title IV, §403, Dec. 4, 1991, 105 Stat. 1267; Pub. L. 111-259, title VIII, §810, Oct. 7, 2010, 124 Stat. 2750.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 403-2 of this title prior to editorial reclassification and renumbering as this section.

##### PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior authorization act: Pub. L. 102-88, title IV, §404, Aug. 14, 1991, 105 Stat. 434.

##### AMENDMENTS

2010—Pub. L. 111-259 added subsec. (b), designated existing provisions as subsec. (a), inserted heading, substituted "Director of National Intelligence" for "Director of Central Intelligence" and "intelligence community" for "Intelligence Community", and struck out at end "For purposes of this provision, the term 'Intelligence Community' has the same meaning as set forth in paragraph 3.4(f) of Executive Order 12333, dated December 4, 1981, or successor orders."

#### Statutory Notes and Related Subsidiaries

##### ENHANCED PROCUREMENT AUTHORITY TO MANAGE SUPPLY CHAIN RISK

Pub. L. 112-87, title III, §309, Jan. 3, 2012, 125 Stat. 1883, formerly set out as a note under this section, was transferred to section 3334e of this title.

#### § 3330. Reports to the intelligence community on penetrations of networks and information systems of certain contractors

##### (a) Procedures for reporting penetrations

The Director of National Intelligence shall establish procedures that require each cleared intelligence contractor to report to an element of the intelligence community designated by the Director for purposes of such procedures when a network or information system of such contractor that meets the criteria established pursuant to subsection (b) is successfully penetrated.

##### (b) Networks and information systems subject to reporting

The Director of National Intelligence shall, in consultation with appropriate officials, establish criteria for covered networks to be subject to the procedures for reporting system penetrations under subsection (a).

##### (c) Procedure requirements

###### (1) Rapid reporting

The procedures established pursuant to subsection (a) shall require each cleared intelligence contractor to rapidly report to an element of the intelligence community designated pursuant to subsection (a) of each successful penetration of the network or information systems of such contractor that meet the criteria established pursuant to subsection (b). Each such report shall include the following:

(A) A description of the technique or method used in such penetration.

(B) A sample of the malicious software, if discovered and isolated by the contractor, involved in such penetration.

(C) A summary of information created by or for such element in connection with any program of such element that has been potentially compromised due to such penetration.