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Preface

This legal glossary contains statutory and administrative definitions relevant to U.S. intelligence law.

DAVID ALAN JORDAN

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# Summary of Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preface</td>
<td>4</td>
</tr>
<tr>
<td>Summary of Contents</td>
<td>5</td>
</tr>
<tr>
<td>Table of Contents</td>
<td>33</td>
</tr>
<tr>
<td>INTELLIGENCE LAW GLOSSARY</td>
<td>128</td>
</tr>
<tr>
<td>25X</td>
<td>129</td>
</tr>
<tr>
<td>25X1</td>
<td>130</td>
</tr>
<tr>
<td>25X2</td>
<td>131</td>
</tr>
<tr>
<td>25X3</td>
<td>131</td>
</tr>
<tr>
<td>25X4</td>
<td>131</td>
</tr>
<tr>
<td>25X5</td>
<td>132</td>
</tr>
<tr>
<td>25X6</td>
<td>132</td>
</tr>
<tr>
<td>25X7</td>
<td>132</td>
</tr>
<tr>
<td>25X8</td>
<td>133</td>
</tr>
<tr>
<td>25X9</td>
<td>133</td>
</tr>
<tr>
<td>50X</td>
<td>133</td>
</tr>
<tr>
<td>50X1-HUM</td>
<td>134</td>
</tr>
<tr>
<td>50X2-WMD</td>
<td>135</td>
</tr>
<tr>
<td>75X</td>
<td>135</td>
</tr>
<tr>
<td>Access</td>
<td>136</td>
</tr>
<tr>
<td>Accessioned Records</td>
<td>137</td>
</tr>
<tr>
<td>Accompanying the Armed Forces Outside the United States</td>
<td>137</td>
</tr>
<tr>
<td>Accompanying the Federal Government Outside the United States</td>
<td>137</td>
</tr>
<tr>
<td>Acquiring</td>
<td>138</td>
</tr>
<tr>
<td>Act of Espionage</td>
<td>138</td>
</tr>
<tr>
<td>Act of War</td>
<td>138</td>
</tr>
<tr>
<td>Acting within the Scope of his Office or Employment</td>
<td>139</td>
</tr>
</tbody>
</table>
Activity ................................................................. 139
Adjacent Islands ....................................................... 139
Adjudication ........................................................... 140
Adjudicative Officer .................................................. 140
Administration of Criminal Justice ................................. 141
Administrative Instruction ............................................ 141
Administrative Purposes ............................................. 141
Admission .................................................................. 142
Admitted .................................................................... 142
Adopting .................................................................... 143
Adversary Adjudication ............................................... 143
Advocate .................................................................... 144
Advocating .................................................................. 144
Advocating the Economic, International, and Governmental Doctrines of World Communism ..................... 145
Affiliation .................................................................... 145
Agency ........................................................................ 145
Agency Action ............................................................. 152
Agency Head ............................................................... 152
Agency Installation ....................................................... 152
Agency of the United States .......................................... 152
Agency of the United States Government ......................... 153
Agency or Instrumentality of a Foreign State ................... 153
Agency Proceeding ....................................................... 154
Agency Records .......................................................... 154
Agency Release Panel .................................................. 156
Agent .......................................................................... 157
Agent of a Foreign Power .............................................. 157
Agent of a Foreign Principal .......................................... 158
Aggravated Felony ...................................................... 159
Aggrieved Person ......................................................... 162
AI .............................................................................. 162
Alien .......................................................................... 163
Allocable ..................................................................... 163
<table>
<thead>
<tr>
<th>Term</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>CNA</td>
<td>195</td>
</tr>
<tr>
<td>CNE</td>
<td>195</td>
</tr>
<tr>
<td>Coalition Partner</td>
<td>195</td>
</tr>
<tr>
<td>Coercion</td>
<td>195</td>
</tr>
<tr>
<td>Cognizant Security Agencies</td>
<td>196</td>
</tr>
<tr>
<td>Cognizant Security Office</td>
<td>196</td>
</tr>
<tr>
<td>COI</td>
<td>196</td>
</tr>
<tr>
<td>Collected</td>
<td>196</td>
</tr>
<tr>
<td>Collection of Information</td>
<td>197</td>
</tr>
<tr>
<td>COMINT</td>
<td>197</td>
</tr>
<tr>
<td>Commercial</td>
<td>197</td>
</tr>
<tr>
<td>Commercial Activity</td>
<td>197</td>
</tr>
<tr>
<td>Commercial Activity Carried on in the United States by a Foreign State</td>
<td>198</td>
</tr>
<tr>
<td>Commercial Sex Act</td>
<td>199</td>
</tr>
<tr>
<td>Commercial Use Request</td>
<td>199</td>
</tr>
<tr>
<td>Commodity</td>
<td>200</td>
</tr>
<tr>
<td>Communication Common Carrier</td>
<td>200</td>
</tr>
<tr>
<td>Communications Concerning a United States Person</td>
<td>200</td>
</tr>
<tr>
<td>Communications Security</td>
<td>201</td>
</tr>
<tr>
<td>Compilation</td>
<td>201</td>
</tr>
<tr>
<td>Complete Complaint</td>
<td>201</td>
</tr>
<tr>
<td>Component</td>
<td>202</td>
</tr>
<tr>
<td>Computer</td>
<td>203</td>
</tr>
<tr>
<td>Computer Trespasser</td>
<td>203</td>
</tr>
<tr>
<td>Concealed Monitoring</td>
<td>203</td>
</tr>
<tr>
<td>Concealed Monitoring Where the Subject has a Reasonable Expectation of Privacy</td>
<td>204</td>
</tr>
<tr>
<td>Conduct</td>
<td>204</td>
</tr>
<tr>
<td>Confidential</td>
<td>205</td>
</tr>
<tr>
<td>Confidential Source</td>
<td>205</td>
</tr>
<tr>
<td>Congressional Defense Committees</td>
<td>205</td>
</tr>
<tr>
<td>Congressional Intelligence Committees</td>
<td>206</td>
</tr>
<tr>
<td>Consensual Monitoring</td>
<td>206</td>
</tr>
<tr>
<td>Consent</td>
<td>207</td>
</tr>
</tbody>
</table>
Criminal Justice Agency ........................................... 230
Critical Component ........................................... 230
Critical Infrastructure ........................................... 231
Critical Technology ........................................... 231
Critical Technology Item ........................................... 231
CSAs .......................................................... 232
CSO .......................................................... 232
CSRS .......................................................... 232
CSS .......................................................... 232
Current Investigation File ........................................... 233
Damage to the National Security ........................................... 233
Data Source ...................................................... 234
Days .......................................................... 234
DBA .......................................................... 237
DCI .......................................................... 237
DCIA .......................................................... 237
DCs .......................................................... 237
D/CSI ......................................................... 237
DEA .......................................................... 238
Debt Bondage ...................................................... 238
Declassification ...................................................... 238
Declassification Authority ........................................... 238
Declassification Guide ........................................... 239
Defense Agency ...................................................... 239
Defense Article ...................................................... 240
Defense Contractor ...................................................... 240
Defense Information ...................................................... 241
Defense Intelligence Position ........................................... 241
Defense Service ...................................................... 241
Defenses ......................................................... 242
Delayed ......................................................... 242
Demand ......................................................... 242
Denied ......................................................... 243
Denying Agency ...................................................... 244
<table>
<thead>
<tr>
<th>Term</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department</td>
<td>244</td>
</tr>
<tr>
<td>Department Attorney</td>
<td>244</td>
</tr>
<tr>
<td>Department Head</td>
<td>245</td>
</tr>
<tr>
<td>Department of Defense Directive</td>
<td>246</td>
</tr>
<tr>
<td>Department of Defense Field Activity</td>
<td>247</td>
</tr>
<tr>
<td>Department of Defense Instruction</td>
<td>247</td>
</tr>
<tr>
<td>Department of Defense Manual</td>
<td>248</td>
</tr>
<tr>
<td>Department of Defense</td>
<td>248</td>
</tr>
<tr>
<td>Department of the Air Force</td>
<td>248</td>
</tr>
<tr>
<td>Department of the Army</td>
<td>248</td>
</tr>
<tr>
<td>Department of the Navy</td>
<td>249</td>
</tr>
<tr>
<td>Deployed</td>
<td>249</td>
</tr>
<tr>
<td>Derivative Classification</td>
<td>249</td>
</tr>
<tr>
<td>Determination</td>
<td>250</td>
</tr>
<tr>
<td>DHS</td>
<td>250</td>
</tr>
<tr>
<td>DI</td>
<td>250</td>
</tr>
<tr>
<td>DIA</td>
<td>250</td>
</tr>
<tr>
<td>Dial-Up Access</td>
<td>251</td>
</tr>
<tr>
<td>Diplomatic Visa</td>
<td>251</td>
</tr>
<tr>
<td>Direct Access</td>
<td>251</td>
</tr>
<tr>
<td>Direct Costs</td>
<td>251</td>
</tr>
<tr>
<td>Direct Supervision</td>
<td>253</td>
</tr>
<tr>
<td>Directive-Type Memoranda</td>
<td>253</td>
</tr>
<tr>
<td>Directly Allocable Cost</td>
<td>254</td>
</tr>
<tr>
<td>Directly Assignable Cost</td>
<td>254</td>
</tr>
<tr>
<td>Directly Associated Cost</td>
<td>254</td>
</tr>
<tr>
<td>Director</td>
<td>255</td>
</tr>
<tr>
<td>Director, Center for the Study of Intelligence</td>
<td>255</td>
</tr>
<tr>
<td>Director of Personnel Security</td>
<td>256</td>
</tr>
<tr>
<td>Disclose</td>
<td>256</td>
</tr>
<tr>
<td>Disclosure</td>
<td>256</td>
</tr>
<tr>
<td>DISCO</td>
<td>257</td>
</tr>
<tr>
<td>Disinterested Third Party</td>
<td>257</td>
</tr>
<tr>
<td>Disposition</td>
<td>257</td>
</tr>
<tr>
<td>District Court</td>
<td>258</td>
</tr>
</tbody>
</table>
Historian 330
Historical Researcher 331
Homeland Security 331
Hostilities 332
HSC 332
HSI 332
HSINT 332
Human Source 332
Human Subject 333
HUMINT 333
IAEA 333
I&W 333
Identification Record 334
III System 334
Imagery 334
Imagery Intelligence 335
IMINT 336
Immigrant 336
Immigrant Visa 344
Immigration Emergency 344
Immigration Judge 345
Immigration Laws 345
Immigration Officer 345
Incite a Riot 346
Independent Regulatory Agency 346
Independent States of the Former Soviet Union 347
Indian Tribe 347
Individual 347
Individual with Disabilities 348
Individual with Handicaps 349
Industrial Resources 350
Ineligible to Citizenship 351
INF 351
Influencing 351
<table>
<thead>
<tr>
<th>Term</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informant</td>
<td>352</td>
</tr>
<tr>
<td>Information</td>
<td>352</td>
</tr>
<tr>
<td>Information Identifiable to a Private Person</td>
<td>355</td>
</tr>
<tr>
<td>Information Resources</td>
<td>356</td>
</tr>
<tr>
<td>Information Resources Management</td>
<td>356</td>
</tr>
<tr>
<td>Information Security</td>
<td>356</td>
</tr>
<tr>
<td>Information-Service Employee</td>
<td>357</td>
</tr>
<tr>
<td>Information System</td>
<td>358</td>
</tr>
<tr>
<td>Information Technology</td>
<td>358</td>
</tr>
<tr>
<td>Infraction</td>
<td>359</td>
</tr>
<tr>
<td>Initial Statement</td>
<td>360</td>
</tr>
<tr>
<td>INR</td>
<td>360</td>
</tr>
<tr>
<td>Inspection</td>
<td>360</td>
</tr>
<tr>
<td>Installed</td>
<td>360</td>
</tr>
<tr>
<td>Institution</td>
<td>361</td>
</tr>
<tr>
<td>Insurance Carrier</td>
<td>361</td>
</tr>
<tr>
<td>Integral File Block</td>
<td>361</td>
</tr>
<tr>
<td>Integrity</td>
<td>362</td>
</tr>
<tr>
<td>Intelligence</td>
<td>362</td>
</tr>
<tr>
<td>Intelligence Activities</td>
<td>363</td>
</tr>
<tr>
<td>Intelligence Agency</td>
<td>364</td>
</tr>
<tr>
<td>Intelligence Community</td>
<td>364</td>
</tr>
<tr>
<td>Intelligence Project</td>
<td>366</td>
</tr>
<tr>
<td>Intelligence Related to National Security</td>
<td>366</td>
</tr>
<tr>
<td>Intended Spouse</td>
<td>367</td>
</tr>
<tr>
<td>Intercept</td>
<td>368</td>
</tr>
<tr>
<td>Interception</td>
<td>368</td>
</tr>
<tr>
<td>Interested Party</td>
<td>368</td>
</tr>
<tr>
<td>Interjurisdictional Intelligence System</td>
<td>371</td>
</tr>
<tr>
<td>International Narcotics Activities</td>
<td>371</td>
</tr>
<tr>
<td>International Organization</td>
<td>372</td>
</tr>
<tr>
<td>International Terrorism</td>
<td>372</td>
</tr>
<tr>
<td>International Terrorist Activities</td>
<td>374</td>
</tr>
<tr>
<td>Internet</td>
<td>374</td>
</tr>
<tr>
<td>Term</td>
<td>Page</td>
</tr>
<tr>
<td>-----------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Interstate Identification Index System</td>
<td>374</td>
</tr>
<tr>
<td>Intervention</td>
<td>375</td>
</tr>
<tr>
<td>Investigative or Law Enforcement Officer</td>
<td>375</td>
</tr>
<tr>
<td>Involuntary Servitude</td>
<td>376</td>
</tr>
<tr>
<td>IR</td>
<td>376</td>
</tr>
<tr>
<td>IRB</td>
<td>376</td>
</tr>
<tr>
<td>IRB Approval</td>
<td>376</td>
</tr>
<tr>
<td>ISR</td>
<td>376</td>
</tr>
<tr>
<td>Items of Proliferation Concern</td>
<td>377</td>
</tr>
<tr>
<td>JCS</td>
<td>377</td>
</tr>
<tr>
<td>JICC</td>
<td>377</td>
</tr>
<tr>
<td>JMIP</td>
<td>377</td>
</tr>
<tr>
<td>JTTF</td>
<td>377</td>
</tr>
<tr>
<td>Judge of Competent Jurisdiction</td>
<td>378</td>
</tr>
<tr>
<td>Judge of the United States</td>
<td>378</td>
</tr>
<tr>
<td>Judicial District</td>
<td>378</td>
</tr>
<tr>
<td>Judicial Proceeding</td>
<td>379</td>
</tr>
<tr>
<td>Junk Automobile</td>
<td>379</td>
</tr>
<tr>
<td>Junk Yard</td>
<td>379</td>
</tr>
<tr>
<td>Justice of the United States</td>
<td>380</td>
</tr>
<tr>
<td>Juvenile Justice Act</td>
<td>380</td>
</tr>
<tr>
<td>Labor Cost</td>
<td>380</td>
</tr>
<tr>
<td>Law Enforcement Emergency</td>
<td>381</td>
</tr>
<tr>
<td>Law Enforcement Officer</td>
<td>381</td>
</tr>
<tr>
<td>Lawful Investigation</td>
<td>382</td>
</tr>
<tr>
<td>Lawfully Admitted for Permanent Residence</td>
<td>382</td>
</tr>
<tr>
<td>Legal Commercial Transaction</td>
<td>382</td>
</tr>
<tr>
<td>Legal and Law Enforcement Measures</td>
<td>383</td>
</tr>
<tr>
<td>Legally Authorized Representative</td>
<td>383</td>
</tr>
<tr>
<td>License</td>
<td>383</td>
</tr>
<tr>
<td>Licensed Dealer</td>
<td>384</td>
</tr>
<tr>
<td>Licensed Importer</td>
<td>384</td>
</tr>
<tr>
<td>Licensed Manufacturer</td>
<td>384</td>
</tr>
<tr>
<td>Licensing</td>
<td>384</td>
</tr>
<tr>
<td>Topic</td>
<td>Page</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Loan Guarantee</td>
<td>385</td>
</tr>
<tr>
<td>Loan Insurance</td>
<td>385</td>
</tr>
<tr>
<td>Local Entities</td>
<td>385</td>
</tr>
<tr>
<td>Local Government</td>
<td>386</td>
</tr>
<tr>
<td>MAD</td>
<td>386</td>
</tr>
<tr>
<td>Mail Cover</td>
<td>386</td>
</tr>
<tr>
<td>Mail Examination</td>
<td>386</td>
</tr>
<tr>
<td>Mail within United States Postal Channels</td>
<td>387</td>
</tr>
<tr>
<td>Maintain</td>
<td>387</td>
</tr>
<tr>
<td>Major Drug-Transit Country</td>
<td>388</td>
</tr>
<tr>
<td>Major Illicit Drug Producing Country</td>
<td>388</td>
</tr>
<tr>
<td>Major Money Laundering Country</td>
<td>389</td>
</tr>
<tr>
<td>Major Non-NATO Ally</td>
<td>389</td>
</tr>
<tr>
<td>Managerial Capacity</td>
<td>389</td>
</tr>
<tr>
<td>Mandatory Declassification Review</td>
<td>390</td>
</tr>
<tr>
<td>MASINT</td>
<td>391</td>
</tr>
<tr>
<td>Material</td>
<td>391</td>
</tr>
<tr>
<td>Meeting</td>
<td>392</td>
</tr>
<tr>
<td>Members of a Mission</td>
<td>393</td>
</tr>
<tr>
<td>Military Departments</td>
<td>394</td>
</tr>
<tr>
<td>Military Education and Training</td>
<td>394</td>
</tr>
<tr>
<td>Military Objective</td>
<td>395</td>
</tr>
<tr>
<td>Military Tactical Communication</td>
<td>395</td>
</tr>
<tr>
<td>Minimal Risk</td>
<td>395</td>
</tr>
<tr>
<td>Minimization Procedures</td>
<td>396</td>
</tr>
<tr>
<td>Minimum Standards for the Elimination of Trafficking</td>
<td>397</td>
</tr>
<tr>
<td>MIP</td>
<td>397</td>
</tr>
<tr>
<td>Misleading Conduct</td>
<td>397</td>
</tr>
<tr>
<td>Missile</td>
<td>398</td>
</tr>
<tr>
<td>Missile Technology Control Regime</td>
<td>398</td>
</tr>
<tr>
<td>Mission</td>
<td>398</td>
</tr>
<tr>
<td>Monitoring within the United States</td>
<td>399</td>
</tr>
<tr>
<td>Motor Vehicle</td>
<td>399</td>
</tr>
<tr>
<td>Motor Vehicle Record</td>
<td>399</td>
</tr>
<tr>
<td>Term</td>
<td>Page</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>MSI</td>
<td>400</td>
</tr>
<tr>
<td>Multiple Sources</td>
<td>400</td>
</tr>
<tr>
<td>NACIC</td>
<td>400</td>
</tr>
<tr>
<td>NACIC Counsel</td>
<td>402</td>
</tr>
<tr>
<td>NARA</td>
<td>402</td>
</tr>
<tr>
<td>Narcotic</td>
<td>403</td>
</tr>
<tr>
<td>Narcotic and Psychotropic Drugs and Other Controlled Substances</td>
<td>403</td>
</tr>
<tr>
<td>NASA</td>
<td>404</td>
</tr>
<tr>
<td>National</td>
<td>404</td>
</tr>
<tr>
<td>National Archives of the United States</td>
<td>404</td>
</tr>
<tr>
<td>National Crime Information Center</td>
<td>405</td>
</tr>
<tr>
<td>National Defense</td>
<td>405</td>
</tr>
<tr>
<td>National-Defense Material</td>
<td>406</td>
</tr>
<tr>
<td>National-Defense Premises</td>
<td>406</td>
</tr>
<tr>
<td>National-Defense Utilities</td>
<td>406</td>
</tr>
<tr>
<td>National Fingerprint File</td>
<td>407</td>
</tr>
<tr>
<td>National Identification Index</td>
<td>407</td>
</tr>
<tr>
<td>National Intelligence</td>
<td>408</td>
</tr>
<tr>
<td>National Intelligence Program</td>
<td>408</td>
</tr>
<tr>
<td>National Interest Determination</td>
<td>409</td>
</tr>
<tr>
<td>National of the United States</td>
<td>409</td>
</tr>
<tr>
<td>National Security</td>
<td>410</td>
</tr>
<tr>
<td>National Security Laboratory</td>
<td>410</td>
</tr>
<tr>
<td>National Security System</td>
<td>411</td>
</tr>
<tr>
<td>NATO</td>
<td>412</td>
</tr>
<tr>
<td>Naturalization</td>
<td>412</td>
</tr>
<tr>
<td>NCIC</td>
<td>412</td>
</tr>
<tr>
<td>NCIX</td>
<td>413</td>
</tr>
<tr>
<td>NCPC</td>
<td>413</td>
</tr>
<tr>
<td>NCS</td>
<td>413</td>
</tr>
<tr>
<td>NCTC</td>
<td>413</td>
</tr>
<tr>
<td>Need-To-Know</td>
<td>413</td>
</tr>
<tr>
<td>Network</td>
<td>414</td>
</tr>
<tr>
<td>Network Operations Costs</td>
<td>414</td>
</tr>
<tr>
<td>Term</td>
<td>Page</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Newly Discovered Records</td>
<td>414</td>
</tr>
<tr>
<td>News</td>
<td>415</td>
</tr>
<tr>
<td>NFF</td>
<td>416</td>
</tr>
<tr>
<td>NFIP</td>
<td>416</td>
</tr>
<tr>
<td>NGA</td>
<td>416</td>
</tr>
<tr>
<td>NIC</td>
<td>416</td>
</tr>
<tr>
<td>NICS</td>
<td>417</td>
</tr>
<tr>
<td>NICS Index</td>
<td>417</td>
</tr>
<tr>
<td>NICS Operational Day</td>
<td>417</td>
</tr>
<tr>
<td>NICS Record Identifier</td>
<td>418</td>
</tr>
<tr>
<td>NICS Representative</td>
<td>418</td>
</tr>
<tr>
<td>NICS Transaction Number</td>
<td>418</td>
</tr>
<tr>
<td>NID</td>
<td>418</td>
</tr>
<tr>
<td>NIE</td>
<td>419</td>
</tr>
<tr>
<td>NII</td>
<td>419</td>
</tr>
<tr>
<td>NIMA</td>
<td>419</td>
</tr>
<tr>
<td>NIO</td>
<td>419</td>
</tr>
<tr>
<td>NIPF</td>
<td>419</td>
</tr>
<tr>
<td>NIP</td>
<td>420</td>
</tr>
<tr>
<td>NMVTIS</td>
<td>420</td>
</tr>
<tr>
<td>NOC</td>
<td>420</td>
</tr>
<tr>
<td>Noncombatant Service</td>
<td>420</td>
</tr>
<tr>
<td>Non-Commercial Educational Institution</td>
<td>420</td>
</tr>
<tr>
<td>Noncommercial Scientific Institution</td>
<td>421</td>
</tr>
<tr>
<td>Nonconviction Data</td>
<td>422</td>
</tr>
<tr>
<td>Nonhumanitarian, Nontrade-Related Foreign Assistance</td>
<td>423</td>
</tr>
<tr>
<td>Nonimmigrant Visa</td>
<td>424</td>
</tr>
<tr>
<td>Notification</td>
<td>424</td>
</tr>
<tr>
<td>NRI</td>
<td>424</td>
</tr>
<tr>
<td>NRO</td>
<td>425</td>
</tr>
<tr>
<td>NSA</td>
<td>425</td>
</tr>
<tr>
<td>NSC</td>
<td>425</td>
</tr>
<tr>
<td>NSLs</td>
<td>425</td>
</tr>
<tr>
<td>NSPD</td>
<td>425</td>
</tr>
<tr>
<td>Term</td>
<td>Page</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Personnel Security</td>
<td>458</td>
</tr>
<tr>
<td>Personnel Security Investigation</td>
<td>458</td>
</tr>
<tr>
<td>PFIAB</td>
<td>459</td>
</tr>
<tr>
<td>PHOTINT</td>
<td>459</td>
</tr>
<tr>
<td>Physical Force</td>
<td>459</td>
</tr>
<tr>
<td>Physical Search</td>
<td>459</td>
</tr>
<tr>
<td>Physical Security</td>
<td>460</td>
</tr>
<tr>
<td>Physical Security Investigation</td>
<td>461</td>
</tr>
<tr>
<td>PIOB</td>
<td>461</td>
</tr>
<tr>
<td>Plant Costs</td>
<td>461</td>
</tr>
<tr>
<td>POC</td>
<td>462</td>
</tr>
<tr>
<td>Point of Contact</td>
<td>462</td>
</tr>
<tr>
<td>Political Activities</td>
<td>462</td>
</tr>
<tr>
<td>Political Consultant</td>
<td>463</td>
</tr>
<tr>
<td>Political Relationship</td>
<td>463</td>
</tr>
<tr>
<td>Possession</td>
<td>463</td>
</tr>
<tr>
<td>Possessions</td>
<td>464</td>
</tr>
<tr>
<td>Potential Requester</td>
<td>464</td>
</tr>
<tr>
<td>Practical Utility</td>
<td>465</td>
</tr>
<tr>
<td>Precursor Chemical</td>
<td>465</td>
</tr>
<tr>
<td>Presidential Historical Materials</td>
<td>465</td>
</tr>
<tr>
<td>Presidential Libraries</td>
<td>466</td>
</tr>
<tr>
<td>Presidential Papers</td>
<td>466</td>
</tr>
<tr>
<td>Presidential Records</td>
<td>467</td>
</tr>
<tr>
<td>Pre-Trial Conference</td>
<td>467</td>
</tr>
<tr>
<td>Prevention of Weapons of Mass Destruction Proliferation and Terrorism</td>
<td>468</td>
</tr>
<tr>
<td>Prints</td>
<td>468</td>
</tr>
<tr>
<td>Prior Notification</td>
<td>469</td>
</tr>
<tr>
<td>Privacy Act</td>
<td>469</td>
</tr>
<tr>
<td>Private Person</td>
<td>470</td>
</tr>
<tr>
<td>Private Sector</td>
<td>470</td>
</tr>
<tr>
<td>Private Security Officer</td>
<td>470</td>
</tr>
<tr>
<td>Privileged Belligerent</td>
<td>471</td>
</tr>
<tr>
<td>Term</td>
<td>Page</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Proceed</td>
<td>471</td>
</tr>
<tr>
<td>Proceeding</td>
<td>472</td>
</tr>
<tr>
<td>Proceeding Before an Agency of the United States</td>
<td>472</td>
</tr>
<tr>
<td>Process</td>
<td>473</td>
</tr>
<tr>
<td>Produce</td>
<td>474</td>
</tr>
<tr>
<td>Production</td>
<td>475</td>
</tr>
<tr>
<td>Profession</td>
<td>476</td>
</tr>
<tr>
<td>Promote a Riot</td>
<td>476</td>
</tr>
<tr>
<td>Proprietary</td>
<td>477</td>
</tr>
<tr>
<td>Proprietary Information</td>
<td>477</td>
</tr>
<tr>
<td>Proscribed Information</td>
<td>478</td>
</tr>
<tr>
<td>Protected Person</td>
<td>478</td>
</tr>
<tr>
<td>Protected Property</td>
<td>478</td>
</tr>
<tr>
<td>Provider</td>
<td>479</td>
</tr>
<tr>
<td>Provisioning Costs</td>
<td>479</td>
</tr>
<tr>
<td>Public Information</td>
<td>480</td>
</tr>
<tr>
<td>Public-Relations Counsel</td>
<td>480</td>
</tr>
<tr>
<td>Publicly Available</td>
<td>480</td>
</tr>
<tr>
<td>Publicity Agent</td>
<td>481</td>
</tr>
<tr>
<td>Purchaser</td>
<td>481</td>
</tr>
<tr>
<td>Qualified Individual with Disabilities</td>
<td>481</td>
</tr>
<tr>
<td>Qualified Individual with Handicaps</td>
<td>482</td>
</tr>
<tr>
<td>Questionable Activity</td>
<td>483</td>
</tr>
<tr>
<td>Racketeering Activity</td>
<td>483</td>
</tr>
<tr>
<td>Racketeering Investigation</td>
<td>485</td>
</tr>
<tr>
<td>Racketeering Investigator</td>
<td>485</td>
</tr>
<tr>
<td>Rap Sheet</td>
<td>485</td>
</tr>
<tr>
<td>Readily Accessible to the General Public</td>
<td>486</td>
</tr>
<tr>
<td>Reasonable Belief</td>
<td>487</td>
</tr>
<tr>
<td>Reasonable Compensation</td>
<td>487</td>
</tr>
<tr>
<td>Reasonable Payment</td>
<td>487</td>
</tr>
<tr>
<td>Reasonably Described Records</td>
<td>488</td>
</tr>
<tr>
<td>Recipient</td>
<td>488</td>
</tr>
<tr>
<td>Recipient of Assistance</td>
<td>489</td>
</tr>
<tr>
<td>Term</td>
<td>Page</td>
</tr>
<tr>
<td>------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Riot</td>
<td>510</td>
</tr>
<tr>
<td>Risk Management Principles</td>
<td>511</td>
</tr>
<tr>
<td>Routine</td>
<td>511</td>
</tr>
<tr>
<td>Routine Use</td>
<td>511</td>
</tr>
<tr>
<td>Rule</td>
<td>512</td>
</tr>
<tr>
<td>Rulemaking</td>
<td>512</td>
</tr>
<tr>
<td>Sabotage</td>
<td>513</td>
</tr>
<tr>
<td>Safeguarding</td>
<td>513</td>
</tr>
<tr>
<td>Salvage Automobile</td>
<td>513</td>
</tr>
<tr>
<td>Salvage Yard</td>
<td>514</td>
</tr>
<tr>
<td>SAMs</td>
<td>514</td>
</tr>
<tr>
<td>Sanction</td>
<td>515</td>
</tr>
<tr>
<td>SAS</td>
<td>515</td>
</tr>
<tr>
<td>SBS</td>
<td>515</td>
</tr>
<tr>
<td>SCI</td>
<td>515</td>
</tr>
<tr>
<td>SCI Level</td>
<td>515</td>
</tr>
<tr>
<td>SCIF</td>
<td>516</td>
</tr>
<tr>
<td>SDI</td>
<td>516</td>
</tr>
<tr>
<td>Search</td>
<td>516</td>
</tr>
<tr>
<td>Secret</td>
<td>516</td>
</tr>
<tr>
<td>Secretary of State</td>
<td>517</td>
</tr>
<tr>
<td>Security-in-Depth</td>
<td>517</td>
</tr>
<tr>
<td>Security Services</td>
<td>517</td>
</tr>
<tr>
<td>SEIB</td>
<td>518</td>
</tr>
<tr>
<td>Self-Inspection</td>
<td>518</td>
</tr>
<tr>
<td>Sending State</td>
<td>518</td>
</tr>
<tr>
<td>Senior Agency Official</td>
<td>519</td>
</tr>
<tr>
<td>Senior Executive Service Position</td>
<td>519</td>
</tr>
<tr>
<td>Sensitive Compartmented Information Level</td>
<td>520</td>
</tr>
<tr>
<td>Sensitive Investigative Matter</td>
<td>520</td>
</tr>
<tr>
<td>Sensitive Monitoring Circumstance</td>
<td>520</td>
</tr>
<tr>
<td>Serious Bodily Injury</td>
<td>521</td>
</tr>
<tr>
<td>Services</td>
<td>521</td>
</tr>
<tr>
<td>Servicing</td>
<td>522</td>
</tr>
</tbody>
</table>
Subject ___________________________________________ 537
Substantial ___________________________________________ 537
Summons _____________________________________________ 538
Supervisory Official of the Department of Justice __________ 538
Supplemental Controls ___________________________________ 538
Supplemental Statement __________________________________ 539
Suspension ____________________________________________ 539
Systems of Records _____________________________________ 539
Systematic Declassification Review _________________________ 540
Task Force _____________________________________________ 541
TECHINT ______________________________________________ 541
TELint _________________________________________________ 541
Technical Surveillance Countermeasures ______________________ 541
Telecommunications _____________________________________ 542
Temporary Records ______________________________________ 542
Threat to the National Security ____________________________ 542
TIARA ________________________________________________ 543
To the Same Extent and in the Same Manner as Other Attorneys _____ 543
Top Secret _____________________________________________ 543
TOR ___________________________________________________ 544
Torture __________________________________________________ 544
Total Loss ______________________________________________ 544
Totalitarian Party _________________________________________ 545
TPEDs ___________________________________________________ 545
Trade __________________________________________________ 545
Trade Secrets ____________________________________________ 546
Traffic __________________________________________________ 546
Training _________________________________________________ 546
Transclassification ________________________________________ 547
Transfer _________________________________________________ 547
Trap and Trace Device ____________________________________ 547
Tribal Organization ________________________________________ 548
Tribe ___________________________________________________ 548

Page 30
Table of Contents

Preface ................................................................................. 4
Summary of Contents ................................................................ 5
Table of Contents ...................................................................... 33
INTELLIGENCE LAW GLOSSARY .................................................. 128

25X
Administrative Law ................................................................ 129

25X1
Administrative Law ................................................................ 130

25X2
Administrative Law ................................................................ 131

25X3
Administrative Law ................................................................ 131

25X4
Administrative Law ................................................................ 131

25X5
Administrative Law ................................................................ 132

Access 136
Administrative Law 136
Executive Order 13,526, Classified National Security Information, § 6.1 (a) (December 29, 2009) 136
Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (a) (August 18, 2010) 136

Accessioned Records 137
Administrative Law 137

Accompanying the Armed Forces Outside the United States 137
Statutory Law 137
18 U.S.C. § 3267(2) (Title 18—Chapter 212: Military Extraterritorial Jurisdiction) 137

Accompanying the Federal Government Outside the United States 137
Statutory Law 137
18 U.S.C. § 3272(2) (Title 18—Chapter 212A: Extraterritorial Jurisdiction over Certain Trafficking in Persons Offenses) 137

Acquiring 138
Administrative Law 138

Act of Espionage 138
Statutory Law 138

Act of War 138
Statutory Law 138

Acting within the Scope of his Office or Employment 139
Statutory Law 139
28 U.S.C. § 2671 (Title 28—Chapter 171: Tort Claims Procedure) 139

Activity 139
Administrative Law 139
28 CFR § 77.2(e) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT] 139

Adjacent Islands 139
Statutory Law 139

Adjudication 140

Page 35
Statutory Law
See Also 140

Adjudicative Officer 140
Administrative Law 140

Administration of Criminal Justice 141
Administrative Law 141
28 CFR § 20.3(b) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS] 141

Administrative Instruction 141
Administrative Law 141
U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007) 141

Administrative Purposes 141
Administrative Law 141

Admission 142
Statutory Law 142

Admitted 142
Statutory Law 142

Adopting 143
Administrative Law 143
28 CFR § 5.100 (e) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED] 143

Adversary Adjudication 143
Administrative Law 143

Advocate 144
Statutory Law 144

Advocating 144
Statutory Law 144

Advocating the Economic, International, and Governmental Doctrines of World Communism 145

Agency

Statutory Law

5 U.S.C. § 551 (1) (Title 5—Chapter 5: Administrative Procedure) 145
5 U.S.C. § 701(b)(1) (Title 5—Chapter 7: Judicial Review) 145
28 U.S.C. § 2671 (Title 28—Chapter 171: Tort Claims Procedure) 147

Administrative Law

Executive Order 13,526, Classified National Security Information, § 6.1 (b) (December 29, 2009) 149
Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (b) (August 18, 2010) 149
28 CFR § 5.100 (c) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED] 149
28 CFR § 69.105(a) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING] 149

See Also

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] 150
32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958] 150
32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958] 150
32 CFR § 1900.02(g) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] 151
32 CFR § 1901.02(e) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974] 151
<table>
<thead>
<tr>
<th>Agency Action</th>
<th>152</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory Law</td>
<td>152</td>
</tr>
<tr>
<td>Agency Head</td>
<td>152</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>152</td>
</tr>
<tr>
<td>28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS</td>
<td>152</td>
</tr>
<tr>
<td>Agency Installation</td>
<td>152</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>152</td>
</tr>
<tr>
<td>32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS</td>
<td>152</td>
</tr>
<tr>
<td>Agency of the United States</td>
<td>152</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>152</td>
</tr>
<tr>
<td>Agency of the United States Government</td>
<td>153</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>153</td>
</tr>
<tr>
<td>Agency or Instrumentality of a Foreign State</td>
<td>153</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>153</td>
</tr>
<tr>
<td>Agency Proceeding</td>
<td>154</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>154</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>154</td>
</tr>
<tr>
<td>28 CFR § 21.11(a) [28 CFR PART 21—WITNESS FEES]</td>
<td>154</td>
</tr>
<tr>
<td>Agency Records</td>
<td>154</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>154</td>
</tr>
<tr>
<td>32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]</td>
<td>154</td>
</tr>
<tr>
<td>32 CFR § 1900.02(n) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]</td>
<td>155</td>
</tr>
<tr>
<td>32 CFR § 1908.02(e) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF EXECUTIVE ORDER 12958]</td>
<td>151</td>
</tr>
<tr>
<td>32 CFR § 1909.02(h) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]</td>
<td>151</td>
</tr>
</tbody>
</table>

Page 38

Agency Release Panel ________________________________ 156
Administrative Law __________________________________ 156

Agent ____________________________________________ 157
Administrative Law _________________________________ 157
28 CFR § 73.1(a) [28 CFR PART 73—NOTIFICATIONS TO THE ATTORNEY GENERAL BY AGENTS OF FOREIGN GOVERNMENTS] ___________ 157

Agent of a Foreign Power ____________________________ 157
Statutory Law ______________________________________ 157

Agent of a Foreign Principal __________________________ 158
Statutory Law ______________________________________ 158
22 U.S.C. § 611(c) & (d) (2010) (Title 22—Chapter 11: Foreign Agents and Propaganda: Registration of Foreign Propagandists) ___________ 158
Administrative Law _________________________________ 159
28 CFR § 5.100 (a)(7) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED] ___________ 159

Aggravated Felony _________________________________ 159
Statutory Law ______________________________________ 159

Aggrieved Person _________________________________ 162
Statutory Law ______________________________________ 162
18 U.S.C. § 2510(11) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications) ___________ 162
50 U.S.C. § 1821 (Title 50—Chapter 36: Foreign Intelligence Surveillance—Subchapter B: Physical Searches) ___________ 162
50 U.S.C. § 1841(3) (Title 50—Chapter 36: Foreign Intelligence Surveillance—Subchapter C: Pen Registers and Trap and Trace Devices for Foreign Intelligence and International Terrorism Investigations) ___________ 162

AI ________________________________________________ 162
Administrative Law _________________________________ 162
U.S. Dep’t of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007) ______ 162

Alien ______________________________________________ 163
Statutory Law ______________________________________ 163
Administrative Law _________________________________ 163
28 CFR § 21.1(b) [28 CFR PART 21—WITNESS FEES] _______________________________ 163
Allocable
Administrative Law
28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994] 163

All-Source Analysis
Administrative Law

Ally of Enemy
Statutory Law

American Republic
Statutory Law

Appeal
Administrative Law

Applicant
Administrative Law
28 CFR § 22.2(i) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION] 165

Application for Admission
Statutory Law

Archivist
Statutory Law
44 U.S.C. § 2901(12) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services) 165

ARI
Administrative Law

Armed Forces
Statutory Law

ARP
Administrative Law
32 CFR § 1909.02(b) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958] 166

ASAT
167
Aural Transfer

Statutory Law

18 U.S.C. § 2510(18) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications) __________ 171

Authorized

Statutory Law


Authorized Adjudicative Agency

Statutory Law


Authorized Employer

Administrative Law

28 CFR § 105.22(a) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment] __________ 172

Authorized Holder

Administrative Law

Executive Order 13,526, Classified National Security Information, § 6.1 (c) (December 29, 2009) __________ 173

32 CFR § 1802.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1802—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO SECTION 1.9 OF EXECUTIVE ORDER 12958] __________ 173

32 CFR § 1907.02(b) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1907—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO § 1.9 OF EXECUTIVE ORDER 12958] __________ 173

Authorized Investigative Agency

Statutory Law


Authorized Person

Administrative Law


Automated Information System

Administrative Law

Executive Order 12958, Classified National Security Information, § 6.1(c) (1995) (superseded) __________ 175

Executive Order 13,526, Classified National Security Information, § 6.1 (d) (December 29, 2009) __________ 175

Automatic Declassification

Administrative Law

Executive Order 12958, Classified National Security Information, § 6.1(d) (1995) (superseded) __________ 175

**Business Day** ___________________________________________________________ 180
Administrative Law ___________________________________________________________ 180

**Business Unit** ___________________________________________________________ 180
Administrative Law ___________________________________________________________ 180
28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994] ____________________________ 180

**Candidate** ______________________________________________________________ 181
Administrative Law ___________________________________________________________ 181
28 CFR § 105.10(a) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS] ____________________________ 181

**Carry on a Riot** __________________________________________________________ 181
Statutory Law _______________________________________________________________ 181

**Case** ________________________________________________________________ 182
Administrative Law ___________________________________________________________ 182
28 CFR § 77.2(b) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT] ____________________________ 182

**CDA** ____________________________________________________________________ 182

**Certificate of Title** _______________________________________________________ 182
Administrative Law ___________________________________________________________ 182

**Certificates with Ratings Recognized by the United States** ________________ 182
Administrative Law ___________________________________________________________ 182
28 CFR § 105.10(a) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS] ____________________________ 182

**Certification** ___________________________________________________________ 183
Administrative Law ___________________________________________________________ 183

**Challenge** ____________________________________________________________ 183
Administrative Law ___________________________________________________________ 183
32 CFR § 1802.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1802—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO SECTION 1.9 OF EXECUTIVE ORDER 12958] ____________________________ 183
32 CFR § 1907.02(d) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1907—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO § 1.9 OF EXECUTIVE ORDER 12958] ____________________________ 183

**Chancery** ____________________________________________________________ 184
Statutory Law _______________________________________________________________ 184

Page 44
Classification Management

Administrative Law


Classified Information

Statutory Law

10 U.S.C. § 948a(2) (Title 10—Chapter 47A: Military Commissions) ____________ 191
18 U.S.C. Appx § 1 (a) (2010) (Title 18—Appendix: Classified Information Procedures Act) 191


Administrative Law


Classified National Security Information

Statutory Law

10 U.S.C. § 948a(2) (Title 10—Chapter 47A: Military Commissions) ____________ 192


Administrative Law

Executive Order 13,526, Classified National Security Information, § 6.1 (i) (December 29, 2009) 194
Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (c) (August 18, 2010) 194

Cleared Commercial Carrier

Administrative Law


CNA 195

Commercial Use Request ____________________________________________ 199
Administrative Law __________________________ 199
See Also __________ 199
32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] __________ 199

Commodity ________________________________________________________ 200
Statutory Law ______ 200

Communication Common Carrier ______________________________________ 200
Statutory Law ______ 200
18 U.S.C. § 2510(10) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications) __________ 200

Communications Concerning a United States Person ______________________ 200
Administrative Law ____________________________________________ 200
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.3.2.1 (Dec. 1982): “Communications concerning a United States person” __________ 200

Communications Security ____________________________________________ 201
Administrative Law ____________________________________________ 201

Compilation ______________________________________________________ 201
Administrative Law ____________________________________________ 201
Executive Order 13,526, Classified National Security Information, § 6.1 (j) (December 29, 2009) __________ 201

Complete Complaint ________________________________________________ 201
Administrative Law ____________________________________________ 201
32 CFR § 1906.103 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1906—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE CENTRAL INTELLIGENCE AGENCY] __________ 201

Component _________________________________________________________ 202
Administrative Law ____________________________________________ 202

Computer  ___________________________________________________________ 203
Statutory Law __________________________________________________________ 203

Computer Trespasser  _________________________________________________ 203
Statutory Law __________________________________________________________ 203
18 U.S.C. § 2510(21) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications) __________________________________________________________ 203

Concealed Monitoring  _________________________________________________ 203
Administrative Law ______________________________________________________ 203

Concealed Monitoring Where the Subject has a Reasonable Expectation of Privacy  _________________________________________________ 204
Administrative Law ______________________________________________________ 204
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C6.2.3 (Dec. 1982): Concealed Monitoring where the subject has a reasonable expectation of privacy __________________________________________________________ 204

Conduct  _______________________________________________________________ 204
Administrative Law ______________________________________________________ 204
28 CFR § 77.2(e) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT] __________________________________________________________ 204

Confidential  ____________________________________________________________ 205
Administrative Law ______________________________________________________ 205
32 CFR § 2400.6 (a)(3) [32 CFR CHAPTER XXIV—OFFICE OF SCIENCE AND TECHNOLOGY POLICY: 32 CFR PART 2400—REGULATIONS TO IMPLEMENT E.O. 12356; OFFICE OF SCIENCE AND TECHNOLOGY POLICY INFORMATION SECURITY PROGRAM] __________________________________________________________ 205

Confidential Source  ______________________________________________________ 205
Administrative Law ______________________________________________________ 205
Executive Order 13,526, Classified National Security Information, § 6.1 (k) (December 29, 2009) __________________________________________________________ 205

Congressional Defense Committees  ______________________________________ 205
Statutory Law __________________________________________________________ 205

Congressional Intelligence Committees  ____________________________________ 206
Statutory Law __________________________________________________________ 206

______________________________________________________________

Page 49

**Consensual Monitoring** ...................................................... 206

Administrative Law ................................................................. 206

The Attorney General’s Guidelines for Domestic FBI Operations § VII (A) (Sept. 29, 2008) .......................................................... 206

**Consent** .............................................................................. 207

Administrative Law ................................................................. 207


**Consular Officer** .................................................................. 207

Statutory Law ......................................................................... 207


**Consumer Reporting Agency** ............................................. 207

Statutory Law ......................................................................... 207


**Contents [of a Communication]** ........................................... 208

Statutory Law ......................................................................... 208


18 U.S.C. § 2510(8) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications) ........................................... 208

**Contingency Operation** ....................................................... 208

Statutory Law ......................................................................... 208


**Contractor** ......................................................................... 208

Administrative Law ................................................................. 208


**Control** .............................................................................. 209

Administrative Law ................................................................. 209

28 CFR § 5.100 (b) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED] .................................................. 209

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] .................................................. 209


32 CFR § 1802.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1802—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO SECTION 1.9 OF EXECUTIVE ORDER 12958] .................................................. 209

32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958] .................................................. 210
Control Terminal Agency

Administrative Law

28 CFR § 20.3(c) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

Controlled Substance

Statutory Law


Administrative Law

32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS] 212

See Also


Constitution on Psychotropic Substances 216
Statutory Law 216

Conviction 217
Statutory Law 217

Cooperating Sources 217
Administrative Law 217
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C2.2.2 (Dec. 1982): “Cooperating Sources” 217

Cooperative Agreement 218
Administrative Law 218
28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994] 218

Coordinator 218
Administrative Law 218
32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] 218
32 CFR § 1802.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1802—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO SECTION 1.9 OF EXECUTIVE ORDER 12958] 218
32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958] 219
32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958] 219
32 CFR § 1900.02(d) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] 219
32 CFR § 1901.02(d) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974] 219
32 CFR § 1907.02(f) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1907—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO § 1.9 OF EXECUTIVE ORDER 12958] 220
32 CFR § 1908.02(d) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF EXECUTIVE ORDER 12958] 220

Page 52
Corruptly  ____________________________________________________________________________  220
Statutory Law  
18 U.S.C. § 1515(b) (2010) (Title 18—Chapter 73: Obstruction of Justice)  220

Corruptly Persuades  ____________________________________________________________________________  221
Statutory Law  

Cost Element  ____________________________________________________________________________  221
Administrative Law  
28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]  221

Cost Objective  ____________________________________________________________________________  221
Administrative Law  
28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]  221

Cost Pool  ____________________________________________________________________________  222
Administrative Law  
28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]  222

Counterintelligence  ____________________________________________________________________________  222
Statutory Law  
Administrative Law  
Executive Order 12333, United States Intelligence Activities, § 3.5(a) (2010)  222

Counterintelligence Investigation  ____________________________________________________________________________  223
Administrative Law  
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § DL1.1.6 (Dec. 1982): Counterintelligence Investigation  223

Court of Competent Jurisdiction  ____________________________________________________________________________  223
Statutory Law  
18 U.S.C. § 3127(2) (Title 18—Chapter 206: Pen Registers and Trap and Trace Devices)  223

Court of the United States  ____________________________________________________________________________  224
Statutory Law  

Covered Classified Material  ____________________________________________________________________________  225
Statutory Law  

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Law</td>
<td></td>
</tr>
<tr>
<td>28 CFR § 20.3(g)</td>
<td>230</td>
</tr>
<tr>
<td>Critical Component</td>
<td>230</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>230</td>
</tr>
<tr>
<td>50 U.S.C. Appx § 2152(1)</td>
<td>230</td>
</tr>
<tr>
<td>Critical Infrastructure</td>
<td>231</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>231</td>
</tr>
<tr>
<td>50 U.S.C. Appx § 2152(2)</td>
<td>231</td>
</tr>
<tr>
<td>Critical Technology</td>
<td>231</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>231</td>
</tr>
<tr>
<td>50 U.S.C. Appx § 2152(3)</td>
<td>231</td>
</tr>
<tr>
<td>Critical Technology Item</td>
<td>231</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>231</td>
</tr>
<tr>
<td>50 U.S.C. Appx § 2152(4)</td>
<td>231</td>
</tr>
<tr>
<td>CSAs</td>
<td>232</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>232</td>
</tr>
<tr>
<td>32 CFR § 2004.5(a)</td>
<td>232</td>
</tr>
<tr>
<td>CSO</td>
<td>232</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>232</td>
</tr>
<tr>
<td>32 CFR § 2004.5(b)</td>
<td>232</td>
</tr>
<tr>
<td>CSRS</td>
<td>232</td>
</tr>
<tr>
<td>CSS</td>
<td>232</td>
</tr>
<tr>
<td>Current Investigation File</td>
<td>233</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>233</td>
</tr>
<tr>
<td>50 U.S.C. § 435b(a)(5)</td>
<td>233</td>
</tr>
<tr>
<td>Damage to the National Security</td>
<td>233</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>233</td>
</tr>
<tr>
<td>Executive Order 12958</td>
<td>233</td>
</tr>
<tr>
<td>(superseded)</td>
<td>233</td>
</tr>
<tr>
<td>Data Source</td>
<td>234</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>234</td>
</tr>
<tr>
<td>28 CFR § 25.2</td>
<td>234</td>
</tr>
<tr>
<td>Days</td>
<td>234</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>234</td>
</tr>
</tbody>
</table>
32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] _______ 234
32 CFR § 1802.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1802—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO SECTION 1.9 OF EXECUTIVE ORDER 12958] 235
32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958] 235
32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958] __________ 235
32 CFR § 1900.02(b) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] _______ 235
32 CFR § 1901.02(b) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974] _______ 235
32 CFR § 1907.02(c) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1907—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO § 1.9 OF EXECUTIVE ORDER 12958] __________ 235
32 CFR § 1908.02(b) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF EXECUTIVE ORDER 12958] 235
32 CFR § 1909.02(c) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958] __________ 235

DBA ___________________________________________ 237
DCI_________________________________________________________________________ 237
DCIA _____________________________________________ 237
DCs_________________________________________________________________________ 237
D/CSI ____________________________________________ 237

Administrative Law ____________________________ 237

32 CFR § 1909.02(e) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958] 237

DEA ____________________________________________ 238

Debt Bondage _________________________________ 238

Statutory Law ________________________________ 238

Page 56

Declassification .............................................................................................................. 238
Administrative Law ........................................................................................................ 238
(superseded) ........................................................................................................... 238
Executive Order 13,526, Classified National Security Information, § 6.1 (m) (December 29, 2009) .......................................................... 238

Declassification Authority .............................................................................................. 238
Administrative Law ........................................................................................................ 238
(superseded) ........................................................................................................... 238

Declassification Guide .................................................................................................... 239
Administrative Law ........................................................................................................ 239
(superseded) ........................................................................................................... 239
Executive Order 13,526, Classified National Security Information, § 6.1 (n) (December 29, 2009) .......................................................... 239

Defense Agency ........................................................................................................... 239
Statutory Law ................................................................................................................ 239

Defense Article ............................................................................................................... 240
Statutory Law ................................................................................................................ 240
22 U.S.C. § 2403(d) (2010) (Title 22—Chapter 32: Foreign Assistance: general and 
Administrative Provisions) ....................................................................................... 240

Defense Contractor ....................................................................................................... 240
Statutory Law ................................................................................................................ 240
.......................................................................................................................................... 240

Defense Information ...................................................................................................... 241
Statutory Law ................................................................................................................ 241
22 U.S.C. § 2403(e) (2010) (Title 22—Chapter 32: Foreign Assistance: general and 
Administrative Provisions) ....................................................................................... 241

Defense Intelligence Position ........................................................................................ 241
Statutory Law ................................................................................................................ 241
Employees—Subchapter I: Defense-Wide Intelligence Personnel Policy) .............. 241

Defense Service ............................................................................................................. 241
Statutory Law ................................................................................................................ 241
22 U.S.C. § 2403(f) (2010) (Title 22—Chapter 32: Foreign Assistance: general and 
Administrative Provisions) ....................................................................................... 241

Defenses ......................................................................................................................... 242
Administrative Law ........................................................................................................ 242
32 CFR § 1703.2 [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL 
INTELLIGENCE: 32 CFR PART 1703—PRODUCTION OF ODNI INFORMATION OR 
MATERIAL IN PROCEEDINGS BEFORE FEDERAL, STATE, LOCAL OR OTHER 
GOVERNMENT ENTITY OF COMPETENT JURISDICTION] .................................... 242

Delayed .......................................................................................................................... 242

Page 57
Demand

Denied

Denied Agency

Department

Department Attorney

Department Head

Department of Defense Directive

Department of Defense Field Activity

Department of Defense Instruction
<table>
<thead>
<tr>
<th><strong>Department of Defense Manual</strong></th>
<th>248</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Law</td>
<td>248</td>
</tr>
<tr>
<td>U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)</td>
<td>248</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Department of the Air Force</strong></th>
<th>248</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory Law</td>
<td>248</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Department of the Army</strong></th>
<th>248</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory Law</td>
<td>248</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Department of the Navy</strong></th>
<th>249</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory Law</td>
<td>249</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Deployed</strong></th>
<th>249</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Law</td>
<td>249</td>
</tr>
<tr>
<td>28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]</td>
<td>249</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Derivative Classification</strong></th>
<th>249</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Law</td>
<td>249</td>
</tr>
<tr>
<td>Executive Order 13,526, Classified National Security Information, § 6.1 (o) (December 29, 2009)</td>
<td>250</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Determination</strong></th>
<th>250</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Law</td>
<td>250</td>
</tr>
<tr>
<td>32 CFR § 2102.3 (d) [32 CFR CHAPTER XXI—NATIONAL SECURITY COUNCIL: 32 CFR PART 2102—RULES AND REGULATIONS TO IMPLEMENT THE PRIVACY ACT OF 1974]</td>
<td>250</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>DHS</strong></th>
<th>250</th>
</tr>
</thead>
</table>

| **DI** | 250 |

| **DIA** | 250 |

<table>
<thead>
<tr>
<th><strong>Dial-Up Access</strong></th>
<th>251</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Law</td>
<td>251</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Diplomatic Visa</strong></th>
<th>251</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory Law</td>
<td>251</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Direct Access</strong></th>
<th>251</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Law</td>
<td>251</td>
</tr>
<tr>
<td>28 CFR § 20.3(h) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]</td>
<td>251</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Direct Costs</strong></th>
<th>251</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Law</td>
<td>251</td>
</tr>
</tbody>
</table>

---

Page 59
Direct Supervision

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

Directive-Type Memoranda

Administrative Law

U.S. Dep’t of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)

Directly Allocable Cost

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

Directly Assignable Cost

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

Directly Associated Cost

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

Director

Administrative Law

32 CFR § 1807.103 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1807—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE NATIONAL COUNTERINTELLIGENCE CENTER]

Director, Center for the Study of Intelligence

Administrative Law

32 CFR § 1909.02(f) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]

Director of Personnel Security

Administrative Law

32 CFR § 1909.02(g) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]
**Disclose**
Statutory Law

**Disclosure**
Administrative Law
32 CFR § 2102.3 (f) [32 CFR CHAPTER XXI—NATIONAL SECURITY COUNCIL: 32 CFR PART 2102—RULES AND REGULATIONS TO IMPLEMENT THE PRIVACY ACT OF 1974]

**DISCO**

**Disinterested Third Party**
Administrative Law
28 CFR § 59.2(b) [28 CFR PART 59—GUIDELINES ON METHODS OF OBTAINING DOCUMENTARY MATERIALS HELD BY THIRD PARTIES]

**Disposition**
Administrative Law
28 CFR § 20.3(i) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

**District Court**
Statutory Law

**DJIOC**

**DMZ**

**DNA Analysis**
Administrative Law

**DNA Sample**
Administrative Law

**DNI**
Administrative Law

**DO**

**Doctrine**
Statutory Law

Document ___________________________________________________________ 260
Statutory Law _________________________________________________________ 260
Administrative Law ____________________________________________________ 261
Executive Order 13,526, Classified National Security Information, § 6.1 (p) (December 29, 2009) ________________________________ 261
The Attorney General’s Guidelines for Domestic FBI Operations § VII (M) (Sept. 29, 2008) ______________________________________________ 261

Documentary Material ________________________________________________ 261
Statutory Law _________________________________________________________ 261
Administrative Law ____________________________________________________ 262
28 CFR § 59.2(c) [28 CFR PART 59—GUIDELINES ON METHODS OF OBTAINING DOCUMENTARY MATERIALS HELD BY THIRD PARTIES] _____________ 262

DOD _______________________________________________________________ 262
DoD Component ______________________________________________________ 262
Administrative Law ____________________________________________________ 262
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § DL1.1.7 (Dec. 1982): DoD Component ___________________________________________ 262

DoD Directives Program _______________________________________________ 262
Administrative Law ____________________________________________________ 262
U.S. Dep’t of Defense, Instruction No. 5025.01, § 4 (Oct. 28, 2007) ____________ 262

DoD Directives System _________________________________________________ 263
Administrative Law ____________________________________________________ 263
U.S. Dep’t of Defense, Instruction No. 5025.01, § 4 (Oct. 28, 2007) ____________ 263

DoD Intelligence Components _____________________________________________ 263
Statutory Law _________________________________________________________ 263
Administrative Law ____________________________________________________ 263

DoD Issuance _________________________________________________________ 264
Administrative Law ____________________________________________________ 264
U.S. Dep’t of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007) ____________ 264
See Also ________________________________________________________________________________ 264
U.S. Dep’t of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007) ____________ 264
Executive Order 13,526, Classified National Security Information, § 6.1 (q) (December 29, 2009) 271

DS&T 271

DSS 272

DTM 272
Administrative Law
U.S. Dep’t of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007) 272

Duly Accredited 272
Administrative Law
28 CFR § 73.1(d) [28 CFR PART 73—NOTIFICATIONS TO THE ATTORNEY GENERAL BY AGENTS OF FOREIGN GOVERNMENTS] 272

Educational Institution 273
Administrative Law

Electronic Communication 273
Statutory Law

Electronic Communication Service 274
Statutory Law
18 U.S.C. § 2510(15) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications) 274

Electronic Communication Service Provider 274
Statutory Law

Electronic Communications System 275
Statutory Law
18 U.S.C. § 2510(14) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications) 275

Electronic, Mechanical, or Other Device 275
Statutory Law
18 U.S.C. § 2510(5) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications) 275

Electronic Storage 276
Statutory Law
18 U.S.C. § 2510(17) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications) 276

Electronic Surveillance 276
Statutory Law
50 U.S.C. § 1801 (f) (Title 50—Chapter 36: Foreign Intelligence Surveillance—Subchapter A: Electronic Surveillance) 276
Administrative Law
Executive Order 12333, United States Intelligence Activities, § 3.5(c) (2010) 278

ELINT 278

Employed by the Armed Forces Outside the United States 278

Employed by the Federal Government Outside the United States 279

Employee 279

Administrative Law

Employed by the Armed Forces Outside the United States 278

Employed by the Federal Government Outside the United States 279

Employee 279

Administrative Law

See Also

283

The Attorney General’s Guidelines for Domestic FBI Operations § VII (B) (Sept. 29, 2008)

283

See Also

283

28 CFR § 22.2(g) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION] 283

28 CFR § 45.10: Procedures to promote compliance with crime victims’ rights obligations

[28 CFR PART 45—EMPLOYEE RESPONSIBILITIES] 284


Employee of an Agency 284

Administrative Law

28 CFR § 69.105(k) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING] 284

See Also

28 CFR § 22.2(g) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION] 285

Employee of the Department of Justice 285

Administrative Law

28 CFR § 45.10: Procedures to promote compliance with crime victims’ rights obligations

[28 CFR PART 45—EMPLOYEE RESPONSIBILITIES] 285

Employee of the Federal Government 286

Administrative Law

28 CFR § 22.2(g) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION] 286

Employee of the Government 286

Statutory Law

28 U.S.C. § 2671 (Title 28—Chapter 171: Tort Claims Procedure) 286

See Also

28 CFR § 22.2(g) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION] 286

Encourage a Riot 287

Statutory Law


End of the War 287

Statutory Law


Enemy 288

Statutory Law


Enterprise 288

Statutory Law

<table>
<thead>
<tr>
<th>Section</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>EO System</td>
<td>288</td>
</tr>
<tr>
<td>EOUSA</td>
<td>289</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>289</td>
</tr>
<tr>
<td>28 CFR § 45.10: Procedures to promote compliance with crime victims' rights obligations [28 CFR PART 45—EMPLOYEE RESPONSIBILITIES]</td>
<td>289</td>
</tr>
<tr>
<td>Equity</td>
<td>289</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>289</td>
</tr>
<tr>
<td>Espionage</td>
<td>289</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>289</td>
</tr>
<tr>
<td>EU</td>
<td>290</td>
</tr>
<tr>
<td>Excess Defense Articles</td>
<td>290</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>290</td>
</tr>
<tr>
<td>EXCOM</td>
<td>290</td>
</tr>
<tr>
<td>Executive Agency</td>
<td>290</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>290</td>
</tr>
<tr>
<td>44 U.S.C. § 2901(13) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)</td>
<td>290</td>
</tr>
<tr>
<td>Executive Order</td>
<td>291</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>291</td>
</tr>
<tr>
<td>28 CFR § 20.3(j) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]</td>
<td>291</td>
</tr>
<tr>
<td>Exempted</td>
<td>291</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>291</td>
</tr>
<tr>
<td>Experimentation</td>
<td>291</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>291</td>
</tr>
<tr>
<td>Explosive</td>
<td>292</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>292</td>
</tr>
<tr>
<td>Explosive Materials</td>
<td>292</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>292</td>
</tr>
<tr>
<td>Express Consent</td>
<td>292</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Statutory Law


### Expression of Interest

- **292 CFR § 1800.2** [292 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 292 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]  
- **292 CFR § 1900.02(f)** [292 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 292 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]  

### Extraordinary Ability


### Facility


### Family

- **22 U.S.C. § 254a(2) (2010)** (Title 22—Chapter 6: Foreign Diplomatic and Consular Officers)  

### FBI

- **28 CFR § 16.31**: Definition of identification record [28 CFR PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION: SUBPART C—Production of FBI Identification Records in Response to Written Requests by Subjects Thereof]  

### FBI Identification Record

- **5 U.S.C. § 551 (1)** (Title 5—Chapter 5: Administrative Procedure)  
- **5 U.S.C. § 701(b)(1)** (Title 5—Chapter 7: Judicial Review)  

---

**Page 68**
28 U.S.C. § 2671 (Title 28—Chapter 171: Tort Claims Procedure) ____________________________ 298

Administrative Law

32 CFR §§ 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] ____________________________ 299
32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958] ____________________________ 300
32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958] ____________________________ 300
32 CFR § 1900.02(g) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] ____________________________ 300
32 CFR § 1901.02(e) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974] ____________________________ 301
32 CFR § 1908.02(e) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF EXECUTIVE ORDER 12958] ____________________________ 301
32 CFR § 1909.02(h) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958] ____________________________ 301

Federal Contract ____________________________ 301
Administrative Law ____________________________ 301
28 CFR § 69.105(c) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING] ____________________________ 301

Federal Cooperative Agreement ____________________________ 302
Administrative Law ____________________________ 302
28 CFR § 69.105(d) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING] ____________________________ 302

Federal Electronic Information ____________________________ 302
Statutory Law ____________________________ 302
32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] 314
32 CFR § 1900.02(i) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] 314

For Or On Behalf of a Foreign Power 314
Administrative Law
The Attorney General’s Guidelines for Domestic FBI Operations § VII (C) (Sept. 29, 2008) 314

Foreign Agents Registration Act of 1938 315
Administrative Law
28 CFR § 5.100 (a)(1) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED] 315

Foreign Assistance 315
Statutory Law

Foreign Computer Intrusion 315
Administrative Law
The Attorney General’s Guidelines for Domestic FBI Operations § VII (D) (Sept. 29, 2008) 315

Foreign Government 316
Administrative Law
28 CFR § 73.1(b) [28 CFR PART 73—NOTIFICATIONS TO THE ATTORNEY GENERAL BY AGENTS OF FOREIGN GOVERNMENTS] 316

Foreign Government Information 316
Administrative Law
Executive Order 13,526, Classified National Security Information, § 6.1 (s) (December 29, 2009) 316

Foreign Intelligence 317
Statutory Law
Administrative Law
Executive Order 12333, United States Intelligence Activities, § 3.5(e) (2010) 317

Foreign Intelligence Information 318
<table>
<thead>
<tr>
<th>Section Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory Law</td>
<td>318</td>
</tr>
<tr>
<td>Foreign Intelligence Requirements</td>
<td>318</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>318</td>
</tr>
<tr>
<td>Foreign Mission</td>
<td>319</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>319</td>
</tr>
<tr>
<td>Foreign Person</td>
<td>319</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>319</td>
</tr>
<tr>
<td>Foreign Policies of the United States</td>
<td>320</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>320</td>
</tr>
<tr>
<td>Foreign Political Party</td>
<td>320</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>320</td>
</tr>
<tr>
<td>Foreign Power</td>
<td>320</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>320</td>
</tr>
<tr>
<td>Foreign Principal</td>
<td>322</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>322</td>
</tr>
<tr>
<td>Foreign Source</td>
<td>323</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>323</td>
</tr>
</tbody>
</table>
Foreign State
Statutory Law

Former President
Statutory Law

Former Presidential Appointee
Administrative Law
32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958] ______ 324
32 CFR § 1909.02(i) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958] ______ 324

Formulating
Administrative Law
28 CFR § 5.100 (e) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED] ______ 324

Freedom of Information Act
Administrative Law
32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] ______ 325
32 CFR § 1900.02(i) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] ______ 325

Function
Statutory Law

General Counsel
Administrative Law
32 CFR § 1904.2(d) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1904—PROCEDURES GOVERNING ACCEPTANCE OF SERVICE OF PROCESS] ______________________________________326
32 CFR § 1905.2(e) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1905—PRODUCTION OF OFFICIAL RECORDS OR DISCLOSURE OF OFFICIAL INFORMATION IN PROCEEDINGS BEFORE FEDERAL, STATE OR LOCAL GOVERNMENTAL ENTITIES OF COMPETENT JURISDICTION] __________________________326

Geneva Conventions ___________________________________________________________327
Statutory Law _________________________________________________________________327
10 U.S.C. § 948a(4) & (5) (Title 10—Chapter 47A: Military Commissions) ___________327

GEOINT ____________________________________________327

Geospatial Information _________________________________________________________327
Statutory Law _________________________________________________________________327

Geospatial Intelligence _________________________________________________________327
Statutory Law _________________________________________________________________327

Governmental Entity _________________________________________________________328
Statutory Law _________________________________________________________________328

Government of a Foreign Country ________________________________________________328
Statutory Law _________________________________________________________________328

Guaranteeing Agency _________________________________________________________328
Statutory Law _________________________________________________________________328

Hearability Survey _____________________________________________________________329
Administrative Law ___________________________________________________________329
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.7.2.2 (Dec. 1982): “Hearability Survey” ______________________________329

Highly Enriched Uranium _________________________________________________________329
Statutory Law _________________________________________________________________329

Highly Restricted Personal Information ___________________________________________329
Statutory Law _________________________________________________________________329

Highly Sensitive Program _________________________________________________________330
Statutory Law _________________________________________________________________330

______________________________________________330

Page 75
Historian
Administrative Law
32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958]
32 CFR § 1909.02(j) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]

Historical Researcher
Administrative Law
32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958]
32 CFR § 1909.02(j) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]

Homeland Security
Statutory Law

Hostilities
Statutory Law
10 U.S.C. § 948a(9) (Title 10—Chapter 47A: Military Commissions)

HSC

HSI

HSINT

Human Source
Administrative Law
The Attorney General’s Guidelines for Domestic FBI Operations § VII (H) (Sept. 29, 2008)

Human Subject
Administrative Law
28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

HUMINT

IAEA

I&W

Identification Record
Administrative Law
28 CFR § 16.31: Definition of identification record [28 CFR PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION: SUBPART C—Production of FBI Identification Records in Response to Written Requests by Subjects Thereof]

III System

Page 76
Administrative Law

28 CFR § 69.105(g) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING] 347

Individual

Administrative Law 347


32 CFR § 2102.3 (a) [32 CFRCHAPTER XXI—NATIONAL SECURITY COUNCIL: 32 CFR PART 2102—RULES AND REGULATIONS TO IMPLEMENT THE PRIVACY ACT OF 1974] 348

Individual with Disabilities 348

Administrative Law 348


Individual with Handicaps 349

Administrative Law 349


Industrial Resources 350

Statutory Law 350


Ineligible to Citizenship 351

Statutory Law 351


INF 351

Influencing 351

Administrative Law 351

28 CFR § 69.105(h) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING] 351

Informant 352

Statutory Law 352


Information 352

Administrative Law 352


Executive Order 13,526, Classified National Security Information, § 6.1 (t) (December 29, 2009) 352
Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (d) (August 18, 2010) 352
32 CFR § 1802.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1802—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO SECTION 1.9 OF EXECUTIVE ORDER 12958] 353
32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958] 353
32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958] 354
32 CFR § 1907.02(g) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1907—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO § 1.9 OF EXECUTIVE ORDER 12958] 354
32 CFR § 1908.02(f) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF EXECUTIVE ORDER 12958] 354
32 CFR § 1909.02(k) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958] 354
See Also 355
28 CFR § 22.2(e) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION] 355

Information Identifiable to a Private Person 355
Administrative Law 355
28 CFR § 22.2(e) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION] 355

Information Resources 356
Statutory Law 356

Information Resources Management 356
Statutory Law 356

Information Security 356
Statutory Law 356

Page 79
Integrity .................................................................................................................. 362
Administrative Law ......................................................................................... 362
Executive Order 13,526, Classified National Security Information, § 6.1 (w) (December 29, 2009) ...................................................................................................... 362

Intelligence ........................................................................................................... 363
Administrative Law ......................................................................................... 363
Executive Order 12333, United States Intelligence Activities, § 3.5(f) (2010) ......................................................................................................................... 363
Executive Order 13,526, Classified National Security Information, § 6.1 (x) (December 29, 2009) ...................................................................................................... 363

Intelligence Activities .......................................................................................... 364
Statutory Law ........................................................................................................ 364

Intelligence Agency .............................................................................................. 364
Statutory Law ........................................................................................................ 364

Intelligence Community ......................................................................................... 364
Statutory Law ........................................................................................................ 364
Administrative Law ............................................................................................ 365
Executive Order 12333, United States Intelligence Activities, § 3.5(h) (2010) ......................................................................................................................... 365
Executive Order 13,526, Classified National Security Information, § 6.1 (z) (December 29, 2009) ............................................................................................ 365
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § DL1.1.14 (Dec. 1982): Intelligence Community and an Agency of Or Within the Intelligence Community ....................................................... 366

Intelligence Project ............................................................................................... 366
Administrative Law ............................................................................................ 366
28 CFR § 23.3(b)(5) [28 CFR PART 23—CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES] .................................................................................. 366

Page 81
Intelligence Related to National Security

Statutory Law


Administrative Law

Executive Order 12333, United States Intelligence Activities, § 3.5(i) (2010) 367

Intended Spouse

Statutory Law


Intercept

Statutory Law

18 U.S.C. § 2510(4) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications) 368

Interception

Administrative Law

Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.3.2.2 (Dec. 1982): “Interception” 368

Interested Party

Administrative Law

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] 368


32 CFR § 1802.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1802—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO SECTION 1.9 OF EXECUTIVE ORDER 12958] 369

32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958] 369

32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958] 369

32 CFR § 1900.02(j) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] 370


32 CFR § 1907.02(h) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1907—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO § 1.9 OF EXECUTIVE ORDER 12958] 370

32 CFR § 1908.02(g) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF EXECUTIVE ORDER 12958] 370

32 CFR § 1909.02(l) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER
PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958

Interjurisdictional Intelligence System

Administrative Law

28 CFR § 23.3(b)(2) [28 CFR PART 23—CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES]

International Narcotics Activities

Administrative Law


International Organization

Statutory Law

22 U.S.C. § 288 (Title 22—Chapter 7: International Bureaus, Congresses, Etc.: Privileges and Immunities of International Organizations)

International Terrorism

Statutory Law


Administrative Law


Internet

Statutory Law


Interstate Identification Index System

Administrative Law

28 CFR § 20.3(m) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

Intervention

Administrative Law

28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

Investigative or Law Enforcement Officer

Statutory Law

18 U.S.C. § 2510(7) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

Involuntary Servitude

Statutory Law

IRB Approval
Administrative Law
28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

ISR

Items of Proliferation Concern
Statutory Law

JCS

JICC

JMIP

JTTF

Judge of Competent Jurisdiction
Statutory Law
18 U.S.C. § 2510(9) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

Judge of the United States
Statutory Law

Judicial District
Statutory Law

Judicial Proceeding
Administrative Law
28 CFR § 21.1(c) [28 CFR PART 21—WITNESS FEES]

Junk Automobile
Administrative Law

Junk Yard
Administrative Law

Justice of the United States
Statutory Law
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Juvenile Justice Act</td>
<td>380</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>380</td>
</tr>
<tr>
<td>Labor Cost</td>
<td>380</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>380</td>
</tr>
<tr>
<td>28 CFR § 22.2(j) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]</td>
<td>380</td>
</tr>
<tr>
<td>Law Enforcement Emergency</td>
<td>381</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>381</td>
</tr>
<tr>
<td>28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]</td>
<td>381</td>
</tr>
<tr>
<td>Law Enforcement Officer</td>
<td>381</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>381</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>381</td>
</tr>
<tr>
<td>28 CFR § 59.2(d) [28 CFR PART 59—GUIDELINES ON METHODS OF OBTAINING DOCUMENTARY MATERIALS HELD BY THIRD PARTIES]</td>
<td>381</td>
</tr>
<tr>
<td>Lawful Investigation</td>
<td>382</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>382</td>
</tr>
<tr>
<td>Lawfully Admitted for Permanent Residence</td>
<td>382</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>382</td>
</tr>
<tr>
<td>Legal Commercial Transaction</td>
<td>382</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>382</td>
</tr>
<tr>
<td>28 CFR § 73.1(f) [28 CFR PART 73—NOTIFICATIONS TO THE ATTORNEY GENERAL BY AGENTS OF FOREIGN GOVERNMENTS]</td>
<td>382</td>
</tr>
<tr>
<td>Legal and Law Enforcement Measures</td>
<td>383</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>383</td>
</tr>
<tr>
<td>Legally Authorized Representative</td>
<td>383</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>383</td>
</tr>
<tr>
<td>License</td>
<td>383</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>383</td>
</tr>
<tr>
<td>Licensed Dealer</td>
<td>384</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>384</td>
</tr>
<tr>
<td>Topic</td>
<td>Page</td>
</tr>
<tr>
<td>------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Licensed Importer</td>
<td>384</td>
</tr>
<tr>
<td>Administrative Law</td>
<td></td>
</tr>
<tr>
<td>Licensed Manufacturer</td>
<td>384</td>
</tr>
<tr>
<td>Administrative Law</td>
<td></td>
</tr>
<tr>
<td>Licensing</td>
<td>384</td>
</tr>
<tr>
<td>Statutory Law</td>
<td></td>
</tr>
<tr>
<td>Loan Guarantee</td>
<td>385</td>
</tr>
<tr>
<td>Administrative Law</td>
<td></td>
</tr>
<tr>
<td>28 CFR § 69.105(i) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]</td>
<td>385</td>
</tr>
<tr>
<td>Loan Insurance</td>
<td>385</td>
</tr>
<tr>
<td>Administrative Law</td>
<td></td>
</tr>
<tr>
<td>28 CFR § 69.105(i) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]</td>
<td>385</td>
</tr>
<tr>
<td>Local Entities</td>
<td>385</td>
</tr>
<tr>
<td>Administrative Law</td>
<td></td>
</tr>
<tr>
<td>Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (f) (August 18, 2010)</td>
<td>385</td>
</tr>
<tr>
<td>Local Government</td>
<td>386</td>
</tr>
<tr>
<td>Administrative Law</td>
<td></td>
</tr>
<tr>
<td>28 CFR § 69.105(j) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]</td>
<td>386</td>
</tr>
<tr>
<td>MAD</td>
<td>386</td>
</tr>
<tr>
<td>Mail Cover</td>
<td>386</td>
</tr>
<tr>
<td>Administrative Law</td>
<td></td>
</tr>
<tr>
<td>Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C8.2.3 (Dec. 1982): “Mail cover”</td>
<td>386</td>
</tr>
<tr>
<td>Mail Examination</td>
<td>386</td>
</tr>
<tr>
<td>Administrative Law</td>
<td></td>
</tr>
<tr>
<td>Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C8.2.2 (Dec. 1982): “To examine mail”</td>
<td>386</td>
</tr>
<tr>
<td>Mail within United States Postal Channels</td>
<td>387</td>
</tr>
<tr>
<td>Administrative Law</td>
<td></td>
</tr>
<tr>
<td>Maintain</td>
<td>387</td>
</tr>
<tr>
<td>Administrative Law</td>
<td></td>
</tr>
</tbody>
</table>
32 CFR § 1901.02(g) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974] _______388
32 CFR § 2102.3 (b) [32 CFR CHAPTER XXI—NATIONAL SECURITY COUNCIL: 32 CFR PART 2102—RULES AND REGULATIONS TO IMPLEMENT THE PRIVACY ACT OF 1974] _______388

Major Drug-Transit Country
Statutory Law

Major Illicit Drug Producing Country
Statutory Law

Major Money Laundering Country
Statutory Law

Major Non-NATO Ally
Statutory Law

Managerial Capacity
Statutory Law

Mandatory Declassification Review
Administrative Law
Executive Order 13,526, Classified National Security Information, § 6.1 (aa) (December 29, 2009) _______391

MASINT
Statutory Law

Administrative Law

Meeting
Administrative Law
28 CFR § 16.200(b) [28 CFR PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION: SUBPART F—Public Observation of Parole Commission Meetings] _______392
<table>
<thead>
<tr>
<th>Topic</th>
<th>Start Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members of a Mission</td>
<td>393</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>393</td>
</tr>
<tr>
<td>Military Departments</td>
<td>394</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>394</td>
</tr>
<tr>
<td>Military Education and Training</td>
<td>394</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>394</td>
</tr>
<tr>
<td>Military Objective</td>
<td>395</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>395</td>
</tr>
<tr>
<td>Military Tactical Communication</td>
<td>395</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>395</td>
</tr>
<tr>
<td>Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.3.2.3 (Dec. 1982): “Military tactical communication”</td>
<td>395</td>
</tr>
<tr>
<td>Minimal Risk</td>
<td>395</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>395</td>
</tr>
<tr>
<td>Minimization Procedures</td>
<td>396</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>396</td>
</tr>
<tr>
<td>50 U.S.C. § 1821 (Title 50—Chapter 36: Foreign Intelligence Surveillance—Subchapter B: Physical Searches)</td>
<td>396</td>
</tr>
<tr>
<td>Minimum Standards for the Elimination of Trafficking</td>
<td>397</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>397</td>
</tr>
<tr>
<td>MIP</td>
<td>397</td>
</tr>
<tr>
<td>Misleading Conduct</td>
<td>397</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>397</td>
</tr>
<tr>
<td>Missile</td>
<td>398</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>398</td>
</tr>
<tr>
<td>Missile Technology Control Regime</td>
<td>398</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>398</td>
</tr>
<tr>
<td>Mission</td>
<td>398</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>398</td>
</tr>
</tbody>
</table>

Monitoring within the United States ................................................. 399
Administrative Law ........................................................................ 399

Motor Vehicle ............................................................................ 399
Administrative Law ........................................................................ 399

Motor Vehicle Record ................................................................. 399
Statutory Law ............................................................................... 399

MSI .......................................................................................... 400

Multiple Sources ........................................................................ 400
Administrative Law ........................................................................ 400
Executive Order 13,526, Classified National Security Information, § 6.1 (bb) (December 29, 2009) ................................................................................................................................. 400

NACIC .................................................................................... 400
Administrative Law ........................................................................ 400
32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] ........................................................................ 400
32 CFR § 1802.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1802—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO SECTION 1.9 OF EXECUTIVE ORDER 12958] .................................................................................. 400
32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958] .................................................................................. 400
32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958] .................................................................................. 400
32 CFR § 1805.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1805—PRODUCTION OF OFFICIAL RECORDS OR DISCLOSURE OF OFFICIAL INFORMATION IN PROCEEDINGS BEFORE FEDERAL, STATE OR LOCAL GOVERNMENT ENTITIES OF COMPETENT JURISDICTION] .................................................................................. 400

NACIC Counsel ............................................................................ 402
National Defense Material ......................................................406
  Statutory Law ........................................................................406
  18 U.S.C. § 2151 (Title 18—Chapter 105: Sabotage) ..............406

National Defense Premises .....................................................406
  Statutory Law ........................................................................406
  18 U.S.C. § 2151 (Title 18—Chapter 105: Sabotage) ..............406

National Defense Utilities .......................................................406
  Statutory Law ........................................................................406
  18 U.S.C. § 2151 (Title 18—Chapter 105: Sabotage) ..............406

National Fingerprint File .........................................................407
  Administrative Law ................................................................407
  28 CFR § 20.3(o) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]  ..............................................................407

National Identification Index ....................................................407
  Administrative Law ................................................................407
  28 CFR § 20.3(p) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]  ..............................................................407

National Intelligence .................................................................408
  Statutory Law ........................................................................408
  Administrative Law ................................................................408
  Executive Order 12333, United States Intelligence Activities, § 3.5(i) (2010) ..............................................................408

National Intelligence Program ..................................................408
  Statutory Law ........................................................................408
  Administrative Law ................................................................409
  Executive Order 12333, United States Intelligence Activities, § 3.5(j) (2010) ..............................................................409

National Interest Determination ...............................................409
  Administrative Law ................................................................409

National of the United States .....................................................409
  Statutory Law ........................................................................409

National Security .....................................................................410
  Statutory Law ........................................................................410
  10 U.S.C. § 948a(8) (Title 10—Chapter 47A: Military Commissions) ........................................................................410
  18 U.S.C. Appx § 1(b) (2010) (Title 18—Appendix: Classified Information Procedures Act)  ..............................................................410
  Administrative Law ................................................................410
  Executive Order 13,526, Classified National Security Information, § 6.1 (cc) (December 29, 2009) ..............................................................410

National Security Laboratory ......................................................410
  Statutory Law ........................................................................410

Page 91

**National Security System** 411
Statutory Law 411

**NATO** 412

**Naturalization** 412
Statutory Law 412

**NCIC** 412
Administrative Law 412
28 CFR § 20.3(n) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS] 412

**NCIX** 413

**NCPC** 413

**NCS** 413

**NCTC** 413

**Need-To-Know** 413
Administrative Law 413

**Network** 414
Administrative Law 414
Executive Order 13,526, Classified National Security Information, § 6.1 (ee) (December 29, 2009) 414

**Network Operations Costs** 414
Administrative Law 414
28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994] 414

**Newly Discovered Records** 414
Administrative Law 414

**News** 415
Administrative Law 415
Administrative Law

28 CFR § 105.10(a) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS] 424


**NRI** Administrative Law 424


**NRO** 425

**NSA** 425

**NSC** 425

**NSPD** 425

**NTM** 425

**NTN** 425

Administrative Law 425


**Nuclear Weapons Production Facility** 426

Statutory Law


**ODNI** 426

Administrative Law 426


**ODNI Employee** 427

Administrative Law 427


<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ODNI Information</strong></td>
<td>428</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>428</td>
</tr>
<tr>
<td><strong>ODNI Material</strong></td>
<td>428</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>428</td>
</tr>
<tr>
<td><strong>Office of the Department of Justice</strong></td>
<td>429</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>429</td>
</tr>
<tr>
<td>28 CFR § 45.10: Procedures to promote compliance with crime victims’ rights obligations [28 CFR PART 45—EMPLOYEE RESPONSIBILITIES]</td>
<td>429</td>
</tr>
<tr>
<td><strong>Office of the Director of National Intelligence</strong></td>
<td>429</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>429</td>
</tr>
<tr>
<td><strong>Officer</strong></td>
<td>430</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>430</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>430</td>
</tr>
<tr>
<td>28 CFR § 22.2(g) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]</td>
<td>430</td>
</tr>
<tr>
<td>28 CFR § 69.105(k) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]</td>
<td>430</td>
</tr>
<tr>
<td><strong>Officer of an Agency</strong></td>
<td>431</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>431</td>
</tr>
<tr>
<td>28 CFR § 69.105(k) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]</td>
<td>431</td>
</tr>
<tr>
<td>See Also</td>
<td>431</td>
</tr>
<tr>
<td>28 CFR § 22.2(g) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]</td>
<td>431</td>
</tr>
<tr>
<td><strong>Officer of the Federal Government</strong></td>
<td>432</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>432</td>
</tr>
<tr>
<td>28 CFR § 22.2(g) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]</td>
<td>432</td>
</tr>
<tr>
<td><strong>Official</strong></td>
<td>432</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>432</td>
</tr>
<tr>
<td>28 CFR § 5.100 (d) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]</td>
<td>432</td>
</tr>
<tr>
<td><strong>Official Proceeding</strong></td>
<td>432</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>432</td>
</tr>
</tbody>
</table>

---

Page 96

**Organization**  
Statutory Law  

**Organization within the United States**  
Administrative Law  

**Organize a Riot**  
Statutory Law  

**ORI**  
Administrative Law  

**Original Classification**  
Administrative Law  
Executive Order 13,526, Classified National Security Information, § 6.1 (ff) (December 29, 2009)  

**Original Classification Authority**  
Administrative Law  
Executive Order 13,526, Classified National Security Information, § 6.1 (gg) (December 29, 2009)  

**Original Classification Authority with Jurisdiction over the Information**  
Administrative Law  

**Originating Agency**  
Administrative Law  

**Originating Agency Identifier**  
Administrative Law  

---

Page 98
Administrative Law

32 CFR § 1700.2(c) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT] 445

Parent
Statutory Law 445

Parole Commission Meeting
Administrative Law 446
28 CFR § 16.200(b) [28 CFR PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION: SUBPART F—Public Observation of Parole Commission Meetings] 446

Participate in a Riot
Statutory Law 447

Participating Agency
Administrative Law 448
28 CFR § 23.3(b)(4) [28 CFR PART 23—CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES] 448

Participating State
Administrative Law 448
28 CFR § 105.22(e) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment] 448

Participation
Administrative Law 448
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C10.2.5 (Dec. 1982): “Participation on behalf of an agency within the intelligence community” 449
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C10.2.6 (Dec. 1982): “Participation solely for personal purposes” 449

Passport
Statutory Law 449

Pattern of Activities
Statutory Law 450

Pattern of Racketeering Activity
Statutory Law 450

PCs
PDB 450

PDD 450

Pen Register 451
Statutory Law 451
18 U.S.C. § 3127(3) (Title 18—Chapter 206: Pen Registers and Trap and Trace Devices) 451

Penalty 451
Statutory Law 451

Periodic Reinvestigations 451
Statutory Law 451

Permanent 452
Statutory Law 452

Permanent Historical Value 452
Administrative Law 452

Permanent Records 452
Administrative Law 452

Permanently Valuable Information 453
Administrative Law 453

Permit 453
Administrative Law 453

Person 454
Statutory Law 454
18 U.S.C. § 2331(3) (2010) (Title 18—Chapter 113B: Terrorism) 454
18 U.S.C. § 2510(6) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications) 454

Page 101

Administrative Law

28 CFR § 22.2(a) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]  456
28 CFR § 69.105(l) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]  456
28 CFR § 77.2(g) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT]  456

Personal Information

Statutory Law


Personal Records

Statutory Law


Personal Relationship

Administrative Law

28 CFR § 45.2: Disqualification arising from personal or political relationship [28 CFR PART 45—EMPLOYEE RESPONSIBILITIES]  457

Personnel Security

Administrative Law


Personnel Security Investigation

Statutory Law


Administrative Law


PFIAB  459

PHOTINT  459

Physical Force

Statutory Law


Physical Search

Statutory Law

50 U.S.C. § 1821 (Title 50—Chapter 36: Foreign Intelligence Surveillance—Subchapter B: Physical Searches)  459

Administrative Law  460
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C7.2 (Dec. 1982) ........................................ 460

Physical Security ......................................................... 460
Administrative Law ....................................................... 460

Physical Security Investigation ......................................... 461
Administrative Law ....................................................... 461

PIOB ........................................................................... 461

Plant Costs ..................................................................... 461
Administrative Law ....................................................... 461
28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994] .............................................. 461

POC ........................................................................... 462
Administrative Law ....................................................... 462

Point of Contact .......................................................... 462
Administrative Law ....................................................... 462

Political Activities ........................................................ 462
Statutory Law .............................................................. 462

Political Consultant ....................................................... 463
Statutory Law .............................................................. 463

Political Relationship ...................................................... 463
Administrative Law ....................................................... 463
28 CFR § 45.2: Disqualification arising from personal or political relationship [28 CFR PART 45—EMPLOYEE RESPONSIBILITIES] ....................................................... 463

Possession ..................................................................... 463
Administrative Law ....................................................... 463

Possessions .................................................................. 464
Statutory Law .............................................................. 464

Potential Requester ......................................................... 464
Administrative Law
32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] 464
32 CFR § 1900.02(l) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] 464

Practical Utility
Statutory Law

Precursor Chemical
Statutory Law

Presidential Historical Materials
Administrative Law

Presidential Libraries
Administrative Law
32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958] 466
32 CFR § 1908.02(j) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF EXECUTIVE ORDER 12958] 466

Presidential Papers
Administrative Law

Presidential Records
Statutory Law
Administrative Law

Pre-Trial Conference
Administrative Law
28 CFR § 21.1(d) [28 CFR PART 21—WITNESS FEES] 467

Prevention of Weapons of Mass Destruction Proliferation and Terrorism

Page 104
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory Law</td>
<td>468</td>
</tr>
<tr>
<td>Prints</td>
<td>468</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>468</td>
</tr>
<tr>
<td>Prior Notification</td>
<td>469</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>469</td>
</tr>
<tr>
<td>28 CFR § 73.1(c) [28 CFR PART 73—NOTIFICATIONS TO THE ATTORNEY GENERAL BY AGENTS OF FOREIGN GOVERNMENTS]</td>
<td>469</td>
</tr>
<tr>
<td>Privacy Act</td>
<td>469</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>469</td>
</tr>
<tr>
<td>Private Person</td>
<td>470</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>470</td>
</tr>
<tr>
<td>28 CFR § 22.2(b) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]</td>
<td>470</td>
</tr>
<tr>
<td>Private Sector</td>
<td>470</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>470</td>
</tr>
<tr>
<td>Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (g) (August 18, 2010)</td>
<td>470</td>
</tr>
<tr>
<td>Private Security Officer</td>
<td>470</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>470</td>
</tr>
<tr>
<td>28 CFR § 105.22(g) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment]</td>
<td>470</td>
</tr>
<tr>
<td>Privileged Belligerent</td>
<td>471</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>471</td>
</tr>
<tr>
<td>10 U.S.C. § 948a(6) (Title 10—Chapter 47A: Military Commissions)</td>
<td>471</td>
</tr>
<tr>
<td>10 U.S.C. § 948a(7) (Title 10—Chapter 47A: Military Commissions)</td>
<td>471</td>
</tr>
<tr>
<td>Proceed</td>
<td>471</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>471</td>
</tr>
<tr>
<td>Proceeding</td>
<td>472</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>472</td>
</tr>
<tr>
<td>Proceeding Before an Agency of the United States</td>
<td>472</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>472</td>
</tr>
</tbody>
</table>
Process

Administrative Law


32 CFR § 1904.2(b) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1904—PROCEDURES GOVERNING ACCEPTANCE OF SERVICE OF PROCESS]

Produce

Administrative Law


32 CFR § 1805.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1805—PRODUCTION OF OFFICIAL RECORDS OR DISCLOSURE OF OFFICIAL INFORMATION IN PROCEEDINGS BEFORE FEDERAL, STATE OR LOCAL GOVERNMENT ENTITIES OF COMPETENT JURISDICTION]

32 CFR § 1905.2(d) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1905—PRODUCTION OF OFFICIAL RECORDS OR DISCLOSURE OF OFFICIAL INFORMATION IN PROCEEDINGS BEFORE FEDERAL, STATE OR LOCAL GOVERNMENTAL ENTITIES OF COMPETENT JURISDICTION]

Production

Administrative Law


32 CFR § 1805.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1805—PRODUCTION OF OFFICIAL RECORDS OR DISCLOSURE OF OFFICIAL INFORMATION IN PROCEEDINGS BEFORE FEDERAL, STATE OR LOCAL GOVERNMENT ENTITIES OF COMPETENT JURISDICTION]

32 CFR § 1905.2(d) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1905—PRODUCTION OF OFFICIAL RECORDS OR DISCLOSURE OF OFFICIAL INFORMATION IN PROCEEDINGS BEFORE FEDERAL, STATE OR LOCAL GOVERNMENTAL ENTITIES OF COMPETENT JURISDICTION]

Profession

Statutory Law


Promote a Riot

Statutory Law


Proprietary

Administrative Law

The Attorney General’s Guidelines for Domestic FBI Operations § VII (K) (Sept. 29, 2008)
BASIS OF DISABILITY IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE NATIONAL COUNTERINTELLIGENCE CENTER] 481

Qualified Individual with Handicaps 482
Administrative Law 482
32 CFR § 1906.103 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1906—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE CENTRAL INTELLIGENCE AGENCY] 482

Questionable Activity 483
Administrative Law 483

Racketeering Activity 483
Statutory Law 483

Racketeering Investigation 485
Statutory Law 485

Racketeering Investigator 485
Statutory Law 485

Rap Sheet 485
Administrative Law 485

Readily Accessible to the General Public 486
Statutory Law 486

Reasonable Belief 487
Administrative Law 487

Reasonable Compensation 487
Administrative Law 487
28 CFR § 69.105(m) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING] 487

Reasonable Payment 487
Administrative Law 487
28 CFR § 69.105(n) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING] 487

Reasonably Described Records 488
Administrative Law 488

Page 108
32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]


32 CFR § 1900.02(o) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

32 CFR § 1901.02(l) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974]

Recordkeeping Requirement

Records Center

Records Creation

Records Disposition

Records Having Permanent Historical Value

Records Maintenance and Use

Records Management

Records Management Study

Recordkeeping Requirement

Statutory Law


Records Center

Statutory Law


Records Creation

Statutory Law

44 U.S.C. § 2901(3) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)

Records Disposition

Statutory Law


Records Having Permanent Historical Value

Administrative Law


Executive Order 13,526, Classified National Security Information, § 6.1 (ii) (December 29, 2009)

Records Maintenance and Use

Statutory Law

44 U.S.C. § 2901(4) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)

Records Management

Statutory Law

44 U.S.C. § 2901(2) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)

Administrative Law


Executive Order 13,526, Classified National Security Information, § 6.1 (jj) (December 29, 2009)

Records Management Study

Statutory Law

44 U.S.C. § 2901(7) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)
Redaction

Administrative Law


Referral

Administrative Law

32 CFR § 1803.2 [32 CFR CHAPTER XVIII— NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958]

32 CFR § 1908.02(k) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF EXECUTIVE ORDER 12958]

Refugee

Statutory Law


Regist rant

Administrative Law

28 CFR § 5.100(a)(6) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

Registration Statement

Statutory Law


Regularly Employed

Administrative Law

28 CFR § 69.105(p) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

Relief

Statutory Law


Remote Computing Service

Statutory Law


Representative of the News Media

Administrative Law

32 CFR § 1700.2(h)(4) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

32 CFR § 1800.2 [32 CFR CHAPTER XVIII— NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

32 CFR § 1900.02(h)(3) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

Reproduction

Administrative Law

Page 111

Request for Access 503
Administrative Law 503

Request for Amendment or Correction 503
Administrative Law 503

Request for an Accounting 504
Administrative Law 504

Requester 504
Administrative Law 504

Research 505
Administrative Law 505

Research or Statistical Project 505
Administrative Law 505
28 CFR § 22.2(c) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION] 505

Research or Statistical Information 505
Administrative Law 505
28 CFR § 22.2(d) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION] 505

Research Subject to Regulation 506
Administrative Law 506

Reserve Components 506
Statutory Law 506
10 U.S.C. § 101(c) (2010) (Title 10—Chapter 1: Definitions) 506

Residence 507
Statutory Law 507
Administrative Law .............................................................................................................................................. 507

Responsive Record .................................................................................................................................................. 508
Administrative Law .................................................................................................................................................. 508
32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] .......................................................... 508
32 CFR § 1900.02(o) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)] ......................................................................................... 508

Restricted Data ......................................................................................................................................................... 509
Statutory Law ............................................................................................................................................................ 509

Restricted Portal ....................................................................................................................................................... 509
Administrative Law .................................................................................................................................................. 509
Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (h) (August 18, 2010) ....................................................... 509

Retention ................................................................................................................................................................. 509
Administrative Law .................................................................................................................................................. 509
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C3.2 (Dec. 1982) ...................................................... 509

Review ................................................................................................................................................................. 510
Administrative Law .................................................................................................................................................. 510

Riot ........................................................................................................................................................................... 510
Statutory Law ............................................................................................................................................................. 510

Risk Management Principles ................................................................................................................................. 511
Administrative Law .................................................................................................................................................. 511

Routine ................................................................................................................................................................. 511
Administrative Law .................................................................................................................................................. 511

Routine Use ............................................................................................................................................................ 511
Administrative Law .................................................................................................................................................. 511
SDI

Search

Administrative Law

32 CFR § 1700.2(f) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

Secret

Administrative Law

32 CFR § 2400.6 (a)(2) [32 CFR CHAPTER XXIV—OFFICE OF SCIENCE AND TECHNOLOGY POLICY: 32 CFR PART 2400—REGULATIONS TO IMPLEMENT E.O. 12356; OFFICE OF SCIENCE AND TECHNOLOGY POLICY INFORMATION SECURITY PROGRAM]

Secretary of State

Administrative Law

28 CFR § 5.100 (a)(4) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

Security-in-Depth

Administrative Law


Security Services

Administrative Law

28 CFR § 105.22(h) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment]

SEIB

Self-Inspection

Administrative Law


Executive Order 13,526, Classified National Security Information, § 6.1 (ll) (December 29, 2009)

Sending State

Statutory Law


Senior Agency Official

Administrative Law


Executive Order 13,526, Classified National Security Information, § 6.1 (mm) (December 29, 2009)

Senior Executive Service Position

Statutory Law


Sensitive Compartmented Information Level

Statutory Law
### Sensitive Investigative Matter

Administrative Law


### Sensitive Monitoring Circumstance

Administrative Law

The Attorney General's Guidelines for Domestic FBI Operations § VII (O) (Sept. 29, 2008)

### Serious Bodily Injury

Statutory Law


### Services

Statutory Law


### Servicing

Statutory Law

44 U.S.C. § 2901(9) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)

### Severe Forms of Trafficking in Persons

Statutory Law


### Severe Mental Pain or Suffering

Statutory Law


### Sex Trafficking

Statutory Law


### SGAC

### Short Form Registration Statement

Administrative Law

28 CFR § 5.100(a)(12) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

### SIB

Administrative Law

28 CFR § 105.22(i) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment]

### SIGINT

### Signals Intelligence

Administrative Law

---

Page 116
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § DL1.23 (Dec. 1982): Signals Intelligence

Small Business Concern .............................................................................................................. 524
Statutory Law ............................................................................................................................... 524

SMO ........................................................................................................................................... 524

SMS ........................................................................................................................................... 524

SOCOM .................................................................................................................................... 524

Source Document ......................................................................................................................... 524
Administrative Law ...................................................................................................................... 524
Executive Order 13,526, Classified National Security Information, § 6.1 (nn) (December 29, 2009) .......................................................................................................................................................... 525

SPA ........................................................................................................................................... 525

Special Access Program ................................................................................................................. 525
Administrative Law ...................................................................................................................... 525
Executive Order 13,526, Classified National Security Information, § 6.1 (oo) (December 29, 2009) .......................................................................................................................................................... 526

Special Agent in Charge ............................................................................................................. 526
Administrative Law ...................................................................................................................... 526
The Attorney General's Guidelines for Domestic FBI Operations § VII (P) (Sept. 29, 2008) ............ 526

Special Events Management ..................................................................................................... 526
Administrative Law ...................................................................................................................... 526

Special Immigrant ....................................................................................................................... 527
Statutory Law ............................................................................................................................... 527

Sponsoring Agency ...................................................................................................................... 530
Administrative Law ...................................................................................................................... 530
Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (i) (August 18, 2010) ..................................................................................... 530

Spouse ...................................................................................................................................... 531
Statutory Law ............................................................................................................................... 531

Staff .......................................................................................................................................... 531
Administrative Law ...................................................................................................................... 531
State-Statutory Law
18 U.S.C. § 2510(3) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications) 532

State-Administrative Law
Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (j) (August 18, 2010) 533
28 CFR § 20.3(r) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS] 533
28 CFR § 65.70(d) [28 CFR PART 65—EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE] 533
28 CFR § 69.105(q) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING] 533

State-Assigned Transaction Number

State Identification Bureau
28 CFR § 105.22(i) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment] 534

State Law

State Laws and Rules and Local Federal Court Rules Governing Attorneys
28 CFR § 77.2(h) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT] 535

State, Local, or Tribal
The Attorney General’s Guidelines for Domestic FBI Operations § VII (R) (Sept. 29, 2008) 535

State, Local, and Tribal Personnel


State of Licensure 536
Administrative Law 536
28 CFR § 77.2(i) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT] 536

Statute 536
Administrative Law 536
28 CFR § 20.3(s) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS] 536

STN 537
Administrative Law 537

Stowaway 537
Statutory Law 537

STRATCOM 537

Subject 537
Administrative Law 537

Substantial 538
Statutory Law 538

Summons 538
Administrative Law 538

Supervisory Official of the Department of Justice 538
Administrative Law 538
28 CFR § 59.2(e) [28 CFR PART 59—GUIDELINES ON METHODS OF OBTAINING DOCUMENTARY MATERIALS HELD BY THIRD PARTIES] 538

Supplemental Controls 538
Administrative Law 538

Supplemental Statement 539
Administrative Law 539
28 CFR § 5.100 (a)(10) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED] 539

Suspension 539
Statutory Law 539
5 U.S.C. § 7501(2) (2010) (Title 5—Chapter 75: Adverse Actions—Subchapter I: Suspension for 14 Days or Less) 539

Systems of Records 539

Page 119
Administrative Law

32 CFR § 2102.3 (c) [32 CFR CHAPTER XXI—NATIONAL SECURITY COUNCIL: 32 CFR PART 2102—RULES AND REGULATIONS TO IMPLEMENT THE PRIVACY ACT OF 1974] 540

Systematic Declassification Review 540

Executive Order 13,526, Classified National Security Information, § 6.1 (pp) (December 29, 2009) 541

Task Force 541

Statutory Law 541

TECHINT 541

TELINT 541

Technical Surveillance Countermeasures 541

Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.4.2 (Dec. 1982): Explanation of Undefined Terms 541

Telecommunications 542

Executive Order 13,526, Classified National Security Information, § 6.1 (qq) (December 29, 2009) 542

Temporary Records 542


Threat to the National Security 542

The Attorney General’s Guidelines for Domestic FBI Operations § VII (S) (Sept. 29, 2008) 542

TIARA 543

To the Same Extent and in the Same Manner as Other Attorneys 543

28 CFR § 77.2(k) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT] 543
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Top Secret</strong></td>
<td>543</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>543</td>
</tr>
<tr>
<td>32 CFR § 2400.6 (a)(1)</td>
<td>543</td>
</tr>
<tr>
<td>[32 CFR CHAPTER XXIV—OFFICE</td>
<td>543</td>
</tr>
<tr>
<td>OF SCIENCE AND TECHNOLOGY</td>
<td>543</td>
</tr>
<tr>
<td>POLICY: 32 CFR PART 2400—</td>
<td>543</td>
</tr>
<tr>
<td>REGULATIONS TO IMPLEMENT E.O.</td>
<td>543</td>
</tr>
<tr>
<td>12356; OFFICE OF SCIENCE AND</td>
<td>543</td>
</tr>
<tr>
<td>TECHNOLOGY POLICY INFORMATION</td>
<td>543</td>
</tr>
<tr>
<td>SECURITY PROGRAM</td>
<td>543</td>
</tr>
<tr>
<td><strong>TOR</strong></td>
<td>544</td>
</tr>
<tr>
<td><strong>Torture</strong></td>
<td>544</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>544</td>
</tr>
<tr>
<td>(Title 18—Chapter 113C: Torture)</td>
<td>544</td>
</tr>
<tr>
<td><strong>Total Loss</strong></td>
<td>544</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>544</td>
</tr>
<tr>
<td>DEPARTMENT OF JUSTICE</td>
<td>544</td>
</tr>
<tr>
<td>INFORMATION SYSTEMS:</td>
<td>544</td>
</tr>
<tr>
<td>SUBPART B—National Motor</td>
<td>544</td>
</tr>
<tr>
<td>Vehicle Title Information</td>
<td>544</td>
</tr>
<tr>
<td>System (NMVTIS)</td>
<td>544</td>
</tr>
<tr>
<td><strong>Totalitarian Party</strong></td>
<td>545</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>545</td>
</tr>
<tr>
<td>(Title 8—Chapter 12:</td>
<td>545</td>
</tr>
<tr>
<td>Immigration and Nationality)</td>
<td>545</td>
</tr>
<tr>
<td><strong>TPEDs</strong></td>
<td>545</td>
</tr>
<tr>
<td><strong>Trade</strong></td>
<td>545</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>545</td>
</tr>
<tr>
<td>(Title 50—Appendix:</td>
<td>545</td>
</tr>
<tr>
<td>Trading with the Enemy Act</td>
<td>545</td>
</tr>
<tr>
<td>of 1917)</td>
<td>545</td>
</tr>
<tr>
<td><strong>Trade Secrets</strong></td>
<td>546</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>546</td>
</tr>
<tr>
<td>28 CFR § 100.10 [28 CFR PART 100—</td>
<td>546</td>
</tr>
<tr>
<td>COST RECOVERY REGULATIONS,</td>
<td>546</td>
</tr>
<tr>
<td>COMMUNICATIONS ASSISTANCE FOR</td>
<td>546</td>
</tr>
<tr>
<td>LAW ENFORCEMENT ACT OF 1994]</td>
<td>546</td>
</tr>
<tr>
<td><strong>Traffic</strong></td>
<td>546</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>546</td>
</tr>
<tr>
<td>32 CFR § 1903.1 [32 CFR</td>
<td>546</td>
</tr>
<tr>
<td>CHAPTER XIX—CENTRAL</td>
<td>546</td>
</tr>
<tr>
<td>INTELLIGENCE AGENCY: 32 CFR</td>
<td>546</td>
</tr>
<tr>
<td>PART 1903—CONDUCT ON</td>
<td>546</td>
</tr>
<tr>
<td>AGENCY INSTALLATIONS]</td>
<td>546</td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>546</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>546</td>
</tr>
<tr>
<td>28 CFR § 105.10(a) [28 CFR</td>
<td>546</td>
</tr>
<tr>
<td>PART 105—CRIMINAL HISTORY</td>
<td>546</td>
</tr>
<tr>
<td>BACKGROUND CHECKS]</td>
<td>546</td>
</tr>
<tr>
<td><strong>Transclassification</strong></td>
<td>547</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>547</td>
</tr>
<tr>
<td>32 CFR § 2001.92(ys):</td>
<td>547</td>
</tr>
<tr>
<td>Definitions [32 CFR CHAPTER</td>
<td>547</td>
</tr>
<tr>
<td>XX—INFORMATION SECURITY</td>
<td>547</td>
</tr>
<tr>
<td>OVERSIGHT OFFICE, NATIONAL</td>
<td>547</td>
</tr>
<tr>
<td>ARCHIVES AND RECORDS</td>
<td>547</td>
</tr>
<tr>
<td>ADMINISTRATION: 32 CFR PART</td>
<td>547</td>
</tr>
<tr>
<td>2001—CLASSIFIED NATIONAL</td>
<td>547</td>
</tr>
<tr>
<td>SECURITY INFORMATION]</td>
<td>547</td>
</tr>
<tr>
<td><strong>Transfer</strong></td>
<td>547</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>547</td>
</tr>
<tr>
<td>(Title 18—Chapter 306:</td>
<td>547</td>
</tr>
<tr>
<td>Transfer to or from Foreign</td>
<td>547</td>
</tr>
<tr>
<td>Countries)</td>
<td>547</td>
</tr>
<tr>
<td><strong>Trap and Trace Device</strong></td>
<td>547</td>
</tr>
<tr>
<td>Statutory Law</td>
<td>547</td>
</tr>
<tr>
<td>18 U.S.C. § 3127(4) (Title 18—</td>
<td>547</td>
</tr>
<tr>
<td>Chapter 206: Pen Registers</td>
<td>547</td>
</tr>
<tr>
<td>and Trap and Trace Devices)</td>
<td>547</td>
</tr>
</tbody>
</table>

*Page 121*
Tribal Organization

Administrative Law 548
28 CFR § 69.105(g) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING] 548

Tribe 548

Administrative Law 548

TTIC 548

TUAV 548

UAV 548

Unauthenticated Copies

Statutory Law 549
44 U.S.C. § 2901(10) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services) 549

Unauthorized Disclosure

Administrative Law 549
superseded) 549
Executive Order 13,526, Classified National Security Information, § 6.1 (rr) (December 29, 2009) 549

Uniformed Services

Statutory Law 549
Administrative Law

Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (m) (August 18, 2010) ________________ 552
The Attorney General’s Guidelines for Domestic FBI Operations § VII (T) (Sept. 29, 2008) ________________ 552

United States Assistance

Statutory Law

United States Entity

Administrative Law
Executive Order 13,526, Classified National Security Information, § 6.1 (ss) (December 29, 2009) ________________ 553

United States Person

Statutory Law
Administrative Law
Executive Order 12333, United States Intelligence Activities, § 3.5(k) (2010) ________________ 554
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.3.2.4 (Dec. 1982): SIGINT Guidelines for Determining whether a person is a “United States Person.” ________________ 555

United States Property

Statutory Law

United States Signals Intelligence System

Administrative Law
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.3.2.5 (Dec. 1982): “United States Signals Intelligence System” ________________ 557

Unlawful Debt

Statutory Law

Unmarried

Statutory Law

Unprivileged Enemy Belligerent

Statutory Law
______________________________ 558
10 U.S.C. § 948a(7) (Title 10—Chapter 47A: Military Commissions) _________________________________ 558

**Unscheduled Records** ________________________________________________________________ 558

Administrative Law ________________________________________________________________ 558


**UNSCOM** ________________________________________________________________ 558

**USA** ________________________________________________________________ 559

**USAF** ________________________________________________________________ 559

**USCG** ________________________________________________________________ 559

**USD** ________________________________________________________________ 559

**USMC** ________________________________________________________________ 559

**USN** ________________________________________________________________ 559

Use ________________________________________________________________ 559

Administrative Law ________________________________________________________________ 559

The Attorney General’s Guidelines for Domestic FBI Operations § VII (V) (Sept. 29, 2008) ________________________________________________________________ 559

**User** ________________________________________________________________ 560

Statutory Law ________________________________________________________________ 560

18 U.S.C. § 2510(13) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications) ________________________________________________________________ 560

**USSIS** ________________________________________________________________ 560

Administrative Law ________________________________________________________________ 560

Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.3.2.5 (Dec. 1982): “United States Signals Intelligence System” ________________________________________________________________ 560

**Validation of Information** ________________________________________________________________ 560

Administrative Law ________________________________________________________________ 560

28 CFR § 23.3(b)(6) [28 CFR PART 23—CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES] ________________________________________________________________ 560

**Value** ________________________________________________________________ 561

Statutory Law ________________________________________________________________ 561


**Vehicles** ________________________________________________________________ 561

Administrative Law ________________________________________________________________ 561


**Victim of a Severe Form of Trafficking** ________________________________________________________________ 562

Statutory Law ________________________________________________________________ 562


**Victims of Crime Act** ________________________________________________________________ 562

Administrative Law ________________________________________________________________ 562

______________________________
<table>
<thead>
<tr>
<th>Code</th>
<th>Title</th>
<th>Type</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>28 CFR § 22.2(k)</td>
<td>[28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]</td>
<td></td>
<td>562</td>
</tr>
<tr>
<td><strong>Victim of Trafficking</strong></td>
<td></td>
<td>Statutory Law</td>
<td>562</td>
</tr>
<tr>
<td><strong>Vienna Convention on Diplomatic Relations</strong></td>
<td></td>
<td>Statutory Law</td>
<td>562</td>
</tr>
<tr>
<td>VIN</td>
<td></td>
<td>Administrative Law</td>
<td>563</td>
</tr>
<tr>
<td><strong>Violation</strong></td>
<td></td>
<td>Administrative Law</td>
<td>563</td>
</tr>
<tr>
<td></td>
<td>Executive Order 13,526, Classified National Security Information, § 6.1 (tt) (December 29, 2009)</td>
<td></td>
<td>563</td>
</tr>
<tr>
<td>VoIP</td>
<td></td>
<td>Administrative Law</td>
<td>564</td>
</tr>
<tr>
<td>VRO</td>
<td></td>
<td>Administrative Law</td>
<td>564</td>
</tr>
<tr>
<td>28 CFR § 45.10</td>
<td>Procedures to promote compliance with crime victims' rights obligations [28 CFR PART 45—EMPLOYEE RESPONSIBILITIES]</td>
<td></td>
<td>564</td>
</tr>
<tr>
<td><strong>Vulnerability Survey</strong></td>
<td></td>
<td>Administrative Law</td>
<td>564</td>
</tr>
<tr>
<td><strong>War Material</strong></td>
<td></td>
<td>Statutory Law</td>
<td>564</td>
</tr>
<tr>
<td>18 U.S.C. § 2151</td>
<td>(Title 18—Chapter 105: Sabotage)</td>
<td></td>
<td>564</td>
</tr>
<tr>
<td><strong>War Premises</strong></td>
<td></td>
<td>Statutory Law</td>
<td>565</td>
</tr>
<tr>
<td>18 U.S.C. § 2151</td>
<td>(Title 18—Chapter 105: Sabotage)</td>
<td></td>
<td>565</td>
</tr>
<tr>
<td><strong>War Utilities</strong></td>
<td></td>
<td>Statutory Law</td>
<td>565</td>
</tr>
<tr>
<td>18 U.S.C. § 2151</td>
<td>(Title 18—Chapter 105: Sabotage)</td>
<td></td>
<td>565</td>
</tr>
<tr>
<td><strong>Weapons</strong></td>
<td></td>
<td>Administrative Law</td>
<td>566</td>
</tr>
<tr>
<td><strong>Weapons of Mass Destruction</strong></td>
<td></td>
<td>Statutory Law</td>
<td>566</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Administrative Law ___________________________ 567
Executive Order 13,526, Classified National Security Information, § 6.1 (uu) (December 29, 2009) ___________________________ 567

Where Such Attorney Engages in that Attorney’s Duties ___________________________ 567
Administrative Law ___________________________ 567
28 CFR § 77.2(j) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT] ___________________________ 567

Wire Communications ___________________________ 568
Statutory Law ___________________________ 568
18 U.S.C. § 2510(1) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications) ___________________________ 568

WMD ___________________________ 568
Statutory Law ___________________________ 568
Administrative Law ___________________________ 569
Executive Order 13,526, Classified National Security Information, § 6.1 (uu) (December 29, 2009) ___________________________ 569

World Communism ___________________________ 570
Statutory Law ___________________________ 570
INTELLIGENCE LAW GLOSSARY

Statutory and Administrative Definitions Relevant to U.S. Intelligence Law
(a) Marking information exempted from automatic declassification at 25 years.

(1) When the Panel has approved an agency proposal to exempt permanently valuable information from automatic declassification at 25 years, the “Declassify On” line shall be revised to include the symbol “25X” plus the number(s) that corresponds to the category(ies) in section 3.3(b) of the Order. Except for when the exemption pertains to information that should clearly and demonstrably be expected to reveal the identity of a confidential human source, or a human intelligence source, or key design concepts of weapons of mass destruction, the revised “Declassify On” line shall also include the new date for declassification as approved by the Panel, not to exceed 50 years from the date of origin of the record. Records that contain information, the release of which should clearly and demonstrably be expected to reveal the identity of a confidential human source or a human intelligence source, or key design concepts of weapons of mass destruction, are exempt from automatic declassification at 50 years.

(2) The pertinent exemptions, using the language of section 3.3(b) of the Order, are:

25X1: reveal the identity of a confidential human source, a human intelligence source, a relationship with an intelligence or security service of a foreign government or international organization, or a non-human intelligence source; or impair the effectiveness of an intelligence method currently in use, available for use, or under development.
25X2: reveal information that would assist in the development, production, or use of weapons of mass destruction;
25X3: reveal information that would impair U.S. cryptologic systems or activities;
25X4: reveal information that would impair the application of state-of-the-art technology within a U.S. weapon system;
25X5: reveal formally named or numbered U.S. military war plans that remain in effect, or reveal operational or tactical elements of prior plans that are contained in such active plans;
25X6: reveal information, including foreign government information, that would cause serious harm to relations between the United States and a foreign government, or to ongoing diplomatic activities of the United States;
25X7: reveal information that would impair the current ability of United States Government officials to protect the President, Vice President, and other protectees for whom protection services, in the interest of the national security, are authorized; 
25X8: reveal information that would seriously impair current national security emergency preparedness plans or reveal current vulnerabilities of systems, installations, or infrastructures relating to the national security; or 
25X9: violate a statute, treaty, or international agreement that does not permit the automatic or unilateral declassification of information at 25 years.

(3) The pertinent portion of the marking would appear as: Declassify On: 25X4, 20501001

(4) Documents should not be marked with a “25X” marking until the agency has been informed that the Panel concurs with the proposed exemption.

(5) Agencies need not apply a “25X” marking to individual documents contained in a file series exempted from automatic declassification under section 3.3(c) of the Order until the individual document is removed from the file and may only apply such a marking as approved by the Panel under section 3.3(j) of the Order.

(6) Information containing foreign government information will be marked with a date in the “Declassify On” line that is no more than 25 years from the date of the document unless the originating agency has applied for and received Panel approval to exempt foreign government information from declassification at 25 years. Upon receipt of Panel approval, the agency may use either the 25X6 or 25X9 exemption markings, as appropriate, in the “Declassify On” followed by a date that has also been approved by the Panel. An example might appear as: 25X6, 20600129, or 25X9, 20600627. The marking “subject to treaty or international agreement” is not to be used at any time.

**25X1**

**Administrative Law**


[...]

25X1: reveal the identity of a confidential human source, a human intelligence source, a relationship with an intelligence or security service of a foreign
government or international organization, or a non-human intelligence source; or impair the effectiveness of an intelligence method currently in use, available for use, or under development.

25X2

**Administrative Law**


[...]

25X2: reveal information that would assist in the development, production, or use of weapons of mass destruction;

25X3

**Administrative Law**


[...]

25X3: reveal information that would impair U.S. cryptologic systems or activities;

25X4

**Administrative Law**


[...]

25X4: reveal information that would impair the application of state-of-the-art technology within a U.S. weapon system;
25X5

Administrative Law


[...]

25X5: reveal formally named or numbered U.S. military war plans that remain in effect, or reveal operational or tactical elements of prior plans that are contained in such active plans;

25X6

Administrative Law


[...]

25X6: reveal information, including foreign government information, that would cause serious harm to relations between the United States and a foreign government, or to ongoing diplomatic activities of the United States;

25X7

Administrative Law


[...]

25X7: reveal information that would impair the current ability of United States Government officials to protect the President, Vice President, and other
protectees for whom protection services, in the interest of the national security, are authorized;

25X8

Administrative Law


[...]

25X8: reveal information that would seriously impair current national security emergency preparedness plans or reveal current vulnerabilities of systems, installations, or infrastructures relating to the national security; or

25X9

Administrative Law


[...]

25X9: violate a statute, treaty, or international agreement that does not permit the automatic or unilateral declassification of information at 25 years.

50X

Administrative Law

32 CFR § 2001.26(b): Automatic declassification exemption markings


[...]

(b) Marking information exempted from automatic declassification at 50 years.
Records exempted from automatic declassification at 50 years shall be automatically declassified on December 31 of a year that is no more than 75 years from the date of origin unless an agency head, within five years of that date, proposes to exempt specific information from declassification at 75 years and the proposal is formally approved by the Panel.

(1) When the information clearly and demonstrably could be expected to reveal the identity of a confidential human source or a human intelligence source, the marking shall be “50X1-HUM.”

(2) When the information clearly and demonstrably could reveal key design concepts of weapons of mass destruction, the marking shall be “50X2-WMD.”

(3) In extraordinary cases in which the Panel has approved an exemption from declassification at 50 years under section 3.3(h) of the Order, the same procedures as those under § 2001.26(a) will be followed with the exception that the number “50” will be used in place of the “25.”

(4) Requests for exemption from automatic declassification at 50 years from elements of the Intelligence Community (to include pertinent elements of the Department of Defense) should include a statement of support from the Director of National Intelligence or his or her designee. Requests for automatic declassification exemptions from elements of the Department of Defense (to include pertinent elements of the Intelligence community) should include a statement of support from the Secretary of Defense or his or her designee. Requests for automatic declassification exemptions from elements of the Department of Homeland Security should include a statement of support from the Secretary of the Department of Homeland Security or his or her designee.

**50X1-HUM**

**Administrative Law**


[...]

(b) Marking information exempted from automatic declassification at 50 years. Records exempted from automatic declassification at 50 years shall be automatically declassified on December 31 of a year that is no more than 75 years from the date of origin unless an agency head, within five years of that date, proposes to exempt specific information from declassification at 75 years and the proposal is formally approved by the Panel.
(1) When the information clearly and demonstrably could be expected to reveal the identity of a confidential human source or a human intelligence source, the marking shall be “50X1-HUM.”

[...]

50X2-WMD

Administrative Law


[...]

(b) Marking information exempted from automatic declassification at 50 years. Records exempted from automatic declassification at 50 years shall be automatically declassified on December 31 of a year that is no more than 75 years from the date of origin unless an agency head, within five years of that date, proposes to exempt specific information from declassification at 75 years and the proposal is formally approved by the Panel.

[...]

(2) When the information clearly and demonstrably could reveal key design concepts of weapons of mass destruction, the marking shall be “50X2-WMD.”

[...]

75X

Administrative Law

32 CFR § 2001.26(c): Automatic declassification exemption markings


[...]

(c) Marking information exempted from automatic declassification at 75 years. Records exempted from automatic declassification at 75 years shall be automatically declassified on December 31 of the year that has been formally approved by the Panel.

1 Information approved by the Panel as exempt from automatic declassification at 75 years shall be marked “75X” with the appropriate
automatic declassification exemption category number followed by the approved declassification date or event.

(2) Requests for exemption from automatic declassification at 75 years from elements of the Intelligence Community (to include pertinent elements of the Department of Defense) should include a statement of support from the Director of National Intelligence or his or her designee. Requests for automatic declassification exemptions from elements of the Department of Defense (to include pertinent elements of the Intelligence community) should include a statement of support from the Secretary of Defense or his or her designee.

Access

Administrative Law


“Access” means the ability or opportunity to gain knowledge of classified information.

Executive Order 13,526, Classified National Security Information, § 6.1 (a) (December 29, 2009)

For purposes of this order:

(a) "Access" means the ability or opportunity to gain knowledge of classified information.

Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (a) (August 18, 2010)

For purposes of this order:

(a) “Access” means the ability or opportunity to gain knowledge of classified information.


For purposes of this subpart, the following terms have the meanings indicated:

Access

means making a record available to a subject individual.
Accessioned Records

Administrative Law


(a) Accessioned records
means records of permanent historical value in the legal custody of NARA.

Accompanying the Armed Forces Outside the United States

Statutory Law

18 U.S.C. § 3267(2) (Title 18—Chapter 212: Military Extraterritorial Jurisdiction)

As used in this chapter [18 U.S.C. §§ 3261 et seq.]:
(2) The term "accompanying the Armed Forces outside the United States" means—

(A) a dependent of—
   (i) a member of the Armed Forces;
   (ii) a civilian employee of the Department of Defense (including a nonappropriated fund instrumentality of the Department); or
   (iii) a Department of Defense contractor (including a subcontractor at any tier) or an employee of a Department of Defense contractor (including a subcontractor at any tier);

(B) residing with such member, civilian employee, contractor, or contractor employee outside the United States; and

(C) not a national of or ordinarily resident in the host nation.

Accompanying the Federal Government Outside the United States

Statutory Law

18 U.S.C. § 3272(2) (Title 18—Chapter 212A: Extraterritorial Jurisdiction over Certain Trafficking in Persons Offenses)

As used in this chapter [18 U.S.C. §§ 3721 et seq.]:
(2) The term "accompanying the Federal Government outside the United States" means—
(A) a dependant of—
   (i) a civilian employee of the Federal Government; or
   (ii) a Federal contractor (including a subcontractor at any tier) or an employee of a Federal contractor (including a subcontractor at any tier);
(B) residing with such civilian employee, contractor, or contractor employee outside the United States; and
(C) not a national of or ordinarily resident in the host nation.

Acquiring

Administrative Law


For purposes of this subpart B:
Acquiring
means owning, possessing, handling, directing, or controlling.

Act of Espionage

Statutory Law


As used in this chapter [18 U.S.C. §§ 3071 et seq.], the term—
(8) "act of espionage" means an activity that is a violation of—
   (A) section 793, 794, or 798 of this title [18 U.S.C. § 793, 794, or 798]; or
   (B) section 4 of the Subversive Activities Control Act of 1950 [50 U.S.C. § 783].

Act of War

Statutory Law


As used in this chapter [18 U.S.C. §§ 2331 et seq.] —
(4) the term "act of war" means any act occurring in the course of—
(A) declared war;
(B) armed conflict, whether or not war has been declared, between two or more nations; or
(C) armed conflict between military forces of any origin;

Acting within the Scope of his Office or Employment

Statutory Law

28 U.S.C. § 2671 (Title 28—Chapter 171: Tort Claims Procedure)
"Acting within the scope of his office or employment," in the case of a member of the military or naval forces of the United States or a member of the National Guard as defined in section 101(3) of title 32 [32 U.S.C. § 101(3)], means acting in line of duty.

Activity

Administrative Law

28 CFR § 77.2(e) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT]
As used in this part, the following terms shall have the following meanings, unless the context indicates otherwise:
[...]
(e) The terms “conduct” and “activity” means any act performed by a Department attorney that implicates a rule governing attorneys, as that term is defined in paragraph (h) of this section.

Adjacent Islands

Statutory Law

(b) As used in titles I and II [8 U.S.C. §§ 1101 et seq., 1151 et seq.]—
(5) The term "adjacent islands" includes Saint Pierre, Miquelon, Cuba, the Dominican Republic, Haiti, Bermuda, the Bahamas, Barbados, Jamaica, the Windward and Leeward Islands, Trinidad, Martinique, and other British, French, and Netherlands territory or possessions in or bordering on the Caribbean Sea.
Adjudication

Statutory Law
“Adjudication” means agency process for the formulation of an order.

NOTE: “Order” is defined in 5 U.S.C. § 551(6) (2010) (Title 5—Chapter 5: Administrative Procedure) (“‘Order’ means the whole or a part of a final disposition, whether affirmative, negative, injunctive, or declaratory in form, of an agency in a matter other than rule making but including licensing.”).

See Also
As used in this part:
[...
(b) Adversary adjudication
means an adjudication under 5 U.S.C. 554 in which the position of the United States is represented by counsel or otherwise, but excludes an adjudication for the purpose of establishing or fixing a rate or for the purpose of granting or reviewing a license.

Adjudicative Officer

Administrative Law
As used in this part:
[...
(c) Adjudicative officer
means the official, without regard to whether the official is designated as an administrative law judge, a hearing officer or examiner, or otherwise, who presided at the adversary adjudication.
Administration of Criminal Justice

Administrative Law

28 CFR § 20.3(b) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:

[…] (b) Administration of criminal justice
means performance of any of the following activities: Detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice shall include criminal identification activities and the collection, storage, and dissemination of criminal history record information.

Administrative Instruction

Administrative Law

U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)

[Administrative Instruction]

AI: A DoD issuance, no more than 50 pages in length, that provides general procedures for implementing policy for the administration of the DoD Components in the NCR that are serviced by WHS. AIs implement policy established in DoDDs or DoDIs. AIs shall be signed by the DA&M or the Director, WHS.

Administrative Purposes

Administrative Law


Information is collected for "administrative purposes" when it is necessary for the administration of the component concerned, but is not collected directly in performance of the intelligence activities assigned such component. Examples include information relating to the past performance of potential contractors; information to enable such components to discharge their public affairs and legislative duties, including the maintenance of correspondence files; the
maintenance of employee personnel and training records; and training materials or documents produced at training facilities.

Admission

Statutory Law


(a) As used in this Act—
   (13) (A) The terms "admission" and "admitted" mean, with respect to an alien, the lawful entry of the alien into the United States after inspection and authorization by an immigration officer.
   (B) An alien who is paroled under section 212(d)(5) [8 U.S.C. § 1182(d)(5)] or permitted to land temporarily as an alien crewman shall not be considered to have been admitted.
   (C) An alien lawfully admitted for permanent residence in the United States shall not be regarded as seeking an admission into the United States for purposes of the immigration laws unless the alien—
      (i) has abandoned or relinquished that status,
      (ii) has been absent from the United States for a continuous period in excess of 180 days,
      (iii) has engaged in illegal activity after having departed the United States,
      (iv) has departed from the United States while under legal process seeking removal of the alien from the United States, including removal proceedings under this Act and extradition proceedings,
      (v) has committed an offense identified in section 212(a)(2) [8 U.S.C. § 1182(a)(2)], unless since such offense the alien has been granted relief under section 212(h) or 240A(a) [8 U.S.C. § 1182(h) or 1229b(a)], or
      (vi) is attempting to enter at a time or place other than as designated by immigration officers or has not been admitted to the United States after inspection and authorization by an immigration officer.

Admitted

Statutory Law


(a) As used in this Act—
   (13) (A) The terms "admission" and "admitted" mean, with respect to an alien, the lawful entry of the alien into the United States after inspection and authorization by an immigration officer.
(B) An alien who is paroled under section 212(d)(5) [8 U.S.C. § 1182(d)(5)] or permitted to land temporarily as an alien crewman shall not be considered to have been admitted.

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(i) has abandoned or relinquished that status,

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(iii) has engaged in illegal activity after having departed the United States,

(iv) has departed from the United States while under legal process seeking removal of the alien from the United States, including removal proceedings under this Act and extradition proceedings,

(v) has committed an offense identified in section 212(a)(2) [8 U.S.C. § 1182(a)(2)], unless since such offense the alien has been granted relief under section 212(h) or 240A(a) [8 U.S.C. § 1182(h) or 1229b(a)], or

(vi) is attempting to enter at a time or place other than as designated by immigration officers or has not been admitted to the United States after inspection and authorization by an immigration officer.

Adopting

**Administrative Law**

28 CFR § 5.100 (e) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(e) The terms formulating, adopting, or changing, as used in section 1(o) of the Act, shall be deemed to include any activity which seeks to maintain any existing domestic or foreign policy of the United States. They do not include making a routine inquiry of a Government official or employee concerning a current policy or seeking administrative action in a matter where such policy is not in question.

Adversary Adjudication

**Administrative Law**


As used in this part:

[...]

Page 143
(b) Adversary adjudication means an adjudication under 5 U.S.C. 554 in which the position of the United States is represented by counsel or otherwise, but excludes an adjudication for the purpose of establishing or fixing a rate or for the purpose of granting or reviewing a license.

Advocate

Statutory Law


(e) For the purposes of this Act—
(1) The giving, loaning, or promising of support or of money or any other thing of value to be used for advocating any doctrine shall constitute the advocating of such doctrine; but nothing in this paragraph shall be construed as an exclusive definition of advocating.


(a) As used in this Act—
(2) The term "advocates" includes, but is not limited to, advises, recommends, furthers by overt act, and admits belief in.

Advocating

Statutory Law


(e) For the purposes of this Act—
(1) The giving, loaning, or promising of support or of money or any other thing of value to be used for advocating any doctrine shall constitute the advocating of such doctrine; but nothing in this paragraph shall be construed as an exclusive definition of advocating.


(a) As used in this Act—
(2) The term "advocates" includes, but is not limited to, advises, recommends, furthers by overt act, and admits belief in.
Advocating the Economic, International, and Governmental Doctrines of World Communism

**Statutory Law**


(e) For the purposes of this Act—

(3) Advocating the economic, international, and governmental doctrines of world communism means advocating the establishment of a totalitarian Communist dictatorship in any or all of the countries of the world through the medium of an internationally coordinated Communist movement.

**Affiliation**

**Statutory Law**


(e) For the purposes of this Act—

(2) The giving, loaning, or promising of support or of money or any other thing of value for any purpose to any organization shall be presumed to constitute affiliation therewith; but nothing in this paragraph shall be construed as an exclusive definition of affiliation.

**Agency**

**Statutory Law**

5 U.S.C. § 551 (1) (Title 5—Chapter 5: Administrative Procedure)

“Agency” means each authority of the Government of the United States, whether or not it is within or subject to review by another agency, but does not include—

(A) the Congress;
(B) the courts of the United States;
(C) the governments of the territories or possessions of the United States;
(D) the government of the District of Columbia; or except as to the requirements of section 552 of this title [5 U.S.C. § 552]—
(E) agencies composed of representatives of the parties or of representatives of organizations of the parties to the disputes determined by them;
(F) courts martial and military commissions;
(G) military authority exercised in the field in time of war or in occupied territory; or
(H) functions conferred by sections 1738, 1739, 1743, and 1744 of title 12; chapter 2 of title 41 [41 U.S.C. §§ 101 et seq.]; subchapter II of chapter 471 of title 49 [49 U.S.C. §§ 47151 et seq.]; or sections 1884, 1891-1902, and former section 1641(b)(2), of title 50, appendix.

5 U.S.C. § 701(b)(1) (Title 5—Chapter 7: Judicial Review)
For the purpose of this chapter [5 U.S.C. §§ 701 et seq. ]—
(1) "agency" means each authority of the Government of the United States, whether or not it is within or subject to review by another agency, but does not include—
(A) the Congress;
(B) the courts of the United States;
(C) the governments of the territories or possessions of the United States;
(D) the government of the District of Columbia;
(E) agencies composed of representatives of the parties or of representatives of organizations of the parties to the disputes determined by them;
(F) courts martial and military commissions;
(G) military authority exercised in the field in time of war or in occupied territory; or
(H) functions conferred by sections 1738, 1739, 1743, and 1744 of title 12; chapter 2 of title 41 [41 U.S.C. §§ 101 et seq.]; subchapter II of chapter 471 of title 49 [49 U.S.C. §§ 47151 et seq.]; or sections 1884, 1891-1902, and former section 1641(b)(2), of title 50, appendix, [...]

Definitions and exclusions
(a) For the purpose of this subchapter [5 U.S.C. §§ 3131 et seq. ]—
(1) "agency" means an Executive agency, except a Government corporation and the General Accounting Office [Government Accountability Office], but does not include—
(A) any agency or unit thereof excluded from coverage by the President under subsection (c) of this section; or
(B) the Federal Bureau of Investigation, the Drug Enforcement Administration, the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, Department of Defense intelligence activities the civilian employees of which are subject to section 1590 of title 10, and as determined by the President, an Executive agency, or unit thereof, whose principal function is the conduct of foreign intelligence or counterintelligence activities;
(C) the Federal Election Commission or the Election Assistance Commission;
(D) the Office of the Comptroller of the Currency, the Office of Thrift Supervision,[,] the Resolution Trust Corporation, the Farm Credit Administration, the Federal Housing Finance Agency, and the National Credit Union Administration;

Page 146
(E) the Securities and Exchange Commission; or
(F) the Commodity Futures Trading Commission;

(a) For the purpose of this chapter [5 U.S.C. §§ 7101 et seq.]—[...]
(3) "Agency" means an Executive agency (including a nonappropriated fund instrumentality described in section 2105(c) of this title [5 U.S.C. § 2105(c)] and the Veterans’ Canteen Service, Department of Veterans Affairs), the Library of Congress, the Government Printing Office, and the Smithsonian Institution but does not include—
(A) the General Accounting Office [Government Accountability Office];
(B) the Federal Bureau of Investigation;
(C) the Central Intelligence Agency;
(D) the National Security Agency;
(E) the Tennessee Valley Authority;
(F) the Federal Labor Relations Authority;
(G) the Federal Service Impasses Panel; or
(H) the United States Secret Service and the United States Secret Service Uniformed Division.

As used in this title:
[...]
The term "agency" includes any department, independent establishment, commission, administration, authority, board or bureau of the United States or any corporation in which the United States has a proprietary interest, unless the context shows that such term was intended to be used in a more limited sense.

28 U.S.C. § 2671 (Title 28—Chapter 171: Tort Claims Procedure)
As used in this chapter [28 U.S.C. §§ 2671 et seq.] and sections 1346(b) and 2401(b) of this title [28 U.S.C. §§ 1346(b) and 2401(b)], the term "Federal agency" includes the executive departments, the judicial and legislative branches, the military departments, independent establishments of the United States, and corporations primarily acting as instrumentalities or agencies of the United States, but does not include any contractor with the United States.

As used in this chapter [44 U.S.C. §§ 1501 et seq.], unless the context otherwise requires—
"Federal agency" or "agency" means the President of the United States, or an executive department, independent board, establishment, bureau, agency, institution, commission, or separate office of the administrative branch of the
Government of the United States but not the legislative or judicial branches of the Government;

44 U.S.C. § 2901(14) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)

As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.]

(14) the term "Federal agency" means any executive agency or any establishment in the legislative or judicial branch of the Government (except the Supreme Court, the Senate, the House of Representatives, and the Architect of the Capitol and any activities under the direction of the Architect of the Capitol);


As used in this subchapter [44 U.S.C. §§ 3501 et seq.]

(1) the term "agency" means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency, but does not include—
   (A) the General Accounting Office [Government Accountability Office];
   (B) Federal Election Commission;
   (C) the governments of the District of Columbia and of the territories and possessions of the United States, and their various subdivisions; or
   (D) Government-owned contractor-operated facilities, including laboratories engaged in national defense research and production activities;


(a) Definitions. In this section:
   (1) The term "agency" means—
      (A) an executive agency (as that term is defined in section 105 of title 5, United States Code [5 U.S.C. § 105]);
      (B) a military department (as that term is defined in section 102 of title 5, United States Code [5 U.S.C. § 102]); and
      (C) an element of the intelligence community.
Administrative Law


“Agency” means any 'Executive agency,' as defined in 5 U.S.C. 105; any 'Military department' as defined in 5 U.S.C. 102; and any other entity within the executive branch that comes into the possession of classified information.

Executive Order 13,526, Classified National Security Information, § 6.1(b) (December 29, 2009)

For purposes of this order:

(b) "Agency" means any "Executive agency," as defined in 5 U.S.C. 105; any "Military department" as defined in 5 U.S.C. 102; and any other entity within the executive branch that comes into the possession of classified information.

Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5(b) (August 18, 2010)

For purposes of this order:

(b) “Agency” means any “Executive agency” as defined in 5 U.S.C. 105; any military department as defined in 5 U.S.C. 102; and any other entity within the executive branch that comes into possession of classified information.

28 CFR § 5.100 (c) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(c) The term agency as used in sections 1(c), 1(o), 3(g), and 4(e) of the Act shall be deemed to refer to every unit in the executive and legislative branches of the Government of the United States, including committees of both Houses of Congress.

28 CFR § 69.105(a) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

(a) Agency, as defined in 5 U.S.C. 552(f), includes Federal executive departments and agencies as well as independent regulatory commissions and Government corporations, as defined in 31 U.S.C. 9101(i).
See Also


[...]
Federal agency
means any authority of the United States that is an “Agency” under 44 U.S.C. 3502(1), other than those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(10).

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

Federal agency
means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);


For purposes of this part, the following terms have the meanings indicated:

Federal agency
means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);

32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:

Federal agency
means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);

32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:
Federal agency means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);

32 CFR § 1900.02(g) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:
(g) Federal agency means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);

32 CFR § 1901.02(e) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974]

For purposes of this part, the following terms have the meanings indicated:
(e) Federal agency means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);

32 CFR § 1908.02(e) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:
(e) Federal agency means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);

32 CFR § 1909.02(h) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:
(h) Federal agency means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);
Agency Action

Statutory Law

“Agency Action” includes the whole or a part of an agency rule, order, license, sanction, relief, or the equivalent or denial thereof, or failure to act.

Agency Head

Administrative Law
28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

(a) Department or agency head
means the head of any federal department or agency and any other officer or employee of any department or agency to whom authority has been delegated.

Agency Installation

Administrative Law
32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS]

As used in this part:
Agency installation.
For the purposes of this part, the term Agency installation means the property within the Agency Headquarters Compound and the property controlled and occupied by the Federal Highway Administration located immediately adjacent to such Compound, and property within any other Agency installation and protected property (i.e., property owned, leased, or otherwise controlled by the Central Intelligence Agency).

Agency of the United States

Statutory Law
As used in this chapter [18 U.S.C. §§ 6001 et seq.]—
(1) "agency of the United States" means any executive department as defined in section 101 of title 5, United States Code, a military department as defined in section 102 of title 5, United States Code, the Nuclear Regulatory Commission, the Board of Governors of the Federal Reserve System, the China Trade Act registrar appointed under 53 Stat. 1432 (15 U.S.C. sec. 143), the Commodity Futures Trading Commission, the Federal Communications Commission, the Federal Deposit Insurance Corporation, the Federal Maritime Commission, the Federal Power Commission, the Federal Trade Commission, the Surface Transportation Board, the National Labor Relations Board, the National Transportation Safety Board, the Railroad Retirement Board, an arbitration board established under 48 Stat. 1193 (45 U.S.C. sec. 157), the Securities and Exchange Commission, or a board established under 49 Stat. 31 (15 U.S.C. sec. 715d);

Agency of the United States Government

Statutory Law


As used in this Act—
(a) "Agency of the United States Government" includes any agency, department, board, wholly or partly owned corporation, instrumentality, commission, or establishment of the United States Government.

Agency or Instrumentality of a Foreign State

Statutory Law


For purposes of this chapter [28 U.S.C. §§ 1602 et seq.]—
(b) An "agency or instrumentality of a foreign state" means any entity—
(1) which is a separate legal person, corporate or otherwise, and
(2) which is an organ of a foreign state or political subdivision thereof, or a majority of whose shares or other ownership interest is owned by a foreign state or political subdivision thereof, and
(3) which is neither a citizen of a State of the United States as defined in section 1332(c) and (e) of this title [28 U.S.C. § 1332(c) and (e)] nor created under the laws of any third country.
Agency Proceeding

Statutory Law


“Agency Proceeding” means an agency process defined as rulemaking, adjudication, or licensing.


As used in this chapter [18 U.S.C. §§ 6001 et seq.]—

(3) "proceeding before an agency of the United States" means any proceeding before such an agency with respect to which it is authorized to issue subpoenas and to take testimony or receive other information from witnesses under oath;

Administrative Law

28 CFR § 21.1(a) [28 CFR PART 21—WITNESS FEES]

[...]

(a) Agency proceeding.

An agency process as defined by 5 U.S.C. 551 (5), (7) and (9).

Agency Records

Administrative Law


For purposes of this subpart, the following terms have the meanings indicated:

[...]

Record

means any item, collection, or grouping of information about an individual that is maintained by the ODNI including, but not limited to, information such as an individual's education, financial transactions, medical history, and criminal or employment history that contains the individual's name, or an identifying number, symbol, or any other identifier assigned to an individual. When used in this subpart, record means only a record that is in a system of records.

PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)

For purposes of this part, the following terms have the meanings indicated:

Records or agency records means all documents, irrespective of physical or electronic form, made or received by NACIC in pursuance of federal law or in connection with the transaction of public business and appropriate for preservation by NACIC as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of NACIC or because of the informational value of the data contained therein; it does not include:

1. Books, newspapers, magazines, journals, magnetic or printed transcripts of electronic broadcasts, or similar public sector materials acquired generally and/or maintained for library or reference purposes; to the extent that such materials are incorporated into any form of analysis or otherwise distributed or published by NACIC, they are fully subject to the disclosure provisions of the FOIA;
2. Index, filing, or museum documents made or acquired and preserved solely for reference, indexing, filing, or exhibition purposes; and
3. Routing and transmittal sheets and notes and filing or destruction notes which do not also include information, comment, or statements of substance;


For purposes of this part, the following terms have the meanings indicated:

Record means an item, collection, or grouping of information about an individual that is maintained by NACIC in a system of records;

32 CFR § 1900.02(n) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

(n) Records or agency records means all documents, irrespective of physical or electronic form, made or received by the CIA in pursuance of federal law or in connection with the transaction of public business and appropriate for preservation by the CIA as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the CIA or because of the informational value of the data contained therein; it does not include:
1. Books, newspapers, magazines, journals, magnetic or printed transcripts of electronic broadcasts, or similar public sector materials acquired

Page 155
generally and/or maintained for library or reference purposes; to the extent that such materials are incorporated into any form of analysis or otherwise distributed or published by the Agency, they are fully subject to the disclosure provisions of the FOIA;

(2) Index, filing, or museum documents made or acquired and preserved solely for reference, indexing, filing, or exhibition purposes; and

(3) Routing and transmittal sheets and notes and filing or destruction notes which do not also include information, comment, or statements of substance;

32 CFR § 1901.02(j) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974]

For purposes of this part, the following terms have the meanings indicated:

(j) Record

means an item, collection, or grouping of information about an individual that is maintained by the Central Intelligence Agency in a system of records;


(j) Federal record

includes all books, papers, maps, photographs, machine-readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them. Library and museum material made or acquired and preserved solely for reference, and stocks of publications and processed documents are not included. (44 U.S.C. 3301)

Agency Release Panel

Administrative Law

32 CFR § 1909.02(b) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:
(b) Agency Release Panel or Panel or ARP
means the CIA Agency Release Panel established pursuant to 32 CFR 1900.41;

Agent

Administrative Law

28 CFR § 73.1(a) [28 CFR PART 73—NOTIFICATIONS TO THE ATTORNEY GENERAL BY AGENTS OF FOREIGN GOVERNMENTS]

(a) The term “agent” means all individuals acting as representatives of, or on behalf of, a foreign government or official, who are subject to the direction or control of that foreign government or official, and who are not specifically excluded by the terms of the Act or the regulations thereunder.

Agent of a Foreign Power

Statutory Law


For purposes of this title [50 U.S.C. §§ 435 et seq.]—

(6) the terms "foreign power" and "agent of a foreign power" have the same meanings as set forth in sections 101 (a) and (b), respectively, of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801);


“Agent of a foreign power” means—(1) any person other than a United States person, who—(A) acts in the United States as an officer or employee of a foreign power, or as a member of a foreign power as defined in subsection (a)(4); (B) acts for or on behalf of a foreign power which engages in clandestine intelligence activities in the United States contrary to the interests of the United States, when the circumstances of such person's presence in the United States indicate that such person may engage in such activities in the United States, or when such person knowingly aids or abets any person in the conduct of such activities or knowingly conspires with any person to engage in such activities; (C) engages in international terrorism or activities in preparation therefore; (D) engages in the international proliferation of weapons of mass destruction, or activities in preparation therefor; or (E) engages in the international proliferation of weapons of mass destruction, or activities in preparation therefor for or on behalf of a foreign power; or (2) any person who—(A) knowingly engages in clandestine intelligence gathering activities for or on behalf of a foreign power, which
activities involve or may involve a violation of the criminal statutes of the United States; (B) pursuant to the direction of an intelligence service or network of a foreign power, knowingly engages in any other clandestine intelligence activities for or on behalf of such foreign power, which activities involve or are about to involve a violation of the criminal statutes of the United States; (C) knowingly engages in sabotage or international terrorism, or activities that are in preparation therefor, for or on behalf of a foreign power; (D) knowingly enters the United States under a false or fraudulent identity for or on behalf of a foreign power or, while in the United States, knowingly assumes a false or fraudulent identity for or on behalf of a foreign power; or (E) knowingly aids or abets any person in the conduct of activities described in subparagraph (A), (B), or (C) or knowingly conspires with any person to engage in activities described in subparagraph (A), (B), or (C).

**Agent of a Foreign Principal**

**Statutory Law**

22 U.S.C. § 611(c) & (d) (2010) (Title 22—Chapter 11: Foreign Agents and Propaganda: Registration of Foreign Propagandists)

As used in and for the purposes of this Act—

(c) Expect [Except] as provided in subsection (d) hereof, the term "agent of a foreign principal" means—

(1) any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal or of a person any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal, and who directly or through any other person—

(i) engages within the United States in political activities for or in the interests of such foreign principal;

(ii) acts within the United States as a public relations counsel, publicity agent, information-service employee or political consultant for or in the interests of such foreign principal;

(iii) within the United States solicits, collects, disburses, or dispenses contributions, loans, money, or other things of value for or in the interest of such foreign principal; or

(iv) within the United States represents the interests of such foreign principal before any agency or official of the Government of the United States; and

(2) any person who agrees, consents, assumes or purports to act as, or who is or holds himself out to be, whether or not pursuant to contractual relationship, an agent of a foreign principal as defined in clause (1) of this subsection.

As used in and for the purposes of this Act—
(d) The term "agent of a foreign principal" does not include any news or press service or association organized under the laws of the United States or of any State or other place subject to the jurisdiction of the United States, or any newspaper, magazine, periodical, or other publication for which there is on file with the United States Postal Service information in compliance with Section 3611 [3685] of Title 39, United States Code [39 U.S.C. § 3685], published in the United States, solely by virtue of any bona fide news or journalistic activities, including the solicitation or acceptance of advertisements, subscriptions, or other compensation therefor, so long as it is at least 80 per centum beneficially owned by, and its officers and directors, if any, are citizens of the United States, and such news or press service or association, newspaper, magazine, periodical, or other publication, is not owned, directed, supervised, controlled, subsidized, or financed, and none of its policies are determined by any foreign principal defined in section 1(b) hereof [subsec. (b) of the section], or by any agent of a foreign principal required to register under this Act.

Administrative Law

28 CFR § 5.100 (a)(7) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(a) As used in this part:

(7) Unless otherwise specified, the term agent of a foreign principal means an agent of a foreign principal required to register under the Act.

Aggravated Felony

Statutory Law


(a) As used in this Act—

(43) The term "aggravated felony" means—

(A) murder, rape, or sexual abuse of a minor;

(B) illicit trafficking in a controlled substance (as defined in section 102 of the Controlled Substances Act [21 U.S.C. § 802]), including a drug trafficking crime (as defined in section 924(c) of title 18, United States Code);

(C) illicit trafficking in firearms or destructive devices (as defined in section 921 of title 18, United States Code) or in explosive materials (as defined in section 841(c) of that title);

(D) an offense described in section 1956 of title 18, United States Code (relating to laundering of monetary instruments) or section 1957 of that title.
(relating to engaging in monetary transactions in property derived from specific unlawful activity) if the amount of the funds exceeded $10,000;

(E) an offense described in—
   (i) section 842 (h) or (i) of title 18, United States Code, or section 844 (d), (e), (f), (g), (h), or (i) of that title (relating to explosive materials offenses);
   (ii) section 922(g) (1), (2), (3), (4), or (5), (j), (n), (o), (p), or (r) or 924 (b) or (h) of title 18, United States Code (relating to firearms offenses); or
   (iii) section 5861 of the Internal Revenue Code of 1986 [26 U.S.C. § 5861] (relating to firearms offenses);

(F) a crime of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) for which the term of imprisonment [is] at least one year;

(G) a theft offense (including receipt of stolen property) or burglary offense for which the term of imprisonment [is] at least one year;

(H) an offense described in section 875, 876, 877, or 1202 of title 18, United States Code (relating to the demand for or receipt of ransom);

(I) an offense described in section 2251, 2251A, or 2252 of title 18, United States Code (relating to child pornography);

(J) an offense described in section 1962 of title 18, United States Code (relating to racketeer influenced corrupt organizations), or an offense described in section 1084 (if it is a second or subsequent offense) or 1955 of that title (relating to gambling offenses), for which a sentence of one year imprisonment or more may be imposed;

(K) an offense that—
   (i) relates to the owning, controlling, managing, or supervising of a prostitution business;
   (ii) is described in section 2421, 2422, or 2423 of title 18, United States Code (relating to transportation for the purpose of prostitution) if committed for commercial advantage; or
   (iii) is described in any of sections 1581-1585 or 1588-1591 of title 18, United States Code (relating to peonage, slavery, involuntary servitude, and trafficking in persons);

(L) an offense described in—
   (i) section 793 (relating to gathering or transmitting national defense information), 798 (relating to disclosure of classified information), 2153 (relating to sabotage) or 2381 or 2382 (relating to treason) of title 18, United States Code;
   (ii) section 601 of the National Security Act of 1947 [50 U.S.C. § 421] (relating to protecting the identity of undercover intelligence agents);
   (iii) section 601 of the National Security Act of 1947 [50 U.S.C. § 421] (relating to protecting the identity of undercover agents);

(M) an offense that—
   (i) involves fraud or deceit in which the loss to the victim or victims exceeds $10,000; or
   (ii) is described in section 7201 of the Internal Revenue Code of 1986 [26 U.S.C. § 7201] (relating to tax evasion) in which the revenue loss to the Government exceeds $10,000;
(N) an offense described in paragraph (1)(A) or (2) of section 274(a) [8 U.S.C. § 1324(a)(1)(A) or (2)] (relating to alien smuggling), except in the case of a first offense for which the alien has affirmatively shown that the alien committed the offense for the purpose of assisting, abetting, or aiding only the alien's spouse, child, or parent (and no other individual) to violate a provision of this Act[;]

(O) an offense described in section 275(a) or 276 [8 U.S.C. § 1325(a) or 1326] committed by an alien who was previously deported on the basis of a conviction for an offense described in another subparagraph of this paragraph;

(P) an offense (i) which either is falsely making, forging, counterfeiting, mutilating, or altering a passport or instrument in violation of section 1543 of title 18, United States Code, or is described in section 1546(a) of such title (relating to document fraud) and (ii) for which the term of imprisonment is at least 12 months, except in the case of a first offense for which the alien has affirmatively shown that the alien committed the offense for the purpose of assisting, abetting, or aiding only the alien's spouse, child, or parent (and no other individual) to violate a provision of this Act;

(Q) an offense relating to a failure to appear by a defendant for service of sentence if the underlying offense is punishable by imprisonment for a term of 5 years or more;

(R) an offense relating to commercial bribery, counterfeiting, forgery, or trafficking in vehicles the identification numbers of which have been altered for which the term of imprisonment is at least one year;

(S) an offense relating to obstruction of justice, perjury or subornation of perjury, or bribery of a witness, for which the term of imprisonment is at least one year;

(T) an offense relating to a failure to appear before a court pursuant to a court order to answer to or dispose of a charge of a felony for which a sentence of 2 years' imprisonment or more may be imposed; and

(U) an attempt or conspiracy to commit an offense described in this paragraph.

The term applies to an offense described in this paragraph whether in violation of Federal or State law and applies to such an offense in violation of the law of a foreign country for which the term of imprisonment was completed within the previous 15 years. Notwithstanding any other provision of law (including any effective date), the term applies regardless of whether the conviction was entered before, on, or after the date of enactment of this paragraph.
Aggrieved Person

Statutory Law

18 U.S.C. § 2510(11) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]—

(11) "aggrieved person" means a person who was a party to any intercepted wire, oral, or electronic communication or a person against whom the interception was directed;


―Aggrieved person‖ means a person who is the target of an electronic surveillance or any other person whose communications or activities were subject to electronic surveillance.

50 U.S.C. § 1821 (Title 50—Chapter 36: Foreign Intelligence Surveillance—Subchapter B: Physical Searches)

(2) "Aggrieved person" means a person whose premises, property, information, or material is the target of physical search or any other person whose premises, property, information, or material was subject to physical search.

50 U.S.C. § 1841(3) (Title 50—Chapter 36: Foreign Intelligence Surveillance—Subchapter C: Pen Registers and Trap and Trace Devices for Foreign Intelligence and International Terrorism Investigations)

As used in this title [50 U.S.C. §§ 1841 et seq.]:

(3) The term "aggrieved person" means any person—

(A) whose telephone line was subject to the installation or use of a pen register or trap and trace device authorized by this title [50 U.S.C. §§ 1841 et seq.]; or

(B) whose communication instrument or device was subject to the use of a pen register or trap and trace device authorized by this title [50 U.S.C. §§ 1841 et seq.] to capture incoming electronic or other communications impulses.

AI

Administrative Law

U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)

[Administrative Instruction]

AI: A DoD issuance, no more than 50 pages in length, that provides general procedures for implementing policy for the administration of the DoD
Components in the NCR that are serviced by WHS. AIs implement policy established in DoDDs or DoDIs. AIs shall be signed by the DA&M or the Director, WHS.

Alien

Statutory Law
(a) As used in this Act—
(3) The term "alien" means any person not a citizen or national of the United States.

Administrative Law
28 CFR § 21.1(b) [28 CFR PART 21—WITNESS FEES]
[b]...[/b]
(b) Alien.
Any person who is not a citizen or national of the United States.

Allocable

Administrative Law
28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]
Allocable means chargeable to one or more cost objectives and can be distributed to them in reasonable proportion to the benefits received.

All-Source Analysis

Administrative Law
Department of Defense Directive 5240.01, DoD Intelligence Activities, § E2.1 (Aug. 2007): All-Source Analysis
An intelligence activity involving the integration, evaluation, and interpretation of information from all available data sources and types, to include human
intelligence, signals intelligence, geospatial intelligence, measurement and signature intelligence, and open source intelligence.

**Ally of Enemy**

**Statutory Law**


The words "ally of enemy," as used herein, shall be deemed to mean—

(a) Any individual, partnership, or other body of individuals, of any nationality, resident within the territory (including that occupied by the military and naval forces) of any nation which is an ally of a nation with which the United States is at war, or resident outside the United States and doing business within such territory, and any corporation incorporated within such territory of such ally nation, or incorporated within any country other than the United States and doing business within such territory.

(b) The government of any nation which is an ally of a nation with which the United States is at war, or any political or municipal subdivision of such ally nation, or any officer, official, agent, or agency thereof.

(c) Such other individuals, or body or class of individuals, as may be natives, citizens, or subjects of any nation which is an ally of a nation with which the United States is at war, other than citizens of the United States, wherever resident or wherever doing business, as the President, if he shall find the safety of the United States or the successful prosecution of the war shall so require, may, by proclamation, include within the term "ally of enemy."

**American Republic**

**Statutory Law**


As used in and for the purposes of this Act—

(l) The term "American republic" includes any of the states which were signatory to the Final Act of the Second Meeting of the Ministers of Foreign Affairs of the American Republics at Habana, Cuba, July 30, 1940;
Appeal

**Administrative Law**


Appeal

means a formal procedure to challenge the denial of a firearm transfer.

Applicant

**Administrative Law**

28 CFR § 22.2(i) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

[...]

(i) Applicant

means any person who applies for a grant, contract, or subgrant to be funded pursuant to the Act.

Application for Admission

**Statutory Law**


(a) As used in this Act—

(4) The term "application for admission" has reference to the application for admission into the United States and not to the application for the issuance of an immigrant or nonimmigrant visa.

Archivist

**Statutory Law**


As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.]—

(12) the term "Archivist" means the Archivist of the United States;
ARI

Administrative Law


ARI

means a unique Agency Record Identifier assigned by the agency submitting records for inclusion in the NICS Index.

Armed Forces

Statutory Law


(a) In general. The following definitions apply in this title:

(4) The term "armed forces" means the Army, Navy, Air Force, Marine Corps, and Coast Guard.


As used in this Act—

(b) "Armed Forces" of the United States means the Army, Navy, Air Force, Marine Corps, and Coast Guard.


For the purposes of this title [50 U.S.C. §§ 421 et seq.]:

(8) The term "Armed Forces" means the Army, Navy, Air Force, Marine Corps, and Coast Guard.

ARP

Administrative Law

32 CFR § 1909.02(b) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL
For purposes of this part, the following terms have the meanings indicated:

(b) Agency Release Panel or Panel or ARP
means the CIA Agency Release Panel established pursuant to 32 CFR 1900.41;

**ASAT**
Anti-Satellite Weapons

**Assistance**

**Statutory Law**


Assistance. The term "assistance" means the provision of, or the provision of access to, information (including communication contents, communications records, or other information relating to a customer or communication), facilities, or another form of assistance.

**Administrative Law**


As used in this part:
Assistance means any actions taken by a State or local government directly relating to aiding the Attorney General in the administration of the immigration laws of the United States and in meeting urgent demands arising from the presence of aliens in the State or local government's jurisdiction, when such actions are taken to assist in meeting an immigration emergency or under any of the circumstances specified in section 404(b)(2)(A) of the INA. Assistance may include, but need not be limited to, the provision of large shelter facilities for the housing and screening of aliens, and, in connection with these activities, the provision of such basic necessities as food, water, clothing, and health care.
Assistant Attorney General

Administrative Law

28 CFR § 5.100 (a)(3) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(a) As used in this part:

(3) The term Assistant Attorney General means the Assistant Attorney General for National Security, Department of Justice, Washington, DC 20530.

32 CFR § 1807.103 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1807—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE NATIONAL COUNTERINTELLIGENCE CENTER]

For purposes of this part, the following terms means—

Assistant Attorney General
means the Assistant Attorney General, Civil Rights Division, United States Department of Justice.

32 CFR § 1906.103 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1906—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE CENTRAL INTELLIGENCE AGENCY]

For purposes of this part, the following terms means—

Assistant Attorney General
means the Assistant Attorney General, Civil Rights Division, United States Department of Justice.

Associate Nation

Statutory Law

18 U.S.C. § 2151 (Title 18—Chapter 105: Sabotage)

As used in this chapter [18 U.S.C. §§ 2151 et seq.]:
The words "associate nation" mean any nation at war with any nation with which the United States is at war.
ATF

**Administrative Law**


[...]

ATF

means the Bureau of Alcohol, Tobacco, and Firearms of the Department of Treasury.

ATSA

**Administrative Law**

28 CFR § 105.10(a) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS]

ATSA

means the Aviation and Transportation Security Act, Public Law 107-71.

Attempting to Influence

**Administrative Law**

28 CFR § 69.105(h) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

[...]

(h) Influencing or attempting to influence

means making, with the intent to influence, any communication to or appearance before an officer or employee or any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any covered Federal action.

Attorney for the Government

**Administrative Law**

28 CFR § 59.2(a) [28 CFR PART 59—GUIDELINES ON METHODS OF OBTAINING DOCUMENTARY MATERIALS HELD BY THIRD PARTIES]

As used in this part—
(a) The term attorney for the government shall have the same meaning as is given that term in Rule 54(c) of the Federal Rules of Criminal Procedure;

28 CFR § 77.2(a) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT]

As used in this part, the following terms shall have the following meanings, unless the context indicates otherwise:
(a) The phrase “attorney for the government” means the Attorney General; the Deputy Attorney General; the Solicitor General; the Assistant Attorneys General for, and any attorney employed in, the Antitrust Division, Civil Division, Civil Rights Division, Criminal Division, Environment and Natural Resources Division, and Tax Division; the Chief Counsel for the DEA and any attorney employed in that office; the Chief Counsel for ATF and any attorney employed in that office; the General Counsel of the FBI and any attorney employed in that office or in the (Office of General Counsel) of the FBI; any attorney employed in, or head of, any other legal office in a Department of Justice agency; any United States Attorney; any Assistant United States Attorney; any Special Assistant to the Attorney General or Special Attorney duly appointed pursuant to 28 U.S.C. 515; any Special Assistant United States Attorney duly appointed pursuant to 28 U.S.C. 543 who is authorized to conduct criminal or civil law enforcement investigations or proceedings on behalf of the United States; and any other attorney employed by the Department of Justice who is authorized to conduct criminal or civil law enforcement proceedings on behalf of the United States. The phrase attorney for the government also includes any independent counsel, or employee of such counsel, appointed under chapter 40 of title 28, United States Code. The phrase attorney for the government does not include attorneys employed as investigators or other law enforcement agents by the Department of Justice who are not authorized to represent the United States in criminal or civil law enforcement litigation or to supervise such proceedings.

Attorney General

Statutory Law

Administrative Law

28 CFR § 5.100 (a)(2) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(a) As used in this part:

(2) The term Attorney General means the Attorney General of the United States.

Audit Log

Administrative Law


[...]
Audit log means a chronological record of system (computer) activities that enables the reconstruction and examination of the sequence of events and/or changes in an event.

Aural Transfer

Statutory Law

18 U.S.C. § 2510(18) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]—

(18) "aural transfer" means a transfer containing the human voice at any point between and including the point of origin and the point of reception;

Authorized

Statutory Law


For the purposes of this title [50 U.S.C. §§ 421 et seq.]:

Page 171
(2) The term "authorized", when used with respect to access to classified information, means having authority, right, or permission pursuant to the provisions of a statute, Executive order, directive of the head of any department or agency engaged in foreign intelligence or counterintelligence activities, order of any United States court, or provisions of any Rule of the House of Representatives or resolution of the Senate which assigns responsibility within the respective House of Congress for the oversight of intelligence activities.

**Authorized Adjudicative Agency**

**Statutory Law**


(a) Definitions. In this section:
(3) The term "authorized adjudicative agency" means an agency authorized by law, regulation, or direction of the Director of National Intelligence to determine eligibility for access to classified information in accordance with Executive Order 12968 [50 U.S.C. § 435 note].


For purposes of this title [50 U.S.C. §§ 435 et seq.]—
(1) the term "authorized investigative agency" means an agency authorized by law or regulation to conduct a counterintelligence investigation or investigations of persons who are proposed for access to classified information to ascertain whether such persons satisfy the criteria for obtaining and retaining access to such information;

**Authorized Employer**

**Administrative Law**

28 CFR § 105.22(a) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment]

As used in this subpart:
(a) Authorized employer
means any person that employs private security officers and is authorized by the regulations in this subpart to request a criminal history record information search of an employee through a state identification bureau. An employer is not authorized within the meaning of these regulations if it has not executed and submitted to the appropriate state agency the certification required in §
105.25(g), if its authority to do business in a State has been suspended or revoked pursuant to state law, or, in those states that regulate private security officers, the employer has been found to be out of compliance with any mandatory standards or requirements established by the appropriate regulatory agency or entity.

**Authorized Holder**

**Administrative Law**

*Executive Order 13,526, Classified National Security Information, § 6.1 (c) (December 29, 2009)*

For purposes of this order:

(c) "Authorized holder" of classified information means anyone who satisfies the conditions for access stated in section 4.1(a) of this order.

**32 CFR § 1802.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1802—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO SECTION 1.9 OF EXECUTIVE ORDER 12958]**

For purposes of this part, the following terms have the meanings as indicated:

[...]

Authorized holders
means any member of any United States executive department, military department, the Congress, or the judiciary (Article III) who holds a security clearance from or has been specifically authorized by NACIC to possess and use on official business classified information, or otherwise has Constitutional authority pursuant to their office;

**32 CFR § 1907.02(b) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1907—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO § 1.9 OF EXECUTIVE ORDER 12958]**

For purposes of this part, the following terms have the meanings as indicated:

(b) Authorized holders
means any member of any United States executive department, military department, the Congress, or the judiciary (Article III) who holds a security clearance from or has been specifically authorized by the Central Intelligence Agency to possess and use on official business classified information, or otherwise has Constitutional authority pursuant to their office;
Authorized Investigative Agency

Statutory Law


(a) Definitions. In this section:

(2) The term "authorized investigative agency" means an agency designated by the head of the agency selected pursuant to subsection (b) to conduct a counterintelligence investigation or investigation of persons who are proposed for access to classified information to ascertain whether such persons satisfy the criteria for obtaining and retaining access to such information.

Authorized Person

Administrative Law

32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS]

As used in this part:

Authorized person. An officer of the Security Protective Service, or any other Central Intelligence Agency employee who has been authorized by the Director of Central Intelligence pursuant to section 15 of the Central Intelligence Agency Act of 1949 to enforce the provisions of this part.


(b) Authorized person means a person who has a favorable determination of eligibility for access to classified information, has signed an approved nondisclosure agreement, and has a need-to-know.
Automated Information System

Administrative Law

*Executive Order 12958, Classified National Security Information, § 6.1(c) (1995) (superseded)*

“Automated information system” means an assembly of computer hardware, software, or firmware configured to collect, create, communicate, compute, disseminate, process, store, or control data or information.

*Executive Order 13,526, Classified National Security Information, § 6.1 (d) (December 29, 2009)*

For purposes of this order:

(d) "Automated information system" means an assembly of computer hardware, software, or firmware configured to collect, create, communicate, compute, disseminate, process, store, or control data or information.

Automatic Declassification

Administrative Law


“Automatic declassification” means the declassification of information based solely upon:

(1) the occurrence of a specific date or event as determined by the original classification authority; or
(2) the expiration of a maximum time frame for duration of classification established under this order.

*Executive Order 13,526, Classified National Security Information, § 6.1 (e) (December 29, 2009)*

For purposes of this order:

(e) "Automatic declassification" means the declassification of information based solely upon:

(1) the occurrence of a specific date or event as determined by the original classification authority; or
(2) the expiration of a maximum time frame for duration of classification established under this order.
Automobile

Administrative Law

INFORMATION SYSTEMS: SUBPART B—National Motor Vehicle
Title Information System (NMVTIS)]

For purposes of this subpart B:
[…]
Automobile
has the same meaning given that term in 49 U.S.C. 32901(a).

Auxiliary Aids

Administrative Law

32 CFR § 1807.103 [32 CFR CHAPTER XVIII—NATIONAL
COUNTERINTELLIGENCE CENTER: 32 CFR PART 1807—
ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF
DISABILITY IN PROGRAMS OR ACTIVITIES CONDUCTED BY
THE NATIONAL COUNTERINTELLIGENCE CENTER]

For purposes of this part, the following terms means—
[…]
Auxiliary aids
means services or devices that enable persons with impaired sensory, manual, or
speaking skills to have an equal opportunity to participate in, and enjoy the
benefits of, programs or activities conducted by the NACIC. For example,
auxiliary aids useful for persons with impaired vision include readers, materials
in Braille, audio recordings, and other similar services and devices. Auxiliary aids
useful for persons with impaired hearing include telephone handset amplifiers,
telephones compatible with hearing aids, telecommunication devices for deaf
persons (TDD’s), interpreters, notetakers, written materials, and other similar
services and devices. The CIA, where NACIC is physically located, may prohibit
from any of its facilities any auxiliary aid, or category of auxiliary aid that the
Center for CIA Security (CCS) determines creates a security risk or potential
security risk. CCS reserves the right to examine any auxiliary aid brought into the
NACIC facilities at CIA Headquarters.

32 CFR § 1906.103 [32 CFR CHAPTER XIX—CENTRAL
INTELLIGENCE AGENCY: 32 CFR PART 1906—ENFORCEMENT
OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN
PROGRAMS OR ACTIVITIES CONDUCTED BY THE CENTRAL
INTELLIGENCE AGENCY]

For purposes of this part, the following terms means—
Auxiliary aids
means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities conducted by the Agency. For example, auxiliary aids useful for persons with impaired vision include readers, materials in braille, audio recordings, and other similar services and devices. Auxiliary aids useful for persons with impaired hearing include telephone handset amplifiers, telephones compatible with hearing aids, telecommunication devices for deaf persons (TDD’s), interpreters, notetakers, written materials, and other similar services and devices. The Central Intelligence Agency may prohibit from any of its facilities any auxiliary aid, or category of auxiliary aid, that the Office of Security (OS) determines creates a security risk or potential security risk. OS reserves the right to examine any auxiliary aid brought into an Agency facility.

Available Publicly

Administrative Law


Information that has been published or broadcast for general public consumption, is available on request to a member of the general public, could lawfully be seen or heard by any casual observer, or is made available at a meeting open to the general public. In this context, the "general public" also means general availability to persons in a military community even though the military community is not open to the civilian general public.

Aviation and Transportation Security Act

Administrative Law

*28 CFR § 105.10(a) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS]*

ATSA means the Aviation and Transportation Security Act, Public Law 107-71.
Bank

Statutory Law


The words "bank or banks," as used herein, shall be deemed to mean and include national banks, State banks, trust companies, or other banks or banking associations doing business under the laws of the United States, or of any State of the United States.

Base Closure Law

Statutory Law


(a) In general. The following definitions apply in this title:
(17) The term “base closure law” means the following:
(A) Section 2687 of this title [10 U.S.C. § 2687].

Beginning of the War

Statutory Law


The words "the beginning of the war," as used herein, shall be deemed to mean midnight ending the day on which Congress has declared, or shall declare war or the existence of a state of war.

Blasting Agents

Administrative Law

32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS]

As used in this part:
Blasting agents.
The term is defined for the purposes of this part as it is defined in Title 18 U.S.C. 841.

**Bodily Injury**

Statutory Law


(a) As used in sections 1512 and 1513 of this title [18 U.S.C. §§ 1512 and 1513] and in this section—
(5) the term "bodily injury" means—
(A) a cut, abrasion, bruise, burn, or disfigurement;
(B) physical pain;
(C) illness;
(D) impairment of the function of a bodily member, organ, or mental faculty;
or
(E) any other injury to the body, no matter how temporary;

**Border Crossing Identification Card**

Statutory Law


(a) As used in this Act—
(6) The term "border crossing identification card" means a document of identity bearing that designation issued to an alien who is lawfully admitted for permanent residence, or to an alien who is a resident in foreign contiguous territory, by a consular officer or an immigration officer for the purpose of crossing over the borders between the United States and foreign contiguous territory in accordance with such conditions for its issuance and use as may be prescribed by regulations. Such regulations shall provide that (A) each such document include a biometric identifier (such as the fingerprint or handprint of the alien) that is machine readable and (B) an alien presenting a border crossing identification card is not permitted to cross over the border into the United States unless the biometric identifier contained on the card matches the appropriate biometric characteristic of the alien.
Burden

Statutory Law


As used in this subchapter [44 U.S.C. §§ 3501 et seq.]—
(2) the term "burden" means time, effort, or financial resources expended by persons to generate, maintain, or provide information to or for a Federal agency, including the resources expended for—
(A) reviewing instructions;
(B) acquiring, installing, and utilizing technology and systems;
(C) adjusting the existing ways to comply with any previously applicable instructions and requirements;
(D) searching data sources;
(E) completing and reviewing the collection of information; and
(F) transmitting, or otherwise disclosing the information;

Business Day

Administrative Law


[...]

Business day
means a 24-hour day (beginning at 12:01 a.m.) on which state offices are open in the state in which the proposed firearm transaction is to take place.

Business Unit

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]

Business unit
means any segment of an organization for which cost data are routinely accumulated by the carrier for tracking and measurement purposes.

Page 180
Candidate

Administrative Law

28 CFR § 105.10(a) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS]

[...]
Candidate
means any person who is an alien as defined in section 101(a)(3) of the Immigration and Nationality Act, 8 U.S.C. 1101(a)(3), or a person specified by the Under Secretary of Transportation for Security, who seeks training in the operation of an aircraft with a maximum certificated takeoff weight of 12,500 pounds or more from a Provider.

Carry on a Riot

Statutory Law


(b) As used in this chapter, the term "to incite a riot", or "to organize, promote, encourage, participate in, or carry on a riot", includes, but is not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written (1) advocacy of ideas or (2) expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of, or the right to commit, any such act or acts.

NOTE: The term “riot,” as used in this section, is defined in 18 U.S.C. § 2102(a) (2010) (Title 18—Chapter 102: Riots) (“(a) As used in this chapter, the term "riot" means a public disturbance involving (1) an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual or (2) a threat or threats of the commission of an act or acts of violence by one or more persons part of an assemblage of three or more persons having, individually or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened act or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual.”).
Case

Administrative Law

28 CFR § 77.2(b) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT]

As used in this part, the following terms shall have the following meanings, unless the context indicates otherwise:

(b) The term “case” means any proceeding over which a state or federal court has jurisdiction, including criminal prosecutions and civil actions. This term also includes grand jury investigations and related proceedings (such as motions to quash grand jury subpoenas and motions to compel testimony), applications for search warrants, and applications for electronic surveillance.

CDA

Congressional Directed Actions

Certificate of Title

Administrative Law


For purposes of this subpart B:

Certificate of title

means a document issued by a state showing ownership of an automobile.

Certificates with Ratings Recognized by the United States

Administrative Law

28 CFR § 105.10(a) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS]

Certificates with ratings recognized by the United States
means a valid pilot or flight engineer certificate with ratings issued by the United States, or a valid foreign pilot or flight engineer license issued by a member of the Assembly of the International Civil Aviation Organization, as established by Article 43 of the Convention on International Civil Aviation.

Certification

Administrative Law

28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

(j) Certification means the official notification by the institution to the supporting department or agency, in accordance with the requirements of this policy, that a research project or activity involving human subjects has been reviewed and approved by an IRB in accordance with an approved assurance.

Challenge

Administrative Law

32 CFR § 1802.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1802—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO SECTION 1.9 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated: [...]
Challenge means a request in the individual's official, not personal, capacity and in furtherance of the interests of the United States;

32 CFR § 1907.02(d) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1907—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO § 1.9 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated: (d) Challenge means a request in the individual’s official, not personal, capacity and in furtherance of the interests of the United States;
Chancery

**Statutory Law**


(a) For purposes of this title—

(2) "chancery" means the principal offices of a foreign mission used for diplomatic or related purposes, and annexes to such offices (including ancillary offices and support facilities), and includes the site and any building on such site which is used for such purposes;

Changing

**Administrative Law**

28 CFR § 5.100 (e) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(e) The terms formulating, adopting, or changing, as used in section 1(o) of the Act, shall be deemed to include any activity which seeks to maintain any existing domestic or foreign policy of the United States. They do not include making a routine inquiry of a Government official or employee concerning a current policy or seeking administrative action in a matter where such policy is not in question.

Charged

**Administrative Law**

28 CFR § 105.22(c) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment]

As used in this subpart:

[...]

(c) Charged,

, with respect to a criminal felony, means being subject to a complaint, indictment, or information.
Child

Statutory Law


(b) As used in titles I and II [8 U.S.C. §§ 1101 et seq., 1151 et seq.]—

(1) The term "child" means an unmarried person under twenty-one years of age who is—

(A) a child born in wedlock;

(B) a stepchild, whether or not born out of wedlock, provided the child had not reached the age of eighteen years at the time the marriage creating the status of stepchild occurred;

(C) a child legitimated under the law of the child's residence or domicile, or under the law of the father's residence or domicile, whether in or outside the United States, if such legitimation takes place before the child reaches the age of eighteen years and the child is in the legal custody of the legitimating parent or parents at the time of such legitimation;

(D) a child born out of wedlock, by, through whom, or on whose behalf a status, privilege, or benefit is sought by virtue of the relationship of the child to its natural mother or to its natural father if the father has or had a bona fide parent-child relationship with the person;

(E) (i) a child adopted while under the age of sixteen years if the child has been in the legal custody of, and has resided with, the adopting parent or parents for at least two years or if the child has been battered or subject to extreme cruelty by the adopting parent or by a family member of the adopting parent residing in the same household: Provided, That no natural parent of any such adopted child shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this Act; or

(ii) subject to the same proviso as in clause (i), a child who: (I) is a natural sibling of a child described in clause (i) or subparagraph (F)(i); (II) was adopted by the adoptive parent or parents of the sibling described in such clause or subparagraph; and (III) is otherwise described in clause (i), except that the child was adopted while under the age of 18 years;

(F) (i) a child, under the age of sixteen at the time a petition is filed in his behalf to accord a classification as an immediate relative under section 201(b) [8 U.S.C. § 1151(b)], who is an orphan because of the death or disappearance of, abandonment or desertion by, or separation or loss from, both parents, or for whom the sole or surviving parent is incapable of providing the proper care and has in writing irrevocably released the child for emigration and adoption; who has been adopted abroad by a United States citizen and spouse jointly, or by an unmarried United States citizen at least twenty-five years of age, who personally saw and observed the child prior to or during the adoption proceedings; or who is coming to the United States for adoption by a United States citizen and spouse jointly, or by an unmarried United States citizen at least twenty-five years of age, who have or has complied with the preadoption requirements, if any, of the
child's proposed residence: Provided, That the Attorney General is satisfied that proper care will be furnished the child if admitted to the United States: Provided further, That no natural parent or prior adoptive parent of any such child shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this Act; or

(ii) subject to the same provisos as in clause (i), a child who: (I) is a natural sibling of a child described in clause (i) or subparagraph (E)(i); (II) has been adopted abroad, or is coming to the United States for adoption, by the adoptive parent (or prospective adoptive parent) or parents of the sibling described in such clause or subparagraph; and (III) is otherwise described in clause (i), except that the child is under the age of 18 at the time a petition is filed in his or her behalf to accord a classification as an immediate relative under section 201(b) [8 U.S.C. § 1151(b)]; or

(G) a child, under the age of sixteen at the time a petition is filed on the child's behalf to accord a classification as an immediate relative under section 201(b) [8 U.S.C. § 1151(b)], who has been adopted in a foreign state that is a party to the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption done at The Hague on May 29, 1993, or who is emigrating from such a foreign state to be adopted in the United States, by a United States citizen and spouse jointly, or by an unmarried United States citizen at least 25 years of age—

(i) if—

(I) the Attorney General is satisfied that proper care will be furnished the child if admitted to the United States;

(II) the child's natural parents (or parent, in the case of a child who has one sole or surviving parent because of the death or disappearance of, abandonment or desertion by, the other parent), or other persons or institutions that retain legal custody of the child, have freely given their written irrevocable consent to the termination of their legal relationship with the child, and to the child's emigration and adoption;

(III) in the case of a child having two living natural parents, the natural parents are incapable of providing proper care for the child;

(IV) the Attorney General is satisfied that the purpose of the adoption is to form a bona fide parent-child relationship, and the parent-child relationship of the child and the natural parents has been terminated (and in carrying out both obligations under this subclause the Attorney General may consider whether there is a petition pending to confer immigrant status on one or both of such natural parents); and

(V) in the case of a child who has not been adopted—

(aa) the competent authority of the foreign state has approved the child's emigration to the United States for the purpose of adoption by the prospective adoptive parent or parents; and

(bb) the prospective adoptive parent or parents has or have complied with any pre-adoption requirements of the child's proposed residence; and

(ii) except that no natural parent or prior adoptive parent of any such child shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this Act.

(c) As used in title III [8 U.S.C. §§ 1401 et seq.]—

(1) The term "child" means an unmarried person under twenty-one years of age and includes a child legitimated under the law of the child's residence or domicile, or under the law of the father's residence or domicile, whether in the United States or elsewhere, and, except as otherwise provided in sections 320 and 321 of title III [8 U.S.C. §§ 1431, 1432], a child adopted in the United States, if such legitimation or adoption takes place before the child reaches the age of 16 years (except to the extent that the child is described in subparagraph (E)(ii) or (F)(ii) of subsection (b)(1)), and the child is in the legal custody of the legitimating or adopting parent or parents at the time of such legitimation or adoption.

CI
Counterintelligence

CIA
Central Intelligence Agency

CIFA
Counterintelligence Field Activity

CIG
Central Intelligence Group
Civil Law Enforcement Investigation

Administrative Law

28 CFR § 77.2(c) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT]

As used in this part, the following terms shall have the following meanings, unless the context indicates otherwise:

(c) The phrase “civil law enforcement investigation” means an investigation of possible civil violations of, or claims under, federal law that may form the basis for a civil law enforcement proceeding.

Civil Law Enforcement Proceeding

Administrative Law

28 CFR § 77.2(d) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT]

As used in this part, the following terms shall have the following meanings, unless the context indicates otherwise:

(d) The phrase “civil law enforcement proceeding” means a civil action or proceeding before any court or other tribunal brought by the Department of Justice under the authority of the United States to enforce federal laws or regulations, and includes proceedings related to the enforcement of an administrative subpoena or summons or civil investigative demand.

Classification

Administrative Law


“Classification” means the act or process by which information is determined to be classified information.

Executive Order 13,526, Classified National Security Information, § 6.1 (f) (December 29, 2009)

For purposes of this order:

(f) "Classification" means the act or process by which information is determined to be classified information.
**Classification Guidance**

**Administrative Law**


“Classification guidance” means any instruction or source that prescribes the classification of specific information.

*Executive Order 13,526, Classified National Security Information, § 6.1 (g) (December 29, 2009)*

For purposes of this order:

(g) "Classification guidance" means any instruction or source that prescribes the classification of specific information.

**Classification Guide**

**Administrative Law**

*Executive Order 12958, Classified National Security Information, § 6.1(g) (1995) (superseded)*

“Classification guide” means a documentary form of classification guidance issued by an original classification authority that identifies the elements of information regarding a specific subject that must be classified and establishes the level and duration of classification for each such element.

*Executive Order 13,526, Classified National Security Information, § 6.1 (h) (December 29, 2009)*

For purposes of this order:

(h) "Classification guide" means a documentary form of classification guidance issued by an original classification authority that identifies the elements of information regarding a specific subject that must be classified and establishes the level and duration of classification for each such element.

**Classification Levels**

**Administrative Law**

32 CFR § 2400.6: Classification levels. [32 CFR CHAPTER XXIV—OFFICE OF SCIENCE AND TECHNOLOGY POLICY: 32 CFR PART 2400—REGULATIONS TO IMPLEMENT E.O. 12356; OFFICE OF
(a) National security information (hereinafter “classified information”) shall be classified at one of the following three levels:

(1) “Top Secret” shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause exceptionally grave damage to the national security.

(2) “Secret” shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause serious damage to the national security.

(3) “Confidential” shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause damage to the national security.

(b) Except as otherwise provided by statute, no other terms shall be used to identify classified information. Markings other than “Top Secret,” “Secret,” and “Confidential,” such as “For Official Use Only,” shall not be used to identify national security information. In addition, no other term or phrase shall be used in conjunction with one of the three authorized classification levels, such as “Secret Sensitive” or “Agency Confidential.” The terms “Top Secret”, “Secret”, and “Confidential” should not be used to identify nonclassified executive branch information.

(c) Unnecessary classification, and classification at a level higher than is necessary shall be scrupulously avoided.

(d) If there is reasonable doubt about the need to classify information, it shall be safeguarded as if it were classified “Confidential” pending a determination by an original classification authority, who shall make this determination within thirty (30) days. If there is reasonable doubt about the appropriate level of classification the originator of the information shall safeguard it at the higher level of classification pending a determination by an original classification authority, who shall make this determination within thirty (30) days. Upon the determination of a need for classification and/or the proper classification level, the information that is classified shall be marked as provided in § 2400.12 of this part.

Classification Management

Administrative Law


(c) Classification management means the life-cycle management of classified national security information from original classification to declassification.
Classified Information

Statutory Law

10 U.S.C. § 948a(2) (Title 10—Chapter 47A: Military Commissions)
In this chapter [10 U.S.C. §§ 948a et seq.]:
(2) Classified information. The term "classified information" means the following:
   (A) Any information or material that has been determined by the United States Government pursuant to statute, Executive order, or regulation to require protection against unauthorized disclosure for reasons of national security.
   (B) Any restricted data, as that term is defined in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).

In this chapter [10 U.S.C. §§ 1501 et seq.]: (7) The term "classified information" means any information the unauthorized disclosure of which (as determined under applicable law and regulations) could reasonably be expected to damage the national security.”

18 U.S.C. Appx § 1 (a) (2010) (Title 18—Appendix: Classified Information Procedures Act)
“Classified information”, as used in this Act, means any information or material that has been determined by the United States Government pursuant to an Executive order, statute, or regulation, to require protection against unauthorized disclosure for reasons of national security and any restricted data, as defined in paragraph r. of section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).

For the purposes of this title [50 U.S.C. §§ 421 et seq.]:
(1) The term "classified information" means information or material designated and clearly marked or clearly represented, pursuant to the provisions of a statute or Executive order (or a regulation or order issued pursuant to a statute or Executive order), as requiring a specific degree of protection against unauthorized disclosure for reasons of national security.

For purposes of this title [50 U.S.C. §§ 435 et seq.]—
(2) the term "classified information" means any information that has been determined pursuant to Executive Order No. 12356 of April 2, 1982, or successor
orders, or the Atomic Energy Act of 1954, to require protection against unauthorized disclosure and that is so designated;


Definition of "classified information"

For the purposes of this section, the term "classified information" means information which, for reasons of national security, is specifically designated by a United States Government agency for limited or restricted dissemination or distribution.


For purposes of this title:
(3) The term "classified information" means any information that has been determined pursuant to Executive Order No. 12333 of December 4, 1981 (50 U.S.C. 401 note), Executive Order No. 12958 of April 17, 1995 (50 U.S.C. 435 note), or successor orders, to require protection against unauthorized disclosure and that is so designated.

Administrative Law


“Classified national security information” or “classified information” means information that has been determined pursuant to this order or any predecessor order to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

Classified National Security Information

Statutory Law

10 U.S.C. § 948a(2) (Title 10—Chapter 47A: Military Commissions)

In this chapter [10 U.S.C. §§ 948a et seq.]:
(2) Classified information. The term "classified information" means the following:
   (A) Any information or material that has been determined by the United States Government pursuant to statute, Executive order, or regulation to require protection against unauthorized disclosure for reasons of national security.
   (B) Any restricted data, as that term is defined in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).
In this chapter [10 U.S.C. §§ 1501 et seq.]: (7) The term "classified information" means any information the unauthorized disclosure of which (as determined under applicable law and regulations) could reasonably be expected to damage the national security.”

18 U.S.C. Appx § 1 (a) (2010) (Title 18—Appendix: Classified Information Procedures Act)
“Classified information”, as used in this Act, means any information or material that has been determined by the United States Government pursuant to an Executive order, statute, or regulation, to require protection against unauthorized disclosure for reasons of national security and any restricted data, as defined in paragraph r. of section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).

For the purposes of this title [50 U.S.C. §§ 421 et seq.]:
(1) The term "classified information" means information or material designated and clearly marked or clearly represented, pursuant to the provisions of a statute or Executive order (or a regulation or order issued pursuant to a statute or Executive order), as requiring a specific degree of protection against unauthorized disclosure for reasons of national security.

For purposes of this title [50 U.S.C. §§ 435 et seq.]—
(2) the term "classified information" means any information that has been determined pursuant to Executive Order No. 12356 of April 2, 1982, or successor orders, or the Atomic Energy Act of 1954, to require protection against unauthorized disclosure and that is so designated;

Definition of "classified information"

For the purposes of this section, the term "classified information" means information which, for reasons of national security, is specifically designated by a United States Government agency for limited or restricted dissemination or distribution.

For purposes of this title:
(3) The term "classified information" means any information that has been determined pursuant to Executive Order No. 12333 of December 4, 1981 (50
U.S.C. 401 note), Executive Order No. 12958 of April 17, 1995 (50 U.S.C. 435 note), or successor orders, to require protection against unauthorized disclosure and that is so designated.

**Administrative Law**


“Classified national security information” or “classified information” means information that has been determined pursuant to this order or any predecessor order to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

*Executive Order 13,526, Classified National Security Information, § 6.1 (i) (December 29, 2009)*

For purposes of this order:

(i) "Classified national security information" or "classified information" means information that has been determined pursuant to this order or any predecessor order to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

*Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (c) (August 18, 2010)*

For purposes of this order:

(c) “Classified National Security Information” or “classified information” means information that has been determined pursuant to Executive Order 13526, or any predecessor or successor order, to require protection against unauthorized disclosure, and is marked to indicate its classified status when in documentary form.

**Cleared Commercial Carrier**

**Administrative Law**


(d) Cleared commercial carrier
means a carrier that is authorized by law, regulatory body, or regulation, to transport Secret and Confidential material and has been granted a Secret facility clearance in accordance with the National Industrial Security Program.

**CNA**

Computer Network Attack

**CNE**

Computer Network Exploitation

**Coalition Partner**

**Statutory Law**


In this chapter [10 U.S.C. §§ 948a et seq.]:

(3) Coalition partner. The term "coalition partner", with respect to hostilities engaged in by the United States, means any State or armed force directly engaged along with the United States in such hostilities or providing direct operational support to the United States in connection with such hostilities.

**Coercion**

**Statutory Law**


In this division:

(2) Coercion. The term "coercion" means—

(A) threats of serious harm to or physical restraint against any person;

(B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or

(C) the abuse or threatened abuse of the legal process.
Cognizant Security Agencies

Administrative Law
(a) “Cognizant Security Agencies (CSAs)” means the Executive Branch departments and agencies authorized in EO 12829, as amended, to establish industrial security programs: The Department of Defense, designated as the Executive Agent; the Department of Energy; the Nuclear Regulatory Commission; and the Central Intelligence Agency.

Cognizant Security Office

Administrative Law
(b) “Cognizant Security Office (CSO)” means the organizational entity delegated by the Head of a CSA to administer industrial security on behalf of the CSA.

COI
Coordinator of Information

Collected

Administrative Law
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C2.2.1 (Dec. 1982): When Information is Considered to be “Collected”
Information shall be considered as "collected" only when it has been received for use by an employee of a DoD intelligence component in the course of his official duties. Thus, information volunteered to a DoD intelligence component by a cooperating source would be "collected" under this procedure when an employee of such component officially accepts, in some manner, such information for use
within that component. Data acquired by electronic means is "collected" only when it has been processed into intelligible form.

Collection of Information

Statutory Law


As used in this subchapter [44 U.S.C. §§ 3501 et seq.]—

(3) the term "collection of information"—

(A) means the obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public, of facts or opinions by or for an agency, regardless of form or format, calling for either—

(i) answers to identical questions posed to, or identical reporting or recordkeeping requirements imposed on, ten or more persons, other than agencies, instrumentalities, or employees of the United States; or

(ii) answers to questions posed to agencies, instrumentalities, or employees of the United States which are to be used for general statistical purposes; and

(B) shall not include a collection of information described under section 3518(c)(1);

COMINT

Communications Intelligence

Commercial

Administrative Law

32 CFR § 1900.02(h) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

[...]

(1) Commercial means a request in which the disclosure sought is primarily in the commercial interest of the requester and which furthers such commercial, trade, income or profit interests;
For purposes of this part, the following terms have the meanings indicated:

(1) Commercial
means a request in which the disclosure sought is primarily in the commercial interest of the requester and which furthers such commercial, trade, income or profit interests;

**Commercial Activity**

**Statutory Law**


For purposes of this chapter [28 U.S.C. §§ 1602 et seq.]—

(d) A "commercial activity" means either a regular course of commercial conduct or a particular commercial transaction or act. The commercial character of an activity shall be determined by reference to the nature of the course of conduct or particular transaction or act, rather than by reference to its purpose.

**Commercial Activity Carried on in the United States by a Foreign State**

**Statutory Law**


For purposes of this chapter [28 U.S.C. §§ 1602 et seq.]—

(e) A "commercial activity carried on in the United States by a foreign state" means commercial activity carried on by such state and having substantial contact with the United States.
Commercial Sex Act

Statutory Law


In this division:
(3) Commercial sex act. The term "commercial sex act" means any sex act on account of which anything of value is given to or received by any person.

Commercial Use Request

Administrative Law


[...]
(1) Commercial use request:
A request in which the disclosure sought is primarily in the commercial interest of the requester and which furthers such commercial, trade, income or profit interests;

See Also

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:
[...]
(1) Commercial
means a request in which the disclosure sought is primarily in the commercial interest of the requester and which furthers such commercial, trade, income or profit interests;
Commodity

Statutory Law


As used in this Act—
(c) "Commodity" includes any material, article, supply, goods, or equipment used for the purposes of furnishing nonmilitary assistance.

Communication Common Carrier

Statutory Law

18 U.S.C. § 2510(10) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]—
(10) "communication common carrier" has the meaning given that term in section 3 of the Communications Act of 1934 [47 U.S.C. § 153];

Communications Concerning a United States Person

Administrative Law

Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.3.2.1 (Dec. 1982): “Communications concerning a United States person”

Communications concerning a United States person are those in which the United States person is identified in the communication. A United States person is identified when the person’s name, unique title, address or other personal identifier is revealed in the communication in the context of activities conducted by that person or activities conducted by others and related to that person. A reference to a product by brand name or manufacturer's name or the use of a name in a descriptive sense, as, for example, "Monroe Doctrine," is not an identification of a United States person.
Communications Security

Administrative Law


Protective measures taken to deny unauthorized persons information derived from telecommunications of the U.S. Government related to national security and to ensure the authenticity of such telecommunications.

Compilation

Administrative Law

Executive Order 13,526, Classified National Security Information, § 6.1 (j) (December 29, 2009)

For purposes of this order:
(j) "Compilation" means an aggregation of preexisting unclassified items of information.

Complete Complaint

Administrative Law

32 CFR § 1807.103 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1807—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE NATIONAL COUNTERINTELLIGENCE CENTER]

For purposes of this part, the following terms means—
[...]
Complete complaint
means a written statement that contains the complainant’s name and address and describes the NACIC’s alleged discriminatory action in sufficient detail to inform the NACIC of the nature and date of the alleged violation of section 504. It must be signed by the complainant or by someone authorized to do so on his or her behalf. Complaints filed on behalf of classes or third parties must describe or identify (by name, if possible) the alleged victims of discrimination.

OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE CENTRAL INTELLIGENCE AGENCY

For purposes of this part, the following terms means—

Complete complaint means a written statement that contains the complainant's name and address and describes the Agency's alleged discriminatory action in sufficient detail to inform the Agency of the nature and date of the alleged violation of section 504. It must be signed by the complainant or by someone authorized to do so on his or her behalf. Complaints filed on behalf of classes or third parties must describe or identify (by name, if possible) the alleged victims of discrimination.

Component

Administrative Law


As used in this subpart:

(1) Component means each separate bureau, office, board, division, commission, service, or administration of the Department of Justice.


For purposes of this subpart, the following terms have the meanings indicated:

[...]

Component means any directorate, mission manager, or other sub-organization in the ODNI or reporting to the Director, that has been designated or established in the ODNI pursuant to Section 103 of the National Security Act of 1947, as amended, including the National Counterterrorism Center (NCTC), the National Counterproliferation Center (NCPC) and the Office of the National Counterintelligence Executive (ONCIX), or such other offices and officials as may be established by law or as the Director may establish or designate in the ODNI, for example, the Program Manager, Information Sharing Environment (ISE) and the Inspector General (IG).
Computer

Statutory Law

For purposes of this title [50 U.S.C. §§ 435 et seq.]—
(8) the term "computer" means any electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical, arithmetic, or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device and any data or other information stored or contained in such device.

Computer Trespasser

Statutory Law
18 U.S.C. § 2510(21) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]—
(21) "computer trespasser"—
(A) means a person who accesses a protected computer without authorization and thus has no reasonable expectation of privacy in any communication transmitted to, through, or from the protected computer; and
(B) does not include a person known by the owner or operator of the protected computer to have an existing contractual relationship with the owner or operator of the protected computer for access to all or part of the protected computer.

Concealed Monitoring

Administrative Law

Concealed monitoring means targeting by electronic, optical, or mechanical devices a particular person or a group of persons without their consent in a surreptitious and continuous manner. Monitoring is surreptitious when it is targeted in a manner designed to keep the subject of the monitoring unaware of it. Monitoring is continuous if it is conducted without interruption for a substantial period of time.

Page 203
Concealed Monitoring Where the Subject has a Reasonable Expectation of Privacy

Administrative Law

*Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C6.2.3 (Dec. 1982): Concealed Monitoring where the subject has a reasonable expectation of privacy*

Whether concealed monitoring is to occur where the subject has a reasonable expectation of privacy is a determination that depends upon the circumstances of a particular case, and shall be made only after consultation with the legal office responsible for advising the DoD intelligence component concerned. Reasonable expectation of privacy is the extent to which a reasonable person in the particular circumstances involved is entitled to believe his or her actions are not subject to monitoring by electronic, optical, or mechanical devices. For example, there are ordinarily reasonable expectations of privacy in work spaces if a person's actions and papers are not subject to ready observation by others under normal working conditions. Conversely, a person walking out of his or her residence into a public street ordinarily would not have a reasonable expectation that he or she is not being observed or even photographed; however, such a person ordinarily would have an expectation of privacy within his or her residence.

Conduct

Administrative Law

*28 CFR § 77.2(e) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT]*

As used in this part, the following terms shall have the following meanings, unless the context indicates otherwise:

[...]

(e) The terms “conduct” and “activity” means any act performed by a Department attorney that implicates a rule governing attorneys, as that term is defined in paragraph (h) of this section.
Confidential

Administrative Law

32 CFR § 2400.6 (a)(3) [32 CFR CHAPTER XXIV—OFFICE OF SCIENCE AND TECHNOLOGY POLICY: 32 CFR PART 2400—REGULATIONS TO IMPLEMENT E.O. 12356; OFFICE OF SCIENCE AND TECHNOLOGY POLICY INFORMATION SECURITY PROGRAM]

[...]

(3) “Confidential” shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause damage to the national security.

Confidential Source

Administrative Law


“Confidential source” means any individual or organization that has provided, or that may reasonably be expected to provide, information to the United States on matters pertaining to the national security with the expectation that the information or relationship, or both, are to be held in confidence.

Executive Order 13,526, Classified National Security Information, § 6.1 (k) (December 29, 2009)

For purposes of this order:

(k) "Confidential source" means any individual or organization that has provided, or that may reasonably be expected to provide, information to the United States on matters pertaining to the national security with the expectation that the information or relationship, or both, are to be held in confidence.

Congressional Defense Committees

Statutory Law


(a) In general. The following definitions apply in this title:

(16) The term "congressional defense committees" means—

(A) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.
Congressional Intelligence Committees

Statutory Law


As used in this Act:

(7) The term "congressional intelligence committees" means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.


(b) Additional definitions.

(1) Congressional intelligence committees. The term "congressional intelligence committees" means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.


Congressional intelligence committees. The term "congressional intelligence committees" means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

Consensual Monitoring

Administrative Law

The Attorney General's Guidelines for Domestic FBI Operations § VII (A) (Sept. 29, 2008)

Monitoring of communications for which a court order or warrant is not legally required because of the consent of a party to the communication.
Consent

Administrative Law


The agreement by a person or organization to permit DoD intelligence components to take particular actions that affect the person or organization. Consent may be oral or written unless a specific form of consent is required by a particular procedure. Consent may be implied if adequate notice is provided that a particular action (such as entering a building) carries with it the presumption of consent to an accompanying action (such as search of briefcases). (Questions regarding what is adequate notice in particular circumstances should be referred to the legal office responsible for advising the DoD intelligence component concerned.)

Consular Officer

Statutory Law


(a) As used in this Act—

(9) The term "consular officer" means any consular, diplomatic, or other officer or employee of the United States designated under regulations prescribed under authority contained in this Act, for the purpose of issuing immigrant or nonimmigrant visas or, when used in title III [8 U.S.C. §§ 1401 et seq.], for the purpose of adjudicating nationality.

Consumer Reporting Agency

Statutory Law


For purposes of this title [50 U.S.C. §§ 435 et seq.]—

(3) the term "consumer reporting agency" has the meaning given such term in section 603 of the Consumer Credit Protection Act (15 U.S.C. 1681a);
Contents [of a Communication]

Statutory Law


“Contents”, when used with respect to a communication, includes any information concerning the identity of the parties to such communication or the existence, substance, purport, or meaning of that communication.

18 U.S.C. § 2510(8) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]—
(8) "contents", when used with respect to any wire, oral, or electronic communication, includes any information concerning the substance, purport, or meaning of that communication;

Contingency Operation

Statutory Law


(a) In general. The following definitions apply in this title:
(13) The term "contingency operation" means a military operation that—
(A) is designated by the Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force; or
(B) results in the call or order to, or retention on, active duty of members of the uniformed services under section 688, 12301(a), 12302, 12304, 12305, or 12406 of this title [10 U.S.C. § 688, 12301(a), 12302, 12304, 12305, or 12406], chapter 15 of this title [10 U.S.C. §§ 331 et seq.], or any other provision of law during a war or during a national emergency declared by the President or Congress.

Contractor

Administrative Law

32 CFR § 2004.5(c) [32 CFR CHAPTER XX—INFORMATION SECURITY OVERSIGHT OFFICE, NATIONAL ARCHIVES AND
(c) “Contractor” means any industrial, education, commercial, or other entity, to include licensees or grantees that has been granted access to classified information. Contractor does not include individuals engaged under personal services contracts.

Control

Administrative Law

28 CFR § 5.100 (b) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(b) As used in the Act, the term control or any of its variants shall be deemed to include the possession or the exercise of the power, directly or indirectly, to determine the policies or the activities of a person, whether through the ownership of voting rights, by contract, or otherwise.

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

Control

means ownership or the authority of NACIC pursuant to federal statute or privilege to regulate official or public access to records;


For purposes of this part, the following terms have the meanings indicated:

Control

means ownership or the authority of NACIC pursuant to federal statute or privilege to regulate official or public access to records;

32 CFR § 1802.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1802—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO SECTION 1.9 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:
Control
means ownership or the authority of NACIC pursuant to federal statute or
privilege to regulate official or public access to records;

32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL
COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—
PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION
REVIEW OF CLASSIFIED INFORMATION PURSUANT TO
SECTION 3.6 OF EXECUTIVE ORDER 12958]
For purposes of this part, the following terms have the meanings as indicated:

Control
means ownership or the authority of NACIC pursuant to federal statute or
privilege to regulate official or public access to records;

32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL
COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—
ACCESS BY HISTORICAL RESEARCHERS AND FORMER
PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF
EXECUTIVE ORDER 12958]
For purposes of this part, the following terms have the meanings indicated:

Control
means ownership or the authority of NACIC pursuant to federal statute or
privilege to regulate official or public access to records;

32 CFR § 1900.02(c) [32 CFR CHAPTER XIX—CENTRAL
INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS
TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION
ACT (FOIA)]
For purposes of this part, the following terms have the meanings indicated:

(c) Control
means ownership or the authority of the CIA pursuant to federal statute or
privilege to regulate official or public access to records;

32 CFR § 1901.02(c) [32 CFR CHAPTER XIX—CENTRAL
INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS
UNDER THE PRIVACY ACT OF 1974]
For purposes of this part, the following terms have the meanings indicated:

(c) Control
means ownership or the authority of the CIA pursuant to federal statute or
privilege to regulate official or public access to records;

32 CFR § 1907.02(e) [32 CFR CHAPTER XIX—CENTRAL
INTELLIGENCE AGENCY: 32 CFR PART 1907—CHALLENGES
TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED
HOLDERS PURSUANT TO § 1.9 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:
(e) Control
means ownership or the authority of the CIA pursuant to federal statute or
privilege to regulate official or public access to records;

32 CFR § 1908.02(c) [32 CFR CHAPTER XIX—CENTRAL
INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC
REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF
CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF
EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:
(c) Control
means ownership or the authority of the CIA pursuant to Federal statute or
privilege to regulate official or public access to records;

32 CFR § 1909.02(d) [32 CFR CHAPTER XIX—CENTRAL
INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY
HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL
APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER
12958]

For purposes of this part, the following terms have the meanings indicated:
(d) Control
means ownership or the authority of the CIA pursuant to federal statute or
privilege to regulate official or public access to records;

INFORMATION SECURITY OVERSIGHT OFFICE, NATIONAL
ARCHIVES AND RECORDS ADMINISTRATION: 32 CFR PART
2001—CLASSIFIED NATIONAL SECURITY INFORMATION]

(e) Control
means the authority of the agency that originates information, or its successor in
function, to regulate access to the information.

Control Terminal Agency

Administrative Law

28 CFR § 20.3(c) [28 CFR PART 20—CRIMINAL JUSTICE
INFORMATION SYSTEMS]

As used in these regulations:
[…]
(c) Control Terminal Agency
means a duly authorized state, foreign, or international criminal justice agency with direct access to the National Crime Information Center telecommunications network providing statewide (or equivalent) service to its criminal justice users with respect to the various systems managed by the FBI CJIS Division.


[…]

Control Terminal Agency
means a state or territorial criminal justice agency recognized by the FBI as the agency responsible for providing state-or territory-wide service to criminal justice users of NCIC data.

Controlled Substance

Statutory Law


As used in this subchapter:

(6) The term “controlled substance” means a drug or other substance, or immediate precursor, included in schedule I, II, III, IV, or V of part B of this subchapter. The term does not include distilled spirits, wine, malt beverages, or tobacco, as those terms are defined or used in subtitle E of the Internal Revenue Code of 1986.


(e) Definitions. For purposes of this chapter and other provisions of this Act relating specifically to international narcotics matters—

(3) the term "narcotic and psychotropic drugs and other controlled substances" has the same meaning as is given by any applicable international narcotics control agreement or domestic law of the country or countries concerned;

Administrative Law

32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS]

As used in this part:

Controlled Substance.
Any drug or other substance, or immediate precursor that has been defined as a controlled substance in the Controlled Substances Act (Title 21 U.S.C. 801 et seq.).

See Also


As used in this subchapter:

(9) The term “depressant or stimulant substance” means—

(A) a drug which contains any quantity of barbituric acid or any of the salts of barbituric acid; or

(B) a drug which contains any quantity of (i) amphetamine or any of its optical isomers; (ii) any salt of amphetamine or any salt of an optical isomer of amphetamine; or (iii) any substance which the Attorney General, after investigation, has found to be, and by regulation designated as, habit forming because of its stimulant effect on the central nervous system; or

(C) lysergic acid diethylamide; or

(D) any drug which contains any quantity of a substance which the Attorney General, after investigation, has found to have, and by regulation designated as having, a potential for abuse because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect.


As used in this subchapter:

(17) The term “narcotic drug” means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(A) Opium, opiates, derivatives of opium and opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation. Such term does not include the isoquinoline alkaloids of opium.

(B) Poppy straw and concentrate of poppy straw.

(C) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed.

(D) Cocaine, its salts, optical and geometric isomers, and salts of isomers.

(E) Ecgonine, its derivatives, their salts, isomers, and salts of isomers.

(F) Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraphs (A) through (E).

As used in this subchapter:

(18) The term “opiate” means any drug or other substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability.


As used in this subchapter:

(19) The term “opium poppy” means the plant of the species Papaver somniferum L., except the seed thereof.


As used in this subchapter:

(20) The term “poppy straw” means all parts, except the seeds, of the opium poppy, after mowing.


As used in this subchapter:


As used in this subchapter:

(32)(A) Except as provided in subparagraph (C), the term “controlled substance analogue” means a substance—

(i) the chemical structure of which is substantially similar to the chemical structure of a controlled substance in schedule I or II;

(ii) which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in schedule I or II; or

(iii) with respect to a particular person, which such person represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system.
system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in schedule I or II.

(B) The designation of gamma butyrolactone or any other chemical as a listed chemical pursuant to paragraph (34) or (35) does not preclude a finding pursuant to subparagraph (A) of this paragraph that the chemical is a controlled substance analogue.

(C) Such term does not include—
(i) a controlled substance;
(ii) any substance for which there is an approved new drug application;
(iii) with respect to a particular person any substance, if an exemption is in effect for investigational use, for that person, under section 355 of this title to the extent conduct with respect to such substance is pursuant to such exemption; or
(iv) any substance to the extent not intended for human consumption before such an exemption takes effect with respect to that substance.

As used in this subchapter:
[...]
(33) The term “listed chemical” means any list I chemical or any list II chemical.

As used in this subchapter:
[...]
(34) The term “list I chemical” means a chemical specified by regulation of the Attorney General as a chemical that is used in manufacturing a controlled substance in violation of this subchapter and is important to the manufacture of the controlled substances, and such term includes (until otherwise specified by regulation of the Attorney General, as considered appropriate by the Attorney General or upon petition to the Attorney General by any person) the following:
(A) Anthranilic acid, its esters, and its salts.
(B) Benzyl cyanide.
(C) Ephedrine, its salts, optical isomers, and salts of optical isomers.
(D) Ergonovine and its salts.
(E) Ergotamine and its salts.
(F) N-Acetylanthranilic acid, its esters, and its salts.
(G) Norpseudoephedrine, its salts, optical isomers, and salts of optical isomers.
(H) Phenylacetic acid, its esters, and its salts.
(I) Phenylpropanolamine, its salts, optical isomers, and salts of optical isomers.
(J) Piperidine and its salts.
(K) Pseudoephedrine, its salts, optical isomers, and salts of optical isomers.
(L) 3,4-Methylenedioxyphenyl-2-propanone.
(M) Methylamine.
(N) Ethylamine.
(O) Propionic anhydride.
(P) Isosafrole.
(Q) Safrole.
(R) Piperonal.
(S) N-Methylephedrine.
(T) N-methylpseudoephedrine.
(U) Hydriodic acid.
(V) Benzaldehyde.
(W) Nitroethane.
(X) Gamma butyrolactone.
(Y) Any salt, optical isomer, or salt of an optical isomer of the chemicals listed in subparagraphs (M) through (U) of this paragraph.


As used in this subchapter:

(35) The term “list II chemical” means a chemical (other than a list I chemical) specified by regulation of the Attorney General as a chemical that is used in manufacturing a controlled substance in violation of this subchapter, and such term includes (until otherwise specified by regulation of the Attorney General, as considered appropriate by the Attorney General or upon petition to the Attorney General by any person) the following chemicals:
(A) Acetic anhydride.
(B) Acetone.
(C) Benzyl chloride.
(D) Ethyl ether.
(F) Potassium permanganate.
(G) 2-Butanone (or Methyl Ethyl Ketone).
(H) Toluene.
(I) Iodine.
(J) Hydrochloric gas.

Convention on Psychotropic Substances

Statutory Law


As used in this subchapter:

[...]

Page 216

Conviction

Statutory Law


(a) As used in this Act—

(48) (A) The term "conviction" means, with respect to an alien, a formal judgment of guilt of the alien entered by a court or, if adjudication of guilt has been withheld, where—

(i) a judge or jury has found the alien guilty or the alien has entered a plea of guilty or nolo contendere or has admitted sufficient facts to warrant a finding of guilt, and

(ii) the judge has ordered some form of punishment, penalty, or restraint on the alien's liberty to be imposed.

(B) Any reference to a term of imprisonment or a sentence with respect to an offense is deemed to include the period of incarceration or confinement ordered by a court of law regardless of any suspension of the imposition or execution of that imprisonment or sentence in whole or in part.

Cooperating Sources

Administrative Law

Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C2.2.2 (Dec. 1982): “Cooperating Sources”

Cooperating sources means persons or organizations that knowingly and voluntarily provide information to DoD intelligence components, or access to information, at the request of such components or on their own initiative. These include Government Agencies, law enforcement authorities, credit agencies, academic institutions, employers, and foreign governments.
Cooperative Agreement

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]

Cooperative agreement means the legal instrument reflecting a relationship between the government and a party when—

(1) The principal purpose of the relationship is to reimburse the carrier to carry out a public purpose of support or stimulation authorized by a law of the United States; and

(2) Substantial involvement is expected between the government and carrier when carrying out the activity contemplated in the agreement.

Coordinator

Administrative Law

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

[...]

Coordinator means the NACIC Information and Privacy Coordinator who serves as the NACIC manager of the information review and release program instituted under the Freedom of Information Act;


For purposes of this part, the following terms have the meanings indicated:

[...]

Coordinator means the NACIC Information and Privacy Coordinator who serves as the NACIC manager of the information review and release program instituted under the Privacy Act;

32 CFR § 1802.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1802—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY
For purposes of this part, the following terms have the meanings as indicated:

Coordinator
means the NACIC Information and Privacy Coordinator acting in the capacity of the Director of NACIC;

Coordinator
means the NACIC Information and Privacy Coordinator who serves as the NACIC manager of the information review and release program instituted under the mandatory declassification review provisions of Executive Order 12958;

Coordinator
means the NACIC Information and Privacy Coordinator who serves as the NACIC manager of the historical access program established pursuant to Section 4.5 of this Order;

(d) Coordinator
means the CIA Information and Privacy Coordinator who serves as the Agency manager of the information review and release program instituted under the Freedom of Information Act;

For purposes of this part, the following terms have the meanings indicated:

Coordinator
means the NACIC Information and Privacy Coordinator who serves as the NACIC manager of the information review and release program instituted under the mandatory declassification review provisions of Executive Order 12958;

Coordinator
means the NACIC Information and Privacy Coordinator who serves as the NACIC manager of the information review and release program instituted under the mandatory declassification review provisions of Executive Order 12958;

Coordinator
means the NACIC Information and Privacy Coordinator who serves as the NACIC manager of the historical access program established pursuant to Section 4.5 of this Order;

(d) Coordinator
means the CIA Information and Privacy Coordinator who serves as the Agency manager of the information review and release program instituted under the Freedom of Information Act;
(d) Coordinator means the CIA Information and Privacy Coordinator who serves as the Agency manager of the information review and release program instituted under the Privacy Act;

32 CFR § 1907.02(f) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1907—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO § 1.9 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:

(f) Coordinator means the CIA Information and Privacy Coordinator acting in the capacity of Executive Secretary of the Agency Release Panel;

32 CFR § 1908.02(d) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:

(d) Coordinator means the CIA Information and Privacy Coordinator who serves as the Agency manager of the mandatory declassification review provisions of Executive Order 12958;

32 CFR § 1909.02(e) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:

(e) Coordinator means the CIA Information and Privacy Coordinator who serves as the Agency manager of the historical access program established pursuant to § 4.5 of this Order;

Corruptly

Statutory Law


(b) As used in section 1505 [18 U.S.C. § 1505], the term "corruptly" means acting with an improper purpose, personally or by influencing another, including
making a false or misleading statement, or withholding, concealing, altering, or destroying a document or other information.

**Corruptly Persuades**

**Statutory Law**


(a) As used in sections 1512 and 1513 of this title [18 U.S.C. §§ 1512 and 1513] and in this section—

(6) the term "corruptly persuades" does not include conduct which would be misleading conduct but for a lack of a state of mind.

**Cost Element**

**Administrative Law**

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]

Cost element

means a distinct component or category of costs (e.g. materials, direct labor, allocable direct costs, subcontracting costs, other costs) which is assigned to a cost objective.

**Cost Objective**

**Administrative Law**

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]

Cost objective

means a function, organizational subdivision, contract, or other work unit for which cost data are desired and for which provision is made to accumulate and measure the cost of processes, products, jobs, capitalized projects, etc.
Cost Pool

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...] Cost pool
means groupings of incurred costs identified with two or more cost objectives, but not identified specifically with any final cost objective.

Counterintelligence

Statutory Law


As used in this Act:
(3) The term "counterintelligence" means information gathered, and activities conducted, to protect against espionage, other intelligence activities, sabotage, or assassinations conducted by or on behalf of foreign governments or elements thereof, foreign organizations, or foreign persons, or international terrorist activities.

Administrative Law

Executive Order 12333, United States Intelligence Activities, § 3.5(a) (2010)

Counterintelligence means information gathered and activities conducted to identify, deceive, exploit, disrupt, or protect against espionage, other intelligence activities, sabotage, or assassinations conducted for or on behalf of foreign powers, organizations or persons, or their agents, or international terrorist organizations or activities.


Information gathered and activities conducted to protect against espionage, other intelligence activities, sabotage, or assassinations conducted for or on behalf of foreign powers, organizations, or persons, or international terrorist activities, but not including personnel, physical, document, or communications security programs.
Counterintelligence Investigation

Administrative Law

*Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § DL1.1.6 (Dec. 1982): Counterintelligence Investigation*

Includes inquiries and other activities undertaken to determine whether a particular United States person is acting for, or on behalf of, a foreign power for purposes of conducting espionage and other intelligence activities, sabotage, assassinations, international terrorist activities, and actions to neutralize such acts.

Court of Competent Jurisdiction

Statutory Law


As used in this chapter [18 U.S.C. §§ 2701 et seq.]—

(3) the term "court of competent jurisdiction" includes—

(A) any district court of the United States (including a magistrate judge of such a court) or any United States court of appeals that—

(i) has jurisdiction over the offense being investigated;

(ii) is in or for a district in which the provider of a wire or electronic communication service is located or in which the wire or electronic communications, records, or other information are stored; or

(iii) is acting on a request for foreign assistance pursuant to section 3512 of this title [18 U.S.C. § 3512]; or

(B) a court of general criminal jurisdiction of a State authorized by the law of that State to issue search warrants;

*18 U.S.C. § 3127(2) (Title 18—Chapter 206: Pen Registers and Trap and Trace Devices)*

As used in this chapter [18 U.S.C. §§ 3121 et seq.]—

(2) the term "court of competent jurisdiction" means—

(A) any district court of the United States (including a magistrate judge of such a court) or any United States court of appeals that—

(i) has jurisdiction over the offense being investigated;

(ii) is in or for a district in which the provider of a wire or electronic communication service is located;
(iii) is in or for a district in which a landlord, custodian, or other person subject to subsections [subsection] (a) or (b) of section 3124 of this title [18 U.S.C. § 3124] is located; or
(iv) is acting on a request for foreign assistance pursuant to section 3512 of this title [18 U.S.C. § 3512]; or
(B) a court of general criminal jurisdiction of a State authorized by the law of that State to enter orders authorizing the use of a pen register or a trap and trace device;

**Court of the United States**

**Statutory Law**


As used in this chapter [18 U.S.C. §§ 6001 et seq.]—
(4) "court of the United States" means any of the following courts: the Supreme Court of the United States, a United States court of appeals, a United States district court established under chapter 5, title 28, United States Code [28 U.S.C. §§ 81 et seq.], a United States bankruptcy court established under chapter 6, title 28, United States Code [28 U.S.C. §§ 151 et seq.], the District of Columbia Court of Appeals, the Superior Court of the District of Columbia, the District Court of Guam, the District Court of the Virgin Islands, the United States Claims Court [United States Court of Federal Claims], the Tax Court of the United States, the Court of International Trade, and the Court of Appeals for the Armed Forces.


As used in this title:
The term "court of the United States" includes the Supreme Court of the United States, courts of appeals, district courts constituted by chapter 5 of this title [28 U.S.C. §§ 81 et seq.], including the Court of International Trade and any court created by Act of Congress the judges of which are entitled to hold office during good behavior.
Covered Classified Material

Statutory Law


(f) Definitions. In this section:
   (2) The term "covered classified material" means any material classified at the Sensitive Compartmented Information (SCI) level.

Covered Element of the Department of State

Statutory Law


(f) Definitions. In this section:
   (3) The term "covered element of the Department of State" means each element of the Department of State that handles, retains, or stores covered classified material.

Covered Federal Action

Administrative Law

28 CFR § 69.105(b) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:
[...]
(b) Covered Federal action means any of the following Federal actions:
   (1) The awarding of any Federal contract;
   (2) The making of any Federal grant;
   (3) The making of any Federal loan;
   (4) The entering into of any cooperative agreement; and,
   (5) The extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
Covered Federal action does not include receiving from an agency a commitment providing for the United States to insure or guarantee a loan. Loan guarantees and loan insurance are addressed independently within this part.

**Covert Action**

**Administrative Law**

*Executive Order 12333, United States Intelligence Activities, § 3.5(b) (2010)*

Covert action means an activity or activities of the United States Government to influence political, economic, or military conditions abroad, where it is intended that the role of the United States Government will not be apparent or acknowledged publicly, but does not include:

1. Activities the primary purpose of which is to acquire intelligence, traditional counterintelligence activities, traditional activities to improve or maintain the operational security of United States Government programs, or administrative activities;
2. Traditional diplomatic or military activities or routine support to such activities;
3. Traditional law enforcement activities conducted by United States Government law enforcement agencies or routine support to such activities; or
4. Activities to provide routine support to the overt activities (other than activities described in paragraph (1), (2), or (3)) of other United States Government agencies abroad.

**Covert Agent**

**Statutory Law**


For the purposes of this title [50 U.S.C. §§ 421 et seq.]:

4. The term "covert agent" means—
   (A) a present or retired officer or employee of an intelligence agency or a present or retired member of the Armed Forces assigned to duty with an intelligence agency—
   (i) whose identity as such an officer, employee, or member is classified information, and
   (ii) who is serving outside the United States or has within the last five years served outside the United States; or
(B) a United States citizen whose intelligence relationship to the United States is classified information, and—

(i) who resides and acts outside the United States as an agent of, or informant or source of operational assistance to, an intelligence agency, or

(ii) who is at the time of the disclosure acting as an agent of, or informant to, the foreign counterintelligence or foreign counterterrorism components of the Federal Bureau of Investigation; or

(C) an individual, other than a United States citizen, whose past or present intelligence relationship to the United States is classified information and who is a present or former agent of, or a present or former informant or source of operational assistance to, an intelligence agency.

Crime Victim

Administrative Law

28 CFR § 45.10: Procedures to promote compliance with crime victims’ rights obligations [28 CFR PART 45—EMPLOYEE RESPONSIBILITIES]

(a) Definitions.
The following definitions shall apply with respect to this section, which implements the provisions of the Justice for All Act that relate to protection of the rights of crime victims. See 18 U.S.C. 3771.

Crime victim

means a person directly and proximately harmed as a result of the commission of a Federal offense or an offense in the District of Columbia. In the case of a crime victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardians of the crime victim or the representatives of the crime victim's estate, family members, or any other persons appointed as suitable by the court, may assume the crime victim's rights, but in no event shall the defendant be named as such guardian or representative.

Crime Victims' Rights

Administrative Law

28 CFR § 45.10: Procedures to promote compliance with crime victims’ rights obligations [28 CFR PART 45—EMPLOYEE RESPONSIBILITIES]

(a) Definitions.
The following definitions shall apply with respect to this section, which implements the provisions of the Justice for All Act that relate to protection of the rights of crime victims. See 18 U.S.C. 3771.

[...]
Crime victims' rights
means those rights provided in 18 U.S.C. 3771.

**Criminal History Record Information**

**Administrative Law**

28 CFR § 20.3(d) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:

[...]
(d) Criminal history record information
means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal criminal charges, and any disposition arising therefrom, including acquittal, sentencing, correctional supervision, and release. The term does not include identification information such as fingerprint records if such information does not indicate the individual's involvement with the criminal justice system.

**Criminal History Record Information System**

**Administrative Law**

28 CFR § 20.3(e) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:

[...]
(e) Criminal history record information system
means a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation, or dissemination of criminal history record information.
Criminal History Record Repository

Administrative Law

28 CFR § 20.3(f) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:

(f) Criminal history record repository
means the state agency designated by the governor or other appropriate executive
official or the legislature to perform centralized recordkeeping functions for
criminal history records and services in the state.

Criminal Intelligence Information

Administrative Law

28 CFR § 23.3(b)(3) [28 CFR PART 23—CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES]

(b) As used in these policies:

(3) Criminal Intelligence Information
means data which has been evaluated to determine that it:
(i) Is relevant to the identification of and the criminal activity engaged in
by an individual who or organization which is reasonably suspected of
involvement in criminal activity, and
(ii) Meets criminal intelligence system submission criteria;

Criminal Intelligence System

Administrative Law

28 CFR § 23.3(b)(1) [28 CFR PART 23—CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES]

(b) As used in these policies:

(1) Criminal Intelligence System or Intelligence System
means the arrangements, equipment, facilities, and procedures used for the
receipt, storage, interagency exchange or dissemination, and analysis of criminal
intelligence information;
Criminal Justice Agency

Administrative Law

28 CFR § 20.3(g) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:

(g) Criminal justice agency means:

(1) Courts; and
(2) A governmental agency or any subunit thereof that performs the administration of criminal justice pursuant to a statute or executive order, and that allocates a substantial part of its annual budget to the administration of criminal justice. State and federal Inspector General Offices are included.

Critical Component

Statutory Law


[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:

(1) Critical component. The term "critical component" includes such components, subsystems, systems, and related special tooling and test equipment essential to the production, repair, maintenance, or operation of weapon systems or other items of equipment identified by the President as being essential to the execution of the national security strategy of the United States. Components identified as critical by a National Security Assessment conducted pursuant to section 113(i) of title 10, United States Code, or by a Presidential determination as a result of a petition filed under section 232 of the Trade Expansion Act of 1962 [19 U.S.C. § 1862] shall be designated as critical components for purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], unless the President determines that the designation is unwarranted.
Critical Infrastructure

Statutory Law

[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:

(2) Critical infrastructure. The term "critical infrastructure" means any systems and assets, whether physical or cyber-based, so vital to the United States that the degradation or destruction of such systems and assets would have a debilitating impact on national security, including, but not limited to, national economic security and national public health or safety.

Critical Technology

Statutory Law

[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:

(3) Critical technology. The term "critical technology" includes any technology designated by the President to be essential to the national defense.

Critical Technology Item

Statutory Law

[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:
(4) Critical technology item. The term "critical technology item" means materials directly employing, derived from, or utilizing a critical technology.

CSAs

**Administrative Law**


(a) “Cognizant Security Agencies (CSAs)” means the Executive Branch departments and agencies authorized in EO 12829, as amended, to establish industrial security programs: The Department of Defense, designated as the Executive Agent; the Department of Energy; the Nuclear Regulatory Commission; and the Central Intelligence Agency.

CSO

**Administrative Law**


(b) “Cognizant Security Office (CSO)” means the organizational entity delegated by the Head of a CSA to administer industrial security on behalf of the CSA.

CSRS

Counter Surveillance Reconnaissance System

CSS

Central Security Service
Current Investigation File

Statutory Law


(a) Definitions. In this section:

(5) The term "current investigation file" means, with respect to a security clearance, a file on an investigation or adjudication that has been conducted during—

(A) the 5-year period beginning on the date the security clearance was granted, in the case of a Top Secret Clearance, or the date access was granted to a highly sensitive program;

(B) the 10-year period beginning on the date the security clearance was granted in the case of a Secret Clearance; and

(C) the 15-year period beginning on the date the security clearance was granted in the case of a Confidential Clearance.

Damage to the National Security

Administrative Law


“Damage to the national security” means harm to the national defense or foreign relations of the United States from the unauthorized disclosure of information, taking into consideration such aspects of the information as the sensitivity, value, utility, and provenance of that information.

Executive Order 13,526, Classified National Security Information, § 6.1 (l) (December 29, 2009)

For purposes of this order:

(l) "Damage to the national security" means harm to the national defense or foreign relations of the United States from the unauthorized disclosure of information, taking into consideration such aspects of the information as the sensitivity, value, utility, and provenance of that information.
Data Source

Administrative Law


[...]

Data source

means an agency that provided specific information to the NICS.

Days

Administrative Law

32 CFR § 1700.2(a) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

For purposes of this Part, the following terms have the meanings indicated:

(a) Days

means calendar days when ODNI is operating and specifically excludes Saturdays, Sundays, and legal public holidays;

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

[...]

Days

means calendar days when NACIC is operating and specifically excludes Saturdays, Sundays, and legal public holidays. Three (3) days may be added to any time limit imposed on a requester by this part if responding by U.S. domestic mail; otherwise ten (10) days may be added if responding by international mail;


For purposes of this part, the following terms have the meanings indicated:

[...]

Days

means calendar days when NACIC is operating and specifically excludes Saturdays, Sundays, and legal public holidays. Three (3) days may be added to any time limit imposed on a requester by this part if responding by U.S. domestic mail; ten (10) days may be added if responding by international mail;
For purposes of this part, the following terms have the meanings as indicated:

Days

means calendar days when NACIC is operating and specifically excludes Saturdays, Sundays, and legal public holidays. Three (3) days may be added to any requirement of this part if responding by U.S. domestic mail; ten (10) days may be added if responding by international mail;

For purposes of this part, the following terms have the meanings as indicated:

Days

means calendar days when NACIC is operating and specifically excludes Saturdays, Sundays, and legal public holidays. Three (3) days may be added to any requirement of this part if responding by U.S. domestic mail; ten (10) days may be added if responding by international mail;

For purposes of this part, the following terms have the meanings indicated:

Days

means calendar days when NACIC is operating and specifically excludes Saturdays, Sundays, and legal public holidays. Three (3) days may be added to any requirement of this part if responding by U.S. domestic mail; ten (10) days may be added if responding by international mail;

For purposes of this part, the following terms have the meanings indicated:

(b) Days
means calendar days when the Agency is operating and specifically excludes Saturdays, Sundays, and legal public holidays. Three (3) days may be added to any time limit imposed on a requester by this part if responding by U.S. domestic mail; ten (10) days may be added if responding by international mail;

32 CFR § 1901.02(b) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974]

For purposes of this part, the following terms have the meanings indicated:
(b) Days
means calendar days when the Agency is operating and specifically excludes Saturdays, Sundays, and legal public holidays. Three (3) days may be added to any time limit imposed on a requester by this part if responding by U.S. domestic mail; ten (10) days may be added if responding by international mail;

32 CFR § 1907.02(c) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1907—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO § 1.9 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:
(c) Days
means calendar days when the Agency is operating and specifically excludes Saturdays, Sundays, and legal public holidays. Three (3) days may be added to any time limit imposed on a requester by this part if responding by U.S. domestic mail; ten (10) days may be added if responding by international mail;

32 CFR § 1908.02(b) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:
(b) Days
means calendar days when the Agency is operating and specifically excludes Saturdays, Sundays, and legal public holidays. Three (3) days may be added to any time limit imposed on a requester by this part if responding by U.S. domestic mail; ten (10) days may be added if responding by international mail;

32 CFR § 1909.02(c) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:
(c) Days
means calendar days when the Agency is operating and specifically excludes Saturdays, Sundays, and legal public holidays. Three (3) days may be added to any time limit imposed on a requester by this part if responding by U.S. domestic mail; ten (10) days may be added if responding by international mail;

**DBA**
Dominant Battlefield Awareness

**DCI**
Director of Central Intelligence

**DCIA**
Director of the Central Intelligence Agency

**DCs**
Deputies Committees

**D/CSI**

*Administrative Law*

32 CFR § 1909.02(f) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:
(f) Director, Center for the Study of Intelligence or “D/CSI” means the Agency official responsible for the management of the CIA's various historical programs including the management of access granted under this section;
DEA
Drug Enforcement Administration

Debt Bondage

Statutory Law


In this division:

(4) Debt bondage. The term "debt bondage" means the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

Declassification

Administrative Law


“Declassification” means the authorized change in the status of information from classified information to unclassified information.

Executive Order 13,526, Classified National Security Information, § 6.1 (m) (December 29, 2009)

For purposes of this order:

(m) "Declassification" means the authorized change in the status of information from classified information to unclassified information.

Declassification Authority

Administrative Law


“Declassification authority” means:

(1) the official who authorized the original classification, if that official is still serving in the same position;
(2) the originator’s current successor in function;
(3) a supervisory official of either; or
(4) officials delegated declassification authority in writing by the agency head or the senior agency official.

Declassification Guide

Administrative Law


“Declassification guide” means written instructions issued by a declassification authority that describes the elements of information regarding a specific subject that may be declassified and the elements that must remain classified.

Executive Order 13,526, Classified National Security Information, § 6.1 (n) (December 29, 2009)

For purposes of this order:
(n) "Declassification guide" means written instructions issued by a declassification authority that describes the elements of information regarding a specific subject that may be declassified and the elements that must remain classified.

Defense Agency

Statutory Law


(a) In general. The following definitions apply in this title:
   (11) The term "Defense Agency" means an organizational entity of the Department of Defense—
      (A) that is established by the Secretary of Defense under section 191 of this title [10 U.S.C. § 191] (or under the second sentence of section 125(d) of this title (as in effect before October 1, 1986)) to perform a supply or service activity common to more than one military department (other than such an entity that is designated by the Secretary as a Department of Defense Field Activity); or
      (B) that is designated by the Secretary of Defense as a Defense Agency.
Defense Article

Statutory Law


As used in this Act—
(d) "Defense article" includes—
(1) any weapon, weapons system, munition, aircraft, vessel, boat, or other implement of war;
(2) any property, installation, commodity, material, equipment, supply, or goods used for the purposes of furnishing military assistance;
(3) any machinery, facility, tool, material, supply, or other item necessary for the manufacture, production, processing, repair, servicing, storage, construction, transportation, operation, or use of any article listed in this subsection; or
(4) any component or part of any article listed in this subsection; but

shall not include merchant vessels or, as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011), source material, (except uranium depleted in the isotope 235 which is incorporated in defense articles solely to take advantage of high density or pyrophoric characteristics unrelated to radioactivity) byproduct material, special nuclear material, production facilities, utilization facilities, or atomic weapons or articles involving Restricted Data.

Defense Contractor

Statutory Law


[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:
(5) Defense contractor. The term "defense contractor" means any person who enters into a contract with the United States—
(A) to furnish materials, industrial resources, or a critical technology for the national defense; or
(B) to perform services for the national defense.
Defense Information

Statutory Law

As used in this Act—
(e) "Defense information" includes any document, writing, sketch, photograph, plan, model, specification, design, prototype, or other recorded or oral information relating to any defense article or defense service, but shall not include Restricted Data as defined by the Atomic Energy Act of 1954, as amended, and data removed from the Restricted Data category under section 142d of that Act [42 U.S.C. § 2162(d)].

Defense Intelligence Position

Statutory Law

In this subchapter [10 U.S.C. §§ 1601 et seq.]:
(1) The term "defense intelligence position" means a civilian position as an intelligence officer or intelligence employee of the Department of Defense.

Defense Service

Statutory Law

As used in this Act—
(f) "Defense service" includes any service, test, inspection, repair, publication, or technical or other assistance or defense information used for the purposes of furnishing military assistance, but does not include military educational and training activities under chapter 5 of part II [22 U.S.C. §§ 2347 et seq.].
Defenses

Administrative Law


The following definitions apply to this part:

Defenses:
Any and all legal defenses, privileges or objections available to the ODNI in response to a demand.

Delayed

Administrative Law


[...]

Delayed means the response given to the FFL indicating that the transaction is in an “Open” status and that more research is required prior to a NICS “Proceed” or “Denied” response. A “Delayed” response to the FFL indicates that it would be unlawful to transfer the firearm until receipt of a follow-up “Proceed” response from the NICS or the expiration of three business days, whichever occurs first.

Demand

Administrative Law


The following definitions apply to this part:

[...]

Demand:
(1) Any subpoena, order or other legal summons issued by a federal, state, local or other government entity of competent jurisdiction with the
authority to require a response on a particular matter or a request for appearance of an individual where a demand could issue.

(2) Any request for production or disclosure which may result in the issuance of a subpoena, order, or other legal process to compel production or disclosure.

32 CFR § 1805.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1805—PRODUCTION OF OFFICIAL RECORDS OR DISCLOSURE OF OFFICIAL INFORMATION IN PROCEEDINGS BEFORE FEDERAL, STATE OR LOCAL GOVERNMENT ENTITIES OF COMPETENT JURISDICTION]

For the purpose of this part:

[...]
Demand
means any subpoena, order or other legal summons (except garnishment orders) that is issued by a federal, state or local government entity of competent jurisdiction with the authority to require a response on a particular matter, or a request for appearance of an individual where a demand could issue.

32 CFR § 1905.2(b) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1905—PRODUCTION OF OFFICIAL RECORDS OR DISCLOSURE OF OFFICIAL INFORMATION IN PROCEEDINGS BEFORE FEDERAL, STATE OR LOCAL GOVERNMENTAL ENTITIES OF COMPETENT JURISDICTION]

For the purpose of this part:

(b) Demand
means any subpoena, order, or other legal summons (except garnishment orders) that is issued by a federal, state, or local governmental entity of competent jurisdiction with the authority to require a response on a particular matter, or a request for appearance of an individual where a demand could issue.

Denied

Administrative Law


[...]
Denied
means denial of a firearm transfer based on a NICS response indicating one or more matching records were found providing information demonstrating that
receipt of a firearm by a prospective transferee would violate 18 U.S.C. 922 or state law.

**Denying Agency**

**Administrative Law**


[...]

Denying agency means a POC or the NICS Operations Center, whichever determines that information in the NICS indicates that the transfer of a firearm to a person would violate Federal or state law, based on a background check.

**Department**

**Statutory Law**


As used in this title:

[...] The term "department" means one of the executive departments enumerated in section 1 of Title 5, unless the context shows that such term was intended to describe the executive, legislative, or judicial branches of the government.

**Department Attorney**

**Administrative Law**

28 CFR § 77.2(f) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT]

As used in this part, the following terms shall have the following meanings, unless the context indicates otherwise:

[...]

(f) The phrase Department attorney[s] is synonymous with the phrase “attorney[s] for the government” as defined in this section.
See Also

28 CFR § 77.2(a) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT]

As used in this part, the following terms shall have the following meanings, unless the context indicates otherwise:

(a) The phrase “attorney for the government” means the Attorney General; the Deputy Attorney General; the Solicitor General; the Assistant Attorneys General for, and any attorney employed in, the Antitrust Division, Civil Division, Civil Rights Division, Criminal Division, Environment and Natural Resources Division, and Tax Division; the Chief Counsel for the DEA and any attorney employed in that office; the Chief Counsel for ATF and any attorney employed in that office; the General Counsel of the FBI and any attorney employed in that office or in the (Office of General Counsel) of the FBI; any attorney employed in, or head of, any other legal office in a Department of Justice agency; any United States Attorney; any Assistant United States Attorney; any Special Assistant to the Attorney General or Special Attorney duly appointed pursuant to 28 U.S.C. 515; any Special Assistant United States Attorney duly appointed pursuant to 28 U.S.C. 543 who is authorized to conduct criminal or civil law enforcement investigations or proceedings on behalf of the United States; and any other attorney employed by the Department of Justice who is authorized to conduct criminal or civil law enforcement proceedings on behalf of the United States. The phrase attorney for the government also includes any independent counsel, or employee of such counsel, appointed under chapter 40 of title 28, United States Code. The phrase attorney for the government does not include attorneys employed as investigators or other law enforcement agents by the Department of Justice who are not authorized to represent the United States in criminal or civil law enforcement litigation or to supervise such proceedings.

Department Head

Administrative Law

28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

(a) Department or agency head means the head of any federal department or agency and any other officer or employee of any department or agency to whom authority has been delegated.
DoDD. A DoD issuance that EXCLUSIVELY establishes policy, assigns responsibility, and delegates authority to the DoD Components. DoDDs shall not contain procedures. They shall consist of the following two types of issuances: (1) Direct Oversight DoDD: A DoD issuance, no more than 8 pages in length including enclosures, reserved for subjects requiring direct oversight by the Secretary or Deputy Secretary of Defense, approved and signed only by the Secretary or Deputy Secretary of Defense, and consisting only of one or more of the below types of information. (a) Non-delegable responsibilities assigned to the Secretary or Deputy Secretary of Defense. (b) Assignment of functions and resources between or among the Heads of the DoD Components and/or OSD Components. More specifically, this is when the fundamental responsibilities, functions, or authorities of the Head of the Component are being defined or redefined. These major assignments should not be confused with the collateral functions routinely mentioned in an issuance in which the Head of an OSD Component assigns a responsibility to (and coordinates with) the Head of another Component to perform a task within an assigned functional area. (c) EA assignments, which consist of the designation of an EA and the assignment of related responsibilities and authorities. (d) Matters of special interest to the Secretary or Deputy Secretary of Defense such as advisory boards or urgent Global War on Terrorism matters. They may be items selected by the Secretary or Deputy Secretary or recommended by the Head of an OSD Component. (2) Chartering DoDD: A DoDD that establishes the mission, responsibilities, functions, relationships, and delegated authorities of the Head of an OSD Component or other OSD PAS official, a Defense Agency, a DoD Field Activity, or other major DoD or OSD Component, as required. Also referred to as an “organizational charter” or “charter Directive.” Chartering DoDDs comprise a unique DoDD format, developed by O&MP in coordination with DD, and are exempt from the 8-page limit for DoDDs. Chartering DoDDs shall be signed by the Secretary or Deputy Secretary of Defense, except that where the Under Secretaries of Defense are delegated the authority in their chartering DoDDs, the Under Secretaries of Defense shall issue chartering DoDDs for their subordinate OSD PAS officials.
Department of Defense Field Activity

Statutory Law


(a) In general. The following definitions apply in this title:

(12) The term "Department of Defense Field Activity" means an organizational entity of the Department of Defense—

(A) that is established by the Secretary of Defense under section 191 of this title [10 U.S.C. § 191] (or under the second sentence of section 125(d) of this title (as in effect before October 1, 1986)) to perform a supply or service activity common to more than one military department; and

(B) that is designated by the Secretary of Defense as a Department of Defense Field Activity.

Department of Defense Instruction

Administrative Law

U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)

[DoD Instruction]

DoDI. DoDIs consist of the following two levels of issuances. DoDIs shall be no more than 50 pages in length including enclosures. (1) Policy DoDI: A DoDI that ESTABLISHES POLICY and assigns responsibilities within a functional area assigned in the Head of an OSD Component’s chartering DoDD, including defining the authorities and responsibilities of a subordinate official or element when these do not meet the criteria for a chartering DoDD. Policy DoDIs may also provide general procedures for implementing that policy. They shall be signed by the Heads of the OSD Components. They shall include the Component’s chartering DoDD as a reference, and, for the Components whose chartering DoDDs have NOT been updated to include the authority to issue policy in DoDIs, they shall include this Instruction as a reference. (2) Non-Policy DoDI: A DoDI that IMPLEMENTS POLICY established in a DoDD by providing general, overarching procedures for carrying out that policy. Non-policy DoDIs shall be signed by the Heads of the OSD Components, their Principal Deputies, or the OSD PAS officials as authorized by their chartering DoDDs.
Department of Defense Manual

Administrative Law

U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)

[DoD Manual]

DoDM: A DoD issuance providing detailed procedures for implementing policy established in DoDDs and DoDIs. DoDMs shall include the specific, procedural information formerly published as DoD Publications. All DoD Publications that are not DoDMs (i.e., catalogs, compendiums, directories, handbooks, indexes, inventories, lists, modules, pamphlets, plans, series, standards, supplements, and regulations) shall be converted into DoDMs on their next reissuance. DoDMs shall be signed by the Heads of the OSD Components, their Principal Deputies, or the OSD PAS officials as authorized by their chartering DoDDs. DoDMs exceeding 100 pages in length shall be separated into two or more volumes.

Department of the Air Force

Statutory Law


The term "Department of the Air Force" as used in this Act shall be construed to mean the Department of the Air Force at the seat of the government and all field headquarters, forces, reserve components, installations, activities, and functions under the control or supervision of the Department of the Air Force.

Department of the Army

Statutory Law


The term "Department of the Army" as used in this Act shall be construed to mean the Department of the Army at the seat of the government and all field headquarters, forces, reserve components, installations, activities, and functions under the control or supervision of the Department of the Army.
Department of the Navy

Statutory Law


The term "Department of the Navy" as used in this Act shall be construed to mean the Department of the Navy at the seat of the government; the headquarters, United States Marine Corps; the entire operating forces of the United States Navy, including naval aviation, and of the United States Marine Corps, including the reserve components of such forces; all field activities, headquarters, forces, bases, installations, activities, and functions under the control or supervision of the Department of the Navy; and the United States Coast Guard when operating as a part of the Navy pursuant to law.

Deployed

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]
Installed or deployed
means that, on a specific switching system, equipment, facilities, or services are operable and available for use by the carrier's customers.

Derivative Classification

Administrative Law


“Derivative classification” means the incorporating, paraphrasing, restating, or generating in new form information that is already classified, and marking the newly developed material consistent with the classification markings that apply to the source information. Derivative classification includes the classification of information based on classification guidance. The duplication or reproduction of existing classified information is not derivative classification.
For purposes of this order:
(o) "Derivative classification" means the incorporating, paraphrasing, restating, or generating in new form information that is already classified, and marking the newly developed material consistent with the classification markings that apply to the source information. Derivative classification includes the classification of information based on classification guidance. The duplication or reproduction of existing classified information is not derivative classification.

**Determination**

**Administrative Law**

32 CFR § 2102.3 (d) [32 CFR CHAPTER XXI—NATIONAL SECURITY COUNCIL: 32 CFR PART 2102—RULES AND REGULATIONS TO IMPLEMENT THE PRIVACY ACT OF 1974]

As used in these regulations:
(d) Determination.
Any decision made by the NSC or designated official thereof which affects the individual's rights, opportunities, benefits, etc. and which is based in whole or in part on information contained in that individual's record.

**DHS**
Department of Homeland Security

**DI**
Directorate of Intelligence

**DIA**
Defense Intelligence Agency
Dial-Up Access

**Administrative Law**


[...]
Dial-up access
means any routine access through commercial switched circuits on a continuous or temporary basis.

Diplomatic Visa

**Statutory Law**


(a) As used in this Act—
(11) The term "diplomatic visa" means a nonimmigrant visa bearing that title and issued to a nonimmigrant in accordance with such regulations as the Secretary of State may prescribe.

Direct Access

**Administrative Law**

28 CFR § 20.3(h) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:
[...]
(h) Direct access
means having the authority to access systems managed by the FBI CJIS Division, whether by manual or automated methods, not requiring the assistance of or intervention by any other party or agency.

Direct Costs

**Administrative Law**

32 CFR § 1700.2(b) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—
PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

For purposes of this Part, the following terms have the meanings indicated:

(b) Direct costs
means those expenditures which ODNI actually incurs in the processing of a FOIA request; it does not include overhead factors such as space;

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

[...]

Direct-costs
means those expenditures which an agency actually incurs in the processing of a FOIA request; it does not include overhead factors such as space; it does include:

(1) Pages
means paper copies of standard office size or the dollar value equivalent in other media;

(2) Reproduction
means generation of a copy of a requested record in a form appropriate for release;

(3) Review
means all time expended in examining a record to determine whether any portion must be withheld pursuant to law and in effecting any required deletions but excludes personnel hours expended in resolving general legal or policy issues; it also means personnel hours of professional time;

(4) Search
means all time expended in looking for and retrieving material that may be responsive to a request utilizing available paper and electronic indices and finding aids; it also means personnel hours of professional time or the dollar value equivalent in computer searches;

32 CFR § 1900.02(e) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

(e) Direct costs
means those expenditures which an agency actually incurs in the processing of a FOIA request; it does not include overhead factors such as space; it does include:

(1) Pages
means paper copies of standard office size or the dollar value equivalent in other media;

(2) Reproduction
means generation of a copy of a requested record in a form appropriate for release;

(3) Review
means all time expended in examining a record to determine whether any portion must be withheld pursuant to law and in effecting any required deletions but excludes personnel hours expended in resolving general legal or policy issues; it also means personnel hours of professional time;

(4) Search
means all time expended in looking for and retrieving material that may be responsive to a request utilizing available paper and electronic indices and finding aids; it also means personnel hours of professional time or the dollar value equivalent in computer searches;

Direct Supervision

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]
Direct supervision
means immediate or first-level supervision.

Directive-Type Memoranda

Administrative Law

U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)

[Directive-Type Memoranda]
DTM: A memorandum issued ONLY for time-sensitive actions that affect current issuances or that will become DoD issuances, and ONLY when time constraints prevent publishing a new issuance or a change to an existing DoD issuance. DTMs establish DoD policy and assign responsibilities, or implement policies and responsibilities established in existing DoD issuances. DTMs concerning subjects requiring direct oversight by the Secretary or Deputy Secretary of Defense shall be signed by the Secretary or Deputy Secretary of Defense. DTMs that establish policy shall be signed by the Heads of the OSD Components. DTMs that implement policy shall be signed by the Heads of the OSD Components, their Principal Deputies, or the OSD PAS officials as authorized by their chartering DoDDs. DTMs shall not be used to permanently change or supplement existing issuances. They shall be effective for no more than 180 days from the date
signed, during which time they shall be incorporated into an existing DoD issuance, converted to a new DoD issuance, reissued, or canceled.

**Directly Allocable Cost**

*Administrative Law*

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]
Directly allocable cost
means any cost that is directly chargeable to one or more cost objectives and can be distributed to them in reasonable proportion to the benefits received.

**Directly Assignable Cost**

*Administrative Law*

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]
Directly assignable cost
means any cost that can be wholly attributed to a cost objective.

**Directly Associated Cost**

*Administrative Law*

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]
Directly associated cost
means any directly assignable cost or directly allocable cost which is generated solely as a result of incurring another cost, and which would not have been incurred had the said cost not been incurred.
Director

Administrative Law

32 CFR § 1807.103 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1807—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE NATIONAL COUNTERINTELLIGENCE CENTER]

For purposes of this part, the following terms means—

[...]

Director
means the Director of NACIC or an official or employee of the NACIC acting for the Director under a delegation of authority.

32 CFR § 1906.103 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1906—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE CENTRAL INTELLIGENCE AGENCY]

For purposes of this part, the following terms means—

Director
means the Director of Central Intelligence or an official or employee of the Agency acting for the Director under a delegation of authority.

Director, Center for the Study of Intelligence

Administrative Law

32 CFR § 1909.02(f) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:

(f) Director, Center for the Study of Intelligence or “D/CSI”
means the Agency official responsible for the management of the CIA's various historical programs including the management of access granted under this section;
Director of Personnel Security

Administrative Law

32 CFR § 1909.02(g) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]  

For purposes of this part, the following terms have the meanings indicated:  
(g) Director of Personnel Security  
means the Agency official responsible for making all security and access approvals and for effecting the necessary non-disclosure and/or pre-publication agreements as may be required;

Disclose

Statutory Law


For the purposes of this title [50 U.S.C. §§ 421 et seq.]:  
(3) The term "disclose" means to communicate, provide, impart, transmit, transfer, convey, publish, or otherwise make available.

Disclosure

Administrative Law


For purposes of this subpart, the following terms have the meanings indicated:  
[...]  
Disclosure  
means making a record about an individual available to or releasing it to another party.
As used in these regulations:
(f) Disclosure.
The granting of access or transfer of a record by any means.

DISCO
Defense Industrial Security Clearance Office

Disinterested Third Party

Administrative Law

28 CFR § 59.2(b) [28 CFR PART 59—GUIDELINES ON METHODS OF OBTAINING DOCUMENTARY MATERIALS HELD BY THIRD PARTIES]

As used in this part—
[...]
(b) The term disinterested third party means a person or organization not reasonably believed to be—
(1) A suspect in the criminal offense to which the materials sought under these guidelines relate; or
(2) Related by blood or marriage to such a suspect;

Disposition

Administrative Law

28 CFR § 20.3(i) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:
[...]
(i) Disposition means information disclosing that criminal proceedings have been concluded and the nature of the termination, including information disclosing that the police have elected not to refer a matter to a prosecutor or that a prosecutor has elected not to commence criminal proceedings; or disclosing that proceedings have been indefinitely postponed and the reason for such postponement. Dispositions shall include, but shall not be limited to, acquittal, acquittal by reason of insanity,
acquittal by reason of mental incompetence, case continued without finding, charge dismissed, charge dismissed due to insanity, charge dismissed due to mental incompetency, charge still pending due to insanity, charge still pending due to mental incompetence, guilty plea, nolle prosequi, no paper, nolo contendere plea, convicted, youthful offender determination, deceased, deferred disposition, dismissed-civil action, found insane, found mentally incompetent, pardoned, probation before conviction, sentence commuted, adjudication withheld, mistrial-defendant discharged, executive clemency, placed on probation, paroled, or released from correctional supervision.

**District Court**

**Statutory Law**


As used in this title:

[...]

The terms "district court" and "district court of the United States" mean the courts constituted by chapter 5 of this title [28 U.S.C. §§ 81 et seq.].

**DJIOC**

Defense Joint Intelligence Operations Center

**DMZ**

Demilitarized zone

**DNA Analysis**

**Administrative Law**


DNA analysis means analysis of the deoxyribonucleic acid (DNA) identification information in a bodily sample.
DNA Sample

**Administrative Law**


[...]

DNA sample means a tissue, fluid, or other bodily sample of an individual on which a DNA analysis can be carried out.

**DNI**

[Director of National Intelligence]

**Administrative Law**


For purposes of this part the following terms have the following meanings:

DNI.
The Director of National Intelligence.


The following definitions apply to this part:

[...]

DNI:
The Director of National Intelligence.

**DO**

Directorate of Operations
Doctrine

Statutory Law


(a) As used in this Act—
(12) The term "doctrine" includes, but is not limited to, policies, practices, purposes, aims, or procedures.

Document

Statutory Law

As used in this chapter [44 U.S.C. §§ 1501 et seq.], unless the context otherwise requires—
"document" means a Presidential proclamation or Executive order and an order, regulation, rule, certificate, code of fair competition, license, notice, or similar instrument, issued, prescribed, or promulgated by a Federal agency;

44 U.S.C. § 2901(1) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)
As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.],—
(1) the term "records" has the meaning given it by section 3301 of this title;

As used in this chapter [44 U.S.C. §§ 3301 et seq.], "records" includes all books, papers, maps, photographs, machine readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included.
For purposes of this section and section 3316 through section 3324 of this title [44 U.S.C. §§ 3316-3324]—
(3) the term "records and documents" shall include handwritten and typewritten documents, motion pictures, television tapes and recordings, magnetic tapes, automated data processing documentation in various forms, and other records that reveal the history of the Nation.

Administrative Law

“Document” means any recorded information, regardless of the nature of the medium or the method or circumstances of recording.

“Records” means the records of an agency and Presidential papers or Presidential records, as those terms are defined in title 44, United States Code, including those created or maintained by a government contractor, licensee, certificate holder, or grantee that are subject to the sponsoring agency’s control under the terms of the contract, license, certificate, or grant.

Executive Order 13,526, Classified National Security Information, § 6.1 (p) (December 29, 2009)
For purposes of this order:
(p) "Document" means any recorded information, regardless of the nature of the medium or the method or circumstances of recording.

The Attorney General’s Guidelines for Domestic FBI Operations § VII (M) (Sept. 29, 2008)
Any records, databases, files, indices, information systems, or other retained information.

Documentary Material

Statutory Law

As used in this chapter [18 U.S.C. §§ 1961 et seq.]—
(9) "documentary material" includes any book, paper, document, record, recording, or other material;
Administrative Law

28 CFR § 59.2(c) [28 CFR PART 59—GUIDELINES ON METHODS OF OBTAINING DOCUMENTARY MATERIALS HELD BY THIRD PARTIES]

As used in this part—

[...]

(c) The term documentary materials means any materials upon which information is recorded, and includes, but is not limited to, written or printed materials, photographs, films or negatives, audio or video tapes, or materials upon which information is electronically or magnetically recorded, but does not include materials which constitute contraband, the fruits or instrumentalities of a crime, or things otherwise criminally possessed;

DOD

Department of Defense

DoD Component

Administrative Law


Includes the Office of the Secretary of Defense, each of the Military Departments, the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies.

DoD Directives Program

Administrative Law

U.S. Dep't of Defense, Instruction No. 5025.01, § 4 (Oct. 28, 2007)

DoD Directives Program. The single, uniform program that the DoD Components shall use to develop, coordinate, approve, publish, and review DoD issuances. Formerly referred to as the “DoD Directives System.”
DoD Directives System

Administrative Law

U.S. Dep't of Defense, Instruction No. 5025.01, § 4 (Oct. 28, 2007)
DoD Directives Program. The single, uniform program that the DoD Components shall use to develop, coordinate, approve, publish, and review DoD issuances. Formerly referred to as the “DoD Directives System.”

DoD Intelligence Components

Statutory Law

In this subchapter [10 U.S.C. §§ 1601 et seq.]:
(2) The term "intelligence component of the Department of Defense" means any of the following:
   (A) The National Security Agency.
   (B) The Defense Intelligence Agency.
   (C) The National Geospatial-Intelligence Agency.
   (D) Any other component of the Department of Defense that performs intelligence functions and is designated by the Secretary of Defense as an intelligence component of the Department of Defense.
   (E) Any successor to a component specified in, or designated pursuant to, this paragraph.

Administrative Law

Include the following organizations:
DL1.1.8.2. The Defense Intelligence Agency.
DL1.1.8.3. The offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs.
DL1.1.8.4. The Assistant Chief of Staff for Intelligence, Army General Staff.
DL1.1.8.5. The Office of Naval Intelligence.
DL1.1.8.6. The Assistant Chief of Staff, Intelligence, U. S. Air Force.
DL1.1.8.7. The Army Intelligence and Security Command.
DL1.1.8.8. The Naval Intelligence Command.
DL1.1.8.10. The Director of Intelligence, U.S. Marine Corps.
DL1.1.8.11. The Air Force Intelligence Service.
DL1.1.8.13. The counterintelligence elements of the Naval Investigative Service.
DL1.1.8.15. The 650th Military Intelligence Group, SHAPE.
DL1.1.8.16. Other organizations, staffs, and offices, when used for foreign intelligence or counterintelligence activities to which part 2 of E.O. 12333 (reference (a)), applies, provided that the heads of such organizations, staffs, and offices shall not be considered as heads of DoD intelligence components for purposes of this Regulation.

DoD Issuance

Administrative Law

*U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)*

DoD issuance. One of the following 6 types of issuances published by the Department of Defense: DoDD, DoDI, DoDM, DTM, AI, and DoD Publication. The term “DoD Publication” shall be discontinued upon reissuance of all DoD Publications as DoDMs.

See Also

*U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)*

DoDD [DoD Directive]. A DoD issuance that EXCLUSIVELY establishes policy, assigns responsibility, and delegates authority to the DoD Components. DoDDs shall not contain procedures. They shall consist of the following two types of issuances: (1) Direct Oversight DoDD: A DoD issuance, no more than 8 pages in length including enclosures, reserved for subjects requiring direct oversight by the Secretary or Deputy Secretary of Defense, approved and signed only by the Secretary or Deputy Secretary of Defense, and consisting only of one or more of the below types of information. (a) Non-delegable responsibilities assigned to the Secretary or Deputy Secretary of Defense. (b) Assignment of functions and resources between or among the Heads of the DoD Components and/or OSD Components. More specifically, this is when the fundamental responsibilities, functions, or authorities of the Head of the Component are being defined or redefined. These major assignments should not be confused with the collateral
functions routinely mentioned in an issuance in which the Head of an OSD Component assigns a responsibility to (and coordinates with) the Head of another Component to perform a task within an assigned functional area. (c) EA assignments, which consist of the designation of an EA and the assignment of related responsibilities and authorities. (d) Matters of special interest to the Secretary or Deputy Secretary of Defense such as advisory boards or urgent Global War on Terrorism matters. They may be items selected by the Secretary or Deputy Secretary or recommended by the Head of an OSD Component. (2) **Chartering DoDD**: A DoDD that establishes the mission, responsibilities, functions, relationships, and delegated authorities of the Head of an OSD Component or other OSD PAS official, a Defense Agency, a DoD Field Activity, or other major DoD or OSD Component, as required. Also referred to as an “organizational charter” or “charter Directive.” Chartering DoDDs comprise a unique DoDD format, developed by O&MP in coordination with DD, and are exempt from the 8-page limit for DoDDs. Chartering DoDDs shall be signed by the Secretary or Deputy Secretary of Defense, except that where the Under Secretaries of Defense are delegated the authority in their chartering DoDDs, the Under Secretaries of Defense shall issue chartering DoDDs for their subordinate OSD PAS officials.

U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)

**DoDI [DoD Instruction]**. DoDIs consist of the following two levels of issuances. DoDIs shall be no more than 50 pages in length including enclosures. (1) **Policy DoDI**: A DoDI that ESTABLISHES POLICY and assigns responsibilities within a functional area assigned in the Head of an OSD Component’s chartering DoDD, including defining the authorities and responsibilities of a subordinate official or element when these do not meet the criteria for a chartering DoDD. Policy DoDIs may also provide general procedures for implementing that policy. They shall be signed by the Heads of the OSD Components. They shall include the Component’s chartering DoDD as a reference, and, for the Components whose chartering DoDDs have NOT been updated to include the authority to issue policy in DoDIs, they shall include this Instruction as a reference. (2) **Non-Policy DoDI**: A DoDI that IMPLEMENTS POLICY established in a DoDD by providing general, overarching procedures for carrying out that policy. Non-policy DoDIs shall be signed by the Heads of the OSD Components, their Principal Deputies, or the OSD PAS officials as authorized by their chartering DoDDs.

U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)

**DoDM [DoD Manual]**: A DoD issuance providing detailed procedures for implementing policy established in DoDDs and DoDIs. DoDMs shall include the specific, procedural information formerly published as DoD Publications. All DoD Publications that are not DoDMs (i.e., catalogs, compendiums, directories, handbooks, indexes, inventories, lists, modules, pamphlets, plans, series, standards, supplements, and regulations) shall be converted into DoDMs on their
next reissuance. DoDMs shall be signed by the Heads of the OSD Components, their Principal Deputies, or the OSD PAS officials as authorized by their chartering DoDDs. DoDMs exceeding 100 pages in length shall be separated into two or more volumes.

_U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)_

DTM [Directive-Type Memoranda]: A memorandum issued ONLY for time-sensitive actions that affect current issuances or that will become DoD issuances, and ONLY when time constraints prevent publishing a new issuance or a change to an existing DoD issuance. DTMs establish DoD policy and assign responsibilities, or implement policies and responsibilities established in existing DoD issuances. DTMs concerning subjects requiring direct oversight by the Secretary or Deputy Secretary of Defense shall be signed by the Secretary or Deputy Secretary of Defense. DTMs that establish policy shall be signed by the Heads of the OSD Components. DTMs that implement policy shall be signed by the Heads of the OSD Components, their Principal Deputies, or the OSD PAS officials as authorized by their chartering DoDDs. DTMs shall not be used to permanently change or supplement existing issuances. They shall be effective for no more than 180 days from the date signed, during which time they shall be incorporated into an existing DoD issuance, converted to a new DoD issuance, reissued, or canceled.

**DOD Publications**

_Administrative Law_

_U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)_

DoD Publication. A DoD issuance that provides detailed procedures for implementing policy established in DoDDs and DoDIs. TERM TO BE DISCONTINUED upon reissuance of all DoD Publications as DoDMs. DoD Publications include the following types of issuances approved and signed prior to the effective date of this Instruction: catalogs, compendiums, directories, handbooks, indexes, inventories, lists, modules, pamphlets, plans, series, standards, supplements, and regulations.
DODD

Administrative Law

U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)

[DoD Directive]

DoDD. A DoD issuance that EXCLUSIVELY establishes policy, assigns responsibility, and delegates authority to the DoD Components. DoDDs shall not contain procedures. They shall consist of the following two types of issuances: (1) Direct Oversight DoDD: A DoD issuance, no more than 8 pages in length including enclosures, reserved for subjects requiring direct oversight by the Secretary or Deputy Secretary of Defense, approved and signed only by the Secretary or Deputy Secretary of Defense, and consisting only of one or more of the below types of information. (a) Non-delegable responsibilities assigned to the Secretary or Deputy Secretary of Defense. (b) Assignment of functions and resources between or among the Heads of the DoD Components and/or OSD Components. More specifically, this is when the fundamental responsibilities, functions, or authorities of the Head of the Component are being defined or redefined. These major assignments should not be confused with the collateral functions routinely mentioned in an issuance in which the Head of an OSD Component assigns a responsibility to (and coordinates with) the Head of another Component to perform a task within an assigned functional area. (c) EA assignments, which consist of the designation of an EA and the assignment of related responsibilities and authorities. (d) Matters of special interest to the Secretary or Deputy Secretary of Defense such as advisory boards or urgent Global War on Terrorism matters. They may be items selected by the Secretary or Deputy Secretary or recommended by the Head of an OSD Component. (2) Chartering DoDD: A DoDD that establishes the mission, responsibilities, functions, relationships, and delegated authorities of the Head of an OSD Component or other OSD PAS official, a Defense Agency, a DoD Field Activity, or other major DoD or OSD Component, as required. Also referred to as an “organizational charter” or “charter Directive.” Chartering DoDDs comprise a unique DoDD format, developed by O&MP in coordination with DD, and are exempt from the 8-page limit for DoDDs. Chartering DoDDs shall be signed by the Secretary or Deputy Secretary of Defense, except that where the Under Secretaries of Defense are delegated the authority in their chartering DoDDs, the Under Secretaries of Defense shall issue chartering DoDDs for their subordinate OSD PAS officials.
DODI

Administrative Law

U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)

[DoD Instruction]

DoDI.  DoDIs consist of the following two levels of issuances.  DoDIs shall be no more than 50 pages in length including enclosures.  (1) Policy DoDI:  A DoDI that ESTABLISHES POLICY and assigns responsibilities within a functional area assigned in the Head of an OSD Component’s chartering DoDD, including defining the authorities and responsibilities of a subordinate official or element when these do not meet the criteria for a chartering DoDD.  Policy DoDIs may also provide general procedures for implementing that policy.  They shall be signed by the Heads of the OSD Components.  They shall include the Component’s chartering DoDD as a reference, and, for the Components whose chartering DoDDs have NOT been updated to include the authority to issue policy in DoDIs, they shall include this Instruction as a reference.  (2) Non-Policy DoDI:  A DoDI that IMPLEMENTS POLICY established in a DoDD by providing general, overarching procedures for carrying out that policy.  Non-policy DoDIs shall be signed by the Heads of the OSD Components, their Principal Deputies, or the OSD PAS officials as authorized by their chartering DoDDs.

DODM

Administrative Law

U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)

[DoD Manual]

DoDM:  A DoD issuance providing detailed procedures for implementing policy established in DoDDs and DoDIs.  DoDMs shall include the specific, procedural information formerly published as DoD Publications.  All DoD Publications that are not DoDMs (i.e., catalogs, compendiums, directories, handbooks, indexes, inventories, lists, modules, pamphlets, plans, series, standards, supplements, and regulations) shall be converted into DoDMs on their next reissuance.  DoDMs shall be signed by the Heads of the OSD Components, their Principal Deputies, or the OSD PAS officials as authorized by their chartering DoDDs.  DoDMs exceeding 100 pages in length shall be separated into two or more volumes.

DOE

Department of Energy
DOJ
Department of Justice

Domestic Activities

Administrative Law

Domestic activities refers to activities that take place within the United States that do not involve a significant connection with a foreign power, organization, or person.

Domestic activities refers to activities that take place within the United States that do not involve a significant connection with a foreign power, organization or person.

Domestic Industrial Base

Statutory Law

[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:
(6) Domestic industrial base. The term "domestic industrial base" means domestic sources which are providing, or which would be reasonably expected to provide, materials or services to meet national defense requirements during peacetime, national emergency, or war.
Domestic Policies of the United States

Administrative Law

28 CFR § 5.100 (f) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(f) The term domestic or foreign policies of the United States, as used in sections 1 (o) and (p) of the Act, shall be deemed to relate to existing and proposed legislation, or legislative action generally; treaties; executive agreements, proclamations, and orders; decisions relating to or affecting departmental or agency policy, and the like.

Domestic Source

Statutory Law


[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:

(7) Domestic source. The term "domestic source" means a business concern—

(A) that performs in the United States or Canada substantially all of the research and development, engineering, manufacturing, and production activities required of such business concern under a contract with the United States relating to a critical component or a critical technology item; and

(B) that procures from business concerns described in subparagraph (A) substantially all of any components and assemblies required under a contract with the United States relating to a critical component or critical technology item.

Domestic Terrorism

Statutory Law


As used in this chapter [18 U.S.C. §§ 2331 et seq.] —

(5) the term "domestic terrorism" means activities that—

(A) involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State;
(B) appear to be intended—
   (i) to intimidate or coerce a civilian population;
   (ii) to influence the policy of a government by intimidation or coercion; or
   (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and
(C) occur primarily within the territorial jurisdiction of the United States.

Double Criminality

Statutory Law

18 U.S.C. § 4101(a) (2010) (Title 18—Chapter 306: Transfer to or from Foreign Countries)

As used in this chapter [18 U.S.C. §§ 4100 et seq.] the term—
(a) "double criminality" means that at the time of transfer of an offender the offense for which he has been sentenced is still an offense in the transferring country and is also an offense in the receiving country. With regard to a country which has a federal form of government, an act shall be deemed to be an offense in that country if it is an offense under the federal laws or the laws of any state or province thereof;

Downgrading

Administrative Law


“Downgrading” means a determination by a declassification authority that information classified and safeguarded at a specified level shall be classified and safeguarded at a lower level.

Executive Order 13,526, Classified National Security Information, § 6.1 (q) (December 29, 2009)

For purposes of this order:
(q) "Downgrading" means a determination by a declassification authority that information classified and safeguarded at a specified level shall be classified and safeguarded at a lower level.

DS&T

Directorate of Science and Technology
DTM

Administrative Law

U.S. Dep't of Defense, Instruction No. 5025.01, Part II (Oct. 28, 2007)

[Directive-Type Memoranda]
DTM: A memorandum issued ONLY for time-sensitive actions that affect current issuances or that will become DoD issuances, and ONLY when time constraints prevent publishing a new issuance or a change to an existing DoD issuance. DTMs establish DoD policy and assign responsibilities, or implement policies and responsibilities established in existing DoD issuances. DTMs concerning subjects requiring direct oversight by the Secretary or Deputy Secretary of Defense shall be signed by the Secretary or Deputy Secretary of Defense. DTMs that establish policy shall be signed by the Heads of the OSD Components. DTMs that implement policy shall be signed by the Heads of the OSD Components, their Principal Deputies, or the OSD PAS officials as authorized by their chartering DoDDs. DTMs shall not be used to permanently change or supplement existing issuances. They shall be effective for no more than 180 days from the date signed, during which time they shall be incorporated into an existing DoD issuance, converted to a new DoD issuance, reissued, or canceled.

Duly Accredited

Administrative Law

28 CFR § 73.1(d) [28 CFR PART 73–NOTIFICATIONS TO THE ATTORNEY GENERAL BY AGENTS OF FOREIGN GOVERNMENTS]

(d) When used in 18 U.S.C. 951(d)(1), the term “duly accredited” means that the sending State has notified the Department of State of the appointment and arrival of the diplomatic or consular officer involved, and the Department of State has not objected.
Educational Institution

Administrative Law

32 CFR § 1700.2(h)(2) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

[...

(2) Educational institution:
A preschool, a public or private elementary or secondary school, an institution of undergraduate higher education, an institution of graduate higher education, an institution of professional education, or an institution of vocational education, that operates a program of scholarly research. To be in this category, a requester must show that the request is authorized by and is made under the auspices of a qualifying institution and that the records are not sought for a commercial use but are sought to further scholarly research.

Electronics Communication

Statutory Law

18 U.S.C. § 2510(12) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]—

(12) "electronic communication" means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photooptical system that affects interstate or foreign commerce, but does not include—

(A) any wire or oral communication;
(B) any communication made through a tone-only paging device;
(C) any communication from a tracking device (as defined in section 3117 of this title [18 U.S.C. § 3117]); or
(D) electronic funds transfer information stored by a financial institution in a communications system used for the electronic storage and transfer of funds;
Electronic Communication Service

Statutory Law

18 U.S.C. § 2510(15) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]

(15) "electronic communication service" means any service which provides to users thereof the ability to send or receive wire or electronic communications;

Electronic Communication Service Provider

Statutory Law


Electronic communication service provider. The term "electronic communication service provider" means—

(A) a telecommunications carrier, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153);

(B) a provider of electronic communication service, as that term is defined in section 2510 of title 18, United States Code;

(C) a provider of a remote computing service, as that term is defined in section 2711 of title 18, United States Code;

(D) any other communication service provider who has access to wire or electronic communications either as such communications are transmitted or as such communications are stored; or

(E) an officer, employee, or agent of an entity described in subparagraph (A), (B), (C), or (D).


Electronic communication service provider. The term "electronic communication service provider" means—

(A) a telecommunications carrier, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153);

(B) a provider of electronic communication service, as that term is defined in section 2510 of title 18, United States Code;

(C) a provider of a remote computing service, as that term is defined in section 2711 of title 18, United States Code;
(D) any other communication service provider who has access to wire or electronic communications either as such communications are transmitted or as such communications are stored;
(E) a parent, subsidiary, affiliate, successor, or assignee of an entity described in subparagraph (A), (B), (C), or (D); or
(F) an officer, employee, or agent of an entity described in subparagraph (A), (B), (C), (D), or (E).

Electronic Communications System

Statutory Law

18 U.S.C. § 2510(14) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]—
(14) "electronic communications system" means any wire, radio, electromagnetic, photooptical or photoelectronic facilities for the transmission of wire or electronic communications, and any computer facilities or related electronic equipment for the electronic storage of such communications;

Electronic, Mechanical, or Other Device

Statutory Law

18 U.S.C. § 2510(5) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]—
(5) "electronic, mechanical, or other device" means any device or apparatus which can be used to intercept a wire, oral, or electronic communication other than—
(a) any telephone or telegraph instrument, equipment or facility, or any component thereof, (i) furnished to the subscriber or user by a provider of wire or electronic communication service in the ordinary course of its business and being used by the subscriber or user in the ordinary course of its business or furnished by such subscriber or user for connection to the facilities of such service and used in the ordinary course of its business; or (ii) being used by a provider of wire or electronic communication service in the ordinary course of its business, or by an investigative or law enforcement officer in the ordinary course of his duties;
(b) a hearing aid or similar device being used to correct subnormal hearing to not better than normal;
Electronic Storage

Statutory Law

18 U.S.C. § 2510(17) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]—
(17) "electronic storage" means—
(A) any temporary, intermediate storage of a wire or electronic communication incidental to the electronic transmission thereof; and
(B) any storage of such communication by an electronic communication service for purposes of backup protection of such communication;

Electronic Surveillance

Statutory Law

*50 U.S.C. § 1801 (f) (Title 50—Chapter 36: Foreign Intelligence Surveillance—Subchapter A: Electronic Surveillance)

(f) "Electronic surveillance" means—
(1) the acquisition by an electronic, mechanical, or other surveillance device of the contents of any wire or radio communication sent by or intended to be received by a particular, known United States person who is in the United States, if the contents are acquired by intentionally targeting that United States person, under circumstances in which a person has a reasonable expectation of privacy and a warrant would be required for law enforcement purposes;
(2) the acquisition by an electronic, mechanical, or other surveillance device of the contents of any wire communication to or from a person in the United States, without the consent of any party thereto, if such acquisition occurs in the United States, but does not include the acquisition of those communications of computer trespassers that would be permissible under section 2511(2)(i) of title 18, United States Code;
(3) the intentional acquisition by an electronic, mechanical, or other surveillance device of the contents of any radio communication, under circumstances in which a person has a reasonable expectation of privacy and a warrant would be required for law enforcement purposes, and if both the sender and all intended recipients are located within the United States; or
(4) the installation or use of an electronic, mechanical, or other surveillance device in the United States for monitoring to acquire information, other than from a wire or radio communication, under circumstances in which a person has
a reasonable expectation of privacy and a warrant would be required for law enforcement purposes.

*NOTE: The Protect America Act of 2007 temporarily removed application of this definition to any surveillance of persons located overseas. This even included electronic surveillance of U.S. persons.

- The Protect America Act, P.L. 110-55 was signed into law on August 5, 2007. Many of the provisions were set to expire in 6-months, and were extended briefly for an additional 15 days before expiring on February 16, 2008. See Pub. L. No. 110-182 (extending effectiveness of the Protect America Act for 15 days beyond the original sunset date).
- This statute inserted a clarification into FISA’s definitions redefining “electronic surveillance” so as not to be interpreted as applying to any surveillance conducted on persons reasonably believed to be located abroad. See FISA § 105(A), 50 U.S.C. § 1805a (2007) (“Nothing in the definition of electronic surveillance under section 101(f) [50 U.S.C. § 1801(f)] shall be construed to encompass surveillance directed at a person reasonably believed to be located outside of the United States.”). This provision sunset on February 16, 2008, subject to saving provisions that validated orders approved during the statute’s short lifespan. The provision was repealed on July 10, 2008 by the FISA Amendments Act of 2008, Pub. L. No. 110-261, 122 Stat. 2436.
- The Protect America Act of 2007 gave the AG and DNI the power to order communications service providers, custodians, or other persons (including any officer, employee, agent, or other specified person of such service provider, custodian, or other person) who has access to communications, either as they are transmitted or while they are stored, or equipment that is being or may be used to transmit or store such communications.” See FISA § 105(B), 50 U.S.C. § 1805b (2007). This provision sunset on February 16, 2008, subject to saving provisions that validated orders approved during the statute’s short lifespan. The provision was repealed on July 10, 2008 by the FISA Amendments Act of 2008, Pub. L. No. 110-261, 122 Stat. 2436.
- FISA Section 105B, codified at 50 U.S.C. § 1805b (2007), contained the now repealed procedures that were in effect during the 6-month U.S. citizen intelligence collection extravaganza.
Administrative Law

*Executive Order 12333, United States Intelligence Activities, § 3.5(c) (2010)*

Electronic surveillance means acquisition of a nonpublic communication by electronic means without the consent of a person who is a party to an electronic communication or, in the case of a non-electronic communication, without the consent of a person who is visibly present at the place of communication, but not including the use of radio direction-finding equipment solely to determine the location of a transmitter.


Acquisition of a nonpublic communication by electronic means without the consent of a person who is a party to an electronic communication or, in the case of a nonelectronic communication, without the consent of a person who is visibly present at the place of communication, but not including the use of radio direction finding equipment solely to determine the location of a transmitter. (Electronic surveillance within the United States is subject to the definitions in the Foreign Intelligence Surveillance Act of 1978 (reference (b))).

ELINT

Electronic Intelligence

Employed by the Armed Forces Outside the United States

*Statutory Law*

18 U.S.C. § 3267(1) (Title 18—Chapter 212: Military Extraterritorial Jurisdiction)

As used in this chapter [18 U.S.C. §§ 3261 et seq.]:

1. The term "employed by the Armed Forces outside the United States" means—

2. (A) employed as—

3. (i) a civilian employee of—

4. (I) the Department of Defense (including a nonappropriated fund instrumentality of the Department); or

5. (II) any other Federal agency, or any provisional authority, to the extent such employment relates to supporting the mission of the Department of Defense overseas;
(ii) a contractor (including a subcontractor at any tier) of—
   (I) the Department of Defense (including a nonappropriated fund instrumentality of the Department); or
   (II) any other Federal agency, or any provisional authority, to the extent such employment relates to supporting the mission of the Department of Defense overseas; or
(iii) an employee of a contractor (or subcontractor at any tier) of—
   (I) the Department of Defense (including a nonappropriated fund instrumentality of the Department); or
   (II) any other Federal agency, or any provisional authority, to the extent such employment relates to supporting the mission of the Department of Defense overseas;
   (B) present or residing outside the United States in connection with such employment; and
   (C) not a national of or ordinarily resident in the host nation.

**Employed by the Federal Government Outside the United States**

**Statutory Law**

18 U.S.C. § 3272(1) (Title 18—Chapter 212A: Extraterritorial Jurisdiction over Certain Trafficking in Persons Offenses)

As used in this chapter [18 U.S.C. §§ 3721 et seq.]:

1. The term "employed by the Federal Government outside the United States" means—
   (A) employed as a civilian employee of the Federal Government, as a Federal contractor (including a subcontractor at any tier), or as an employee of a Federal contractor (including a subcontractor at any tier);
   (B) present or residing outside the United States in connection with such employment; and
   (C) not a national of or ordinarily resident in the host nation.

**Employee**

**Statutory Law**


(a) For the purpose of this chapter [5 U.S.C. §§ 7101 et seq.]—[…]

(2) "employee" means an individual—
   (A) employed in an agency; or
(B) whose employment in an agency has ceased because of any unfair labor practice under section 7116 of this title [5 U.S.C. § 7116] and who has not obtained any other regular and substantially equivalent employment, as determined under regulations prescribed by the Federal Labor Relations Authority; but does not include—

(i) an alien or noncitizen of the United States who occupies a position outside the United States;

(ii) a member of the uniformed services;

(iii) a supervisor or a management official;

(iv) an officer or employee in the Foreign Service of the United States employed in the Department of State, the International Communication Agency, the Agency for International Development, the Department of Agriculture, or the Department of Commerce; or

(v) any person who participates in a strike in violation of section 7311 of this title [5 U.S.C. § 7311];


For the purpose of this subchapter [5 U.S.C. §§ 7501 et seq.]—"employee" means an individual in the competitive service who is not serving a probationary or trial period under an initial appointment or who has completed 1 year of current continuous employment in the same or similar positions under other than a temporary appointment limited to 1 year or less;

5 U.S.C. § 7511(a)(1) (2010) (Title 5—Chapter 75: Adverse Actions—Subchapter II: Removal, Suspension for More than 14 Days, Reduction in Grade or Pay, or Furlough for 30 Days or Less)

(a) For the purpose of this subchapter [5 U.S.C. §§ 7511 et seq.]—

(1) "employee" means—

(A) an individual in the competitive service—

(i) who is not serving a probationary or trial period under an initial appointment; or

(ii) who has completed 1 year of current continuous service under other than a temporary appointment limited to 1 year or less;

(B) a preference eligible in the excepted service who has completed 1 year of current continuous service in the same or similar positions—

(i) in an Executive agency; or

(ii) in the United States Postal Service or Postal Regulatory Commission; and

(C) an individual in the excepted service (other than a preference eligible)—

(i) who is not serving a probationary or trial period under an initial appointment pending conversion to the competitive service; or

(ii) who has completed 2 years of current continuous service in the same or similar positions in an Executive agency under other than a temporary appointment limited to 2 years or less;
For the purpose of this subchapter [5 U.S.C. §§ 7541 et seq.]—
(1) "employee" means a career appointee in the Senior Executive Service who—
(A) has completed the probationary period prescribed under section 3393(d) of this title [5 U.S.C. § 3393(d)]; or
(B) was covered by the provisions of subchapter II of this chapter [5 U.S.C. §§ 7511 et seq.] immediately before appointment to the Senior Executive Service;

For the purposes of this title [50 U.S.C. §§ 421 et seq.]:
(7) The terms "officer" and "employee" have the meanings given such terms by section 2104 and 2105, respectively, of title 5, United States Code.

For purposes of this title [50 U.S.C. §§ 435 et seq.]—
(4) the term "employee" includes any person who receives a salary or compensation of any kind from the United States Government, is a contractor of the United States Government or an employee thereof, is an unpaid consultant of the United States Government, or otherwise acts for or on behalf of the United States Government, except as otherwise determined by the President;

Administrative Law
Executive Order 12333, United States Intelligence Activities, § 3.5(d) (2010)
Employee means a person employed by, assigned or detailed to, or acting for an element within the Intelligence Community.

28 CFR § 69.105(k) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]
For purposes of this part:
[...]
(k) Officer or employee of an agency
includes the following individuals who are employed by an agency:
(1) An individual who is appointed to a position in the Government under title 5, U.S. Code, including a position under a temporary appointment;
(2) A member of the uniformed services as defined in section 101(3), title 37, U.S. Code;
(3) A special Government employee as defined in section 202, title 18, U.S. Code; and,
(4) An individual who is a member of a Federal advisory committee, as defined by the Federal Advisory Committee Act, title 5, U.S. Code appendix 2.

28 CFR § 105.22(b) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment]

As used in this subpart:
[...]
(b) Employee
means both a current employee and an applicant for employment as a private security officer.

32 CFR § 1805.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1805—PRODUCTION OF OFFICIAL RECORDS OR DISCLOSURE OF OFFICIAL INFORMATION IN PROCEEDINGS BEFORE FEDERAL, STATE OR LOCAL GOVERNMENT ENTITIES OF COMPETENT JURISDICTION]

For the purpose of this part:
[...]
Employee
means any officer, any staff, contract or other employee of NACIC, any person including independent contractors associated with or acting on behalf of NACIC; and any person formerly having such relationships with NACIC.


[...]
Employee
means any NACIC officer, any staff, contract, or other employee of NACIC, any person including independent contractors associated with or acting for or on behalf of NACIC, and any person formerly having such a relationship with NACIC.

32 CFR § 1904.2(c) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1904—PROCEDURES GOVERNING ACCEPTANCE OF SERVICE OF PROCESS]

(c) Employee
means any CIA officer, any staff, contract, or other employee of CIA, any person including independent contractors associated with or acting for or on behalf of CIA, and any person formerly having such a relationship with CIA.
For the purpose of this part:
(c) Employee means any officer, any staff, contract, or other employee of CIA; any person including independent contractors associated with or acting on behalf of CIA; and any person formerly having such a relationship with CIA.

(f) Employee means a person, other than the President and Vice President, employed by, detailed or assigned to, an agency, including members of the Armed Forces; an expert or consultant to an agency; an industrial or commercial contractor, licensee, certificate holder, or grantee of an agency, including all subcontractors; a personal services contractor; or any other category of person who acts for or on behalf of an agency as determined by the appropriate agency head.

A person employed by, assigned to, or acting for an agency within the intelligence community, including contractors and persons otherwise acting at the direction of such an agency.

An FBI employee or an employee of another agency working under the direction and control of the FBI.

See Also

(g) Officer or employee of the Federal Government means any person employed as a regular or special employee of the U.S. (including experts, consultants, and advisory board members) as of July 1, 1973, or at any time thereafter.
28 CFR § 45.10: Procedures to promote compliance with crime victims' rights obligations [28 CFR PART 45—EMPLOYEE RESPONSIBILITIES]

(a) Definitions.
The following definitions shall apply with respect to this section, which implements the provisions of the Justice for All Act that relate to protection of the rights of crime victims. See 18 U.S.C. 3771.

Employee of the Department of Justice
means an attorney, investigator, law enforcement officer, or other personnel employed by any division or office of the Department of Justice whose regular course of duties includes direct interaction with crime victims, not including a contractor.


For purposes of this part the following terms have the following meanings:

ODNI Employee.
Any current or former employee, contractor, independent contractor, assignee or detailee to the ODNI.


The following definitions apply to this part:

ODNI Employee:
Any current or former employee, contractor, independent contractor, assignee or detailee to the ODNI.

Employee of an Agency

Administrative Law

28 CFR § 69.105(k) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

[...]

Page 284
(k) Officer or employee of an agency
includes the following individuals who are employed by an agency:
(1) An individual who is appointed to a position in the Government under
title 5, U.S. Code, including a position under a temporary appointment;
(2) A member of the uniformed services as defined in section 101(3), title
37, U.S. Code;
(3) A special Government employee as defined in section 202, title 18, U.S.
Code; and,
(4) An individual who is a member of a Federal advisory committee, as
defined by the Federal Advisory Committee Act, title 5, U.S. Code
appendix 2.

See Also
28 CFR § 22.2(g) [28 CFR PART 22—CONFIDENTIALITY OF
IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

(g) Officer or employee of the Federal Government
means any person employed as a regular or special employee of the U.S.
(including experts, consultants, and advisory board members) as of July 1, 1973,
or at any time thereafter.

Employee of the Department of Justice

Administrative Law
28 CFR § 45.10: Procedures to promote compliance with crime
victims' rights obligations [28 CFR PART 45—EMPLOYEE
RESPONSIBILITIES]

(a) Definitions.
The following definitions shall apply with respect to this section, which
implements the provisions of the Justice for All Act that relate to protection of
[...]
Employee of the Department of Justice
means an attorney, investigator, law enforcement officer, or other personnel
employed by any division or office of the Department of Justice whose regular
course of duties includes direct interaction with crime victims, not including a
contractor.
Employee of the Federal Government

**Administrative Law**

28 CFR § 22.2(g) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

[...]

(g) Officer or employee of the Federal Government means any person employed as a regular or special employee of the U.S. (including experts, consultants, and advisory board members) as of July 1, 1973, or at any time thereafter.

Employee of the Government

**Statutory Law**

28 U.S.C. § 2671 (Title 28—Chapter 171: Tort Claims Procedure)

"Employee of the government" includes (1) officers or employees of any federal agency, members of the military or naval forces of the United States, members of the National Guard while engaged in training or duty under section 115, 316, 502, 503, 504, or 505 of title 32 [32 U.S.C. § 115, 316, 502, 503, 504, or 505], and persons acting on behalf of a federal agency in an official capacity, temporarily or permanently in the service of the United States, whether with or without compensation, and (2) any officer or employee of a Federal public defender organization, except when such officer or employee performs professional services in the course of providing representation under section 3006A of title 18 [18 U.S.C. § 3006A].

**See Also**

28 CFR § 22.2(g) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

[...]

(g) Officer or employee of the Federal Government means any person employed as a regular or special employee of the U.S. (including experts, consultants, and advisory board members) as of July 1, 1973, or at any time thereafter.
Encourage a Riot

Statutory Law


(b) As used in this chapter, the term "to incite a riot", or "to organize, promote, encourage, participate in, or carry on a riot", includes, but is not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written (1) advocacy of ideas or (2) expression of belief, not involving advocacy of any act or acts of violence or assertion of the right of, or the right to commit, any such act or acts.

NOTE: The term “riot,” as used in this section, is defined in 18 U.S.C. § 2102(a) (2010) (Title 18—Chapter 102: Riots) (“(a) As used in this chapter, the term "riot" means a public disturbance involving (1) an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual or (2) a threat or threats of the commission of an act or acts of violence by one or more persons part of an assemblage of three or more persons having, individually or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened act or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual.”).

End of the War

Statutory Law


The words "end of the war," as used herein, shall be deemed to mean the date of proclamation of exchange of ratifications of the treaty of peace, unless the President shall, by proclamation, declare a prior date, in which case the date so proclaimed shall be deemed to be the "end of the war" within the meaning of this Act.
**Enemy**

**Statutory Law**


The word "enemy," as used herein, shall be deemed to mean, for the purposes of such trading and of this Act—

(a) Any individual, partnership, or other body of individuals, of any nationality, resident within the territory (including that occupied by the military and naval forces) of any nation with which the United States is at war, or resident outside the United States and doing business within such territory, and any corporation incorporated within such territory of any nation with which the United States is at war or incorporated within any country other than the United States and doing business within such territory.

(b) The government of any nation with which the United States is at war, or any political or municipal subdivision thereof, or any officer, official, agent, or agency thereof.

(c) Such other individuals, or body or class of individuals, as may be natives, citizens, or subjects of any nation with which the United States is at war, other than citizens of the United States, wherever resident or wherever doing business, as the President, if he shall find the safety of the United States or the successful prosecution of the war shall so require, may, by proclamation, include with the term "enemy."

**Enterprise**

**Statutory Law**


As used in this chapter [18 U.S.C. §§ 1961 et seq.]—

(4) "enterprise" includes any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity;

**EO System**

Electro-optical system
EOUSA

Administrative Law

28 CFR § 45.10: Procedures to promote compliance with crime victims’ rights obligations [28 CFR PART 45—EMPLOYEE RESPONSIBILITIES]

(b)
The Attorney General shall designate an official within the Executive Office for United States Attorneys (EOUSA) to receive and investigate complaints alleging the failure of Department of Justice employees to provide rights to crime victims under 18 U.S.C. 3771. The official shall be called the Department of Justice Victims' Rights Ombudsman (VRO). The VRO shall then designate, in consultation with each office of the Department of Justice, an official in each office to serve as the initial point of contact (POC) for complainants.

Equity

Administrative Law


(g) Equity refers to information:
(1) Originally classified by or under the control of an agency;
(2) In the possession of the receiving agency in the event of transfer of function; or
(3) In the possession of a successor agency for an agency that has ceased to exist.

Espionage

Statutory Law


As used in this chapter [18 U.S.C. §§ 3071 et seq.], the term—
(8) "act of espionage" means an activity that is a violation of—
(A) section 793, 794, or 798 of this title [18 U.S.C. § 793, 794, or 798]; or
(B) section 4 of the Subversive Activities Control Act of 1950 [50 U.S.C. § 783].
EU
European Union

Excess Defense Articles

Statutory Law


As used in this Act—
(g) "Excess defense articles" means the quantity of defense articles (other than construction equipment, including tractors, scrapers, loaders, graders, bulldozers, dump trucks, generators, and compressors) owned by the United States Government, and not procured in anticipation of military assistance or sales requirements, or pursuant to a military assistance or sales order, which is in excess of the Approved Force Acquisition Objective and Approved Force Retention Stock of all Department of Defense Components at the time such articles are dropped from inventory by the supplying agency for delivery to countries or international organizations under this Act.

EXCOM
Executive Committee

Executive Agency

Statutory Law

44 U.S.C. § 2901(13) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)

As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.]—
(13) the term "executive agency" shall have the meaning given such term by section 102 of title 40;
Executive Order

Administrative Law

28 CFR § 20.3(j) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:

[j] Executive order

means an order of the President of the United States or the Chief Executive of a state that has the force of law and that is published in a manner permitting regular public access.

Exempted

Administrative Law


(h) Exempted

means nomenclature and markings indicating information has been determined to fall within an enumerated exemption from automatic declassification under the Order.

Experimentation

Administrative Law


C13.2.1. Experimentation in this context means any research or testing activity involving human subjects that may expose such subjects to the possibility of permanent or temporary injury (including physical or psychological damage and damage to the reputation of such persons) beyond the risks of injury to which such subjects are ordinarily exposed in their daily lives.

C13.2.2. Experimentation is conducted on behalf of a DoD intelligence component if it is conducted under contract to that component or to another DoD Component for the benefit of the intelligence component or
at the request of such a component regardless of the existence of a contractual relationship.

C13.2.3. Human subjects in this context includes any person whether or not such person is a United States person.

**Explosive**

**Administrative Law**

32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS]

As used in this part:
Explosives/Explosive Materials.
The term is defined for the purposes of this part as it is defined in Title 18 U.S.C. 841.

**Explosive Materials**

**Administrative Law**

32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS]

As used in this part:
Explosives/Explosive Materials.
The term is defined for the purposes of this part as it is defined in Title 18 U.S.C. 841.

**Express Consent**

**Statutory Law**


In this chapter [18 U.S.C. §§ 2721 et seq.]—

(5) "express consent" means consent in writing, including consent conveyed electronically that bears an electronic signature as defined in section 106(5) of Public Law 106-229 [15 U.S.C. § 7006(5)].
Expression of Interest

Administrative Law

32 CFR § 1700.2(g) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

For purposes of this Part, the following terms have the meanings indicated:

(g) Expression of interest
means a written or electronic communication submitted by any person requesting information on or concerning the FOIA program, the availability of documents from ODNI, or both;

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

[...]
Expression of interest
means a written communication submitted by a member of the public requesting information on or concerning the FOIA program and/or the availability of documents from NACIC;

32 CFR § 1900.02(f) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

(f) Expression of interest
means a written communication submitted by a member of the public requesting information on or concerning the FOIA program and/or the availability of documents from the CIA;

Extraordinary Ability

Statutory Law


(a) As used in this Act—

**Facility**

**Statutory Law**


[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:

(8) Facilities. The term "facilities" includes all types of buildings, structures, or other improvements to real property (but excluding farms, churches or other places of worship, and private dwelling houses), and services relating to the use of any such building, structure, or other improvement.

**Administrative Law**

32 CFR § 1807.103 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1807—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE NATIONAL COUNTERINTELLIGENCE CENTER]

For purposes of this part, the following terms means—

[...]

Facility means all or any portion of buildings, structures, equipment, roads, walks, parking lots, rolling stock or other conveyances or other real or personal property.

32 CFR § 1906.103 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1906—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE CENTRAL INTELLIGENCE AGENCY]

For purposes of this part, the following terms means—

Facility means all or any portion of buildings, structures, equipment, roads, walks, parking lots, rolling stock or other conveyances or other real or personal property.
(i) Facility
means an activity of an agency authorized by appropriate authority to conduct
classified operations or to perform classified work.

Family

Statutory Law

Diplomatic and Consular Officers)
As used in this Act—
(2) the term "family" means—
(A) the members of the family of a member of a mission described in
paragraph (1)(A) who form part of his or her household if they are not nationals
of the United States, and
(B) the members of the family of a member of a mission described in
paragraph (1)(B) who form part of his or her household if they are not nationals
or permanent residents of the United States,
within the meaning of Article 37 of the Vienna Convention;

FBI
Federal Bureau of Investigation

FBI Identification Record

Administrative Law

28 CFR § 16.31: Definition of identification record [28 CFR PART
16—PRODUCTION OR DISCLOSURE OF MATERIAL OR
INFORMATION: SUBPART C—Production of FBI Identification
Records in Response to Written Requests by Subjects Thereof]
An FBI identification record, often referred to as a “rap sheet,” is a listing of
certain information taken from fingerprint submissions retained by the FBI in
connection with arrests and, in some instances, includes information taken from
fingerprints submitted in connection with federal employment, naturalization, or
military service. The identification record includes the name of the agency or
institution that submitted the fingerprints to the FBI. If the fingerprints concern a criminal offense, the identification record includes the date of arrest or the date the individual was received by the agency submitting the fingerprints, the arrest charge, and the disposition of the arrest if known to the FBI. All arrest data included in an identification record are obtained from fingerprint submissions, disposition reports, and other reports submitted by agencies having criminal justice responsibilities. Therefore, the FBI Criminal Justice Information Services Division is not the source of the arrest data reflected on an identification record.

FBIS
Foreign Broadcast Information Service

Federal Agency

Statutory Law

5 U.S.C. § 551 (1) (Title 5—Chapter 5: Administrative Procedure)
“Agency” means each authority of the Government of the United States, whether or not it is within or subject to review by another agency, but does not include—
(A) the Congress;
(B) the courts of the United States;
(C) the governments of the territories or possessions of the United States;
(D) the government of the District of Columbia; or except as to the requirements of section 552 of this title [5 U.S.C. § 552]—
(E) agencies composed of representatives of the parties or of representatives of organizations of the parties to the disputes determined by them;
(F) courts martial and military commissions;
(G) military authority exercised in the field in time of war or in occupied territory; or
(H) functions conferred by sections 1738, 1739, 1743, and 1744 of title 12; chapter 2 of title 41 [41 U.S.C. §§ 101 et seq.]; subchapter II of chapter 471 of title 49 [49 U.S.C. §§ 47151 et seq.]; or sections 1884, 1891-1902, and former section 1641(b)(2), of title 50, appendix.

5 U.S.C. § 701(b)(1) (Title 5—Chapter 7: Judicial Review)
For the purpose of this chapter [5 U.S.C. §§ 701 et seq.]—
(1) "agency" means each authority of the Government of the United States, whether or not it is within or subject to review by another agency, but does not include—
(A) the Congress;
(B) the courts of the United States;
(C) the governments of the territories or possessions of the United States;
(D) the government of the District of Columbia;
(E) agencies composed of representatives of the parties or of representatives of organizations of the parties to the disputes determined by them;
(F) courts martial and military commissions;
(G) military authority exercised in the field in time of war or in occupied territory; or
(H) functions conferred by sections 1738, 1739, 1743, and 1744 of title 12; chapter 2 of title 41 [41 U.S.C. §§ 101 et seq.]; subchapter II of chapter 471 of title 49 [49 U.S.C. §§ 47151 et seq.]; or sections 1884, 1891-1902, and former section 1641(b)(2), of title 50, appendix, [...]

Definitions and exclusions
(a) For the purpose of this subchapter [5 U.S.C. §§ 3131 et seq.]—
(1) "agency" means an Executive agency, except a Government corporation and the General Accounting Office [Government Accountability Office], but does not include—
(A) any agency or unit thereof excluded from coverage by the President under subsection (c) of this section; or
(B) the Federal Bureau of Investigation, the Drug Enforcement Administration, the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, Department of Defense intelligence activities the civilian employees of which are subject to section 1590 of title 10, and as determined by the President, an Executive agency, or unit thereof, whose principal function is the conduct of foreign intelligence or counterintelligence activities;
(C) the Federal Election Commission or the Election Assistance Commission;
(D) the Office of the Comptroller of the Currency, the Office of Thrift Supervision,[,] the Resolution Trust Corporation, the Farm Credit Administration, the Federal Housing Finance Agency, and the National Credit Union Administration;
(E) the Securities and Exchange Commission; or
(F) the Commodity Futures Trading Commission;

(a) For the purpose of this chapter [5 U.S.C. §§ 7101 et seq.]—[...]
(3) "Agency" means an Executive agency (including a nonappropriated fund instrumentality described in section 2105(c) of this title [5 U.S.C. § 2105(c)] and the Veterans' Canteen Service, Department of Veterans Affairs), the Library of Congress, the Government Printing Office, and the Smithsonian Institution but does not include—
(A) the General Accounting Office [Government Accountability Office];
(B) the Federal Bureau of Investigation;
(C) the Central Intelligence Agency;
(D) the National Security Agency;
(E) the Tennessee Valley Authority;
(F) the Federal Labor Relations Authority;
(G) the Federal Service Impasses Panel; or
(H) the United States Secret Service and the United States Secret Service Uniformed Division.

As used in this title:
[...]
The term "agency" includes any department, independent establishment, commission, administration, authority, board or bureau of the United States or any corporation in which the United States has a proprietary interest, unless the context shows that such term was intended to be used in a more limited sense.

28 U.S.C. § 2671 (Title 28—Chapter 171: Tort Claims Procedure)
As used in this chapter [28 U.S.C. §§ 2671 et seq.] and sections 1346(b) and 2401(b) of this title [28 U.S.C. §§ 1346(b) and 2401(b)], the term "Federal agency" includes the executive departments, the judicial and legislative branches, the military departments, independent establishments of the United States, and corporations primarily acting as instrumentalities or agencies of the United States, but does not include any contractor with the United States.

As used in this chapter [44 U.S.C. §§ 1501 et seq.], unless the context otherwise requires—
"Federal agency" or "agency" means the President of the United States, or an executive department, independent board, establishment, bureau, agency, institution, commission, or separate office of the administrative branch of the Government of the United States but not the legislative or judicial branches of the Government;

44 U.S.C. § 2901(14) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)
As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.]
(14) the term "Federal agency" means any executive agency or any establishment in the legislative or judicial branch of the Government (except the Supreme Court, the Senate, the House of Representatives, and the Architect of the Capitol and any activities under the direction of the Architect of the Capitol);

As used in this subchapter [44 U.S.C. §§ 3501 et seq.]—
(1) the term "agency" means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency, but does not include—
(A) the General Accounting Office [Government Accountability Office];
(B) Federal Election Commission;
(C) the governments of the District of Columbia and of the territories and possessions of the United States, and their various subdivisions; or
(D) Government-owned contractor-operated facilities, including laboratories engaged in national defense research and production activities;


(a) Definitions. In this section:
(1) The term "agency" means—
(A) an executive agency (as that term is defined in section 105 of title 5, United States Code [5 U.S.C. § 105]);
(B) a military department (as that term is defined in section 102 of title 5, United States Code [5 U.S.C. § 102]); and
(C) an element of the intelligence community.

Administrative Law

"Agency" means any 'Executive agency,' as defined in 5 U.S.C. 105; any 'Military department' as defined in 5 U.S.C. 102; and any other entity within the executive branch that comes into the possession of classified information.


[...]
Federal agency
means any authority of the United States that is an “Agency” under 44 U.S.C. 3502(1), other than those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(10).

PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)

For purposes of this part, the following terms have the meanings indicated:

Federal agency
means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);


For purposes of this part, the following terms have the meanings indicated:

Federal agency
means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);

32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:

Federal agency
means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);

32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:

Federal agency
means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);

32 CFR § 1900.02(g) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

(g) Federal agency
means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);

32 CFR § 1901.02(e) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974]

For purposes of this part, the following terms have the meanings indicated:
(e) Federal agency
means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);

32 CFR § 1908.02(e) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:
(e) Federal agency
means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);

32 CFR § 1909.02(h) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:
(h) Federal agency
means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C. 552(f);

**Federal Contract**

**Administrative Law**

28 CFR § 69.105(c) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:
[…]
(c) Federal contract
means an acquisition contract awarded by an agency, including those subject to the Federal Acquisition Regulation (FAR), and any other acquisition contract for real or personal property or services not subject to the FAR.
**Federal Cooperative Agreement**

**Administrative Law**

28 CFR § 69.105(d) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:
[...]
(d) Federal cooperative agreement
means a cooperative agreement entered into by an agency.

**Federal Electronic Information**

**Statutory Law**


As used in this chapter [44 U.S.C. §§ 4101 et seq.], the term "Federal electronic information" means Federal public information stored electronically.

**Federal Firearms Licensee**

**Administrative Law**


[...]
FFL (federal firearms licensee)
means a person licensed by the ATF as a manufacturer, dealer, or importer of firearms.

**Federal Grant**

**Administrative Law**

28 CFR § 69.105(e) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:
[...]
(e) Federal grant
means an award of financial assistance in the form of money, or property in lieu of money, by the Federal Government or a direct appropriation made by law to any person. The term does not include technical assistance which provides services instead of money, or other assistance in the form of revenue sharing, loans, loan guarantees, loan insurance, interest subsidies, insurance, or direct United States cash assistance to an individual.

Federal Law Enforcement Assistance

Administrative Law

28 CFR § 65.70(b) [28 CFR PART 65—EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE]

[...]

(b) Federal law enforcement assistance. The term Federal law enforcement assistance is defined by the Act to mean funds, equipment, training, intelligence information, and personnel.

Federal Law Enforcement Community

Administrative Law

28 CFR § 65.70(c) [28 CFR PART 65—EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE]

[...]

(c) Federal law enforcement community. The term Federal law enforcement community is defined by the Act as the heads of the following departments or agencies:
   (1) Federal Bureau of Investigation;
   (2) Drug Enforcement Administration;
   (3) Criminal Division of the Department of Justice;
   (4) Internal Revenue Service;
   (5) Customs Service;
   (6) Department of Homeland Security;
   (7) U.S. Marshals Service;
   (8) National Park Service;
   (9) U.S. Postal Service;
   (10) Secret Service;
   (11) U.S. Coast Guard;
   (12) Bureau of Alcohol, Tobacco, Firearms, and Explosives;
   (13) National Security Division of the Department of Justice; and
   (14) Other Federal agencies with specific statutory authority to investigate violations of Federal criminal law.
Federal Loan

**Administrative Law**

28 CFR § 69.105(f) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

[f] Federal loan

means a loan made by an agency. The term does not include loan guarantee or loan insurance.

Federal Official

**Statutory Law**


For purposes of this section and section 3316 through section 3324 of this title [44 U.S.C. §§ 3316-3324]—

(1) the term "Federal official" means any individual holding the office of President or Vice President of the United States, or Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, or any officer of the executive, judicial, or legislative branch of the Federal Government;

Federal Record

**Administrative Law**


(j) Federal record

includes all books, papers, maps, photographs, machine-readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence
of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them. Library and museum material made or acquired and preserved solely for reference, and stocks of publications and processed documents are not included. (44 U.S.C. 3301)

**Federal Service Coordinator**

**Administrative Law**

28 CFR § 20.3(k) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:

[...]

(k) Federal Service Coordinator

means a non-Control Terminal Agency that has a direct telecommunications line to the National Crime Information Center network.

**Fees**

**Administrative Law**

32 CFR § 1700.2(h) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

For purposes of this Part, the following terms have the meanings indicated:

(h) Fees

means those direct costs which may be assessed a requester considering the categories established by the FOIA; requesters should submit information to assist the ODNI in determining the proper fee category and the ODNI may draw reasonable inferences from the identity and activities of the requester in making such determinations; the fee categories include:

(1) Commercial use request:

A request in which the disclosure sought is primarily in the commercial interest of the requester and which furthers such commercial, trade, income or profit interests;

(2) Educational institution:

A preschool, a public or private elementary or secondary school, an institution of undergraduate higher education, an institution of graduate higher education, an institution of professional education, or an institution of vocational education, that operates a program of scholarly research. To be in this category, a requester must show that the request is authorized by and is made under the auspices of a
qualifying institution and that the records are not sought for a commercial use but are sought to further scholarly research.

(3) Noncommercial scientific institution:
An institution that is not operated on a commercial basis, as that term is defined in paragraph (h)(1) of this section, and that is operated solely for the purpose of conducting scientific research the results of which are not intended to promote any particular product or industry. To be in this category, a requester must show that the request is authorized by and is made under the auspices of a qualifying institution and that the records are not sought for a commercial use but are sought to further scientific research.

(4) Representative of the news media:
An individual actively gathering news for an entity that is organized and operated to publish and broadcast news to the public and pursuant to the entity’s news dissemination function and not its commercial interests; the term “news” means information which concerns current events, would be of current interest to the general public, would enhance the public understanding of the operations or activities of the U.S. Government, and is in fact disseminated to a significant element of the public at minimal cost; freelance journalists are included in this definition if they provide sufficient evidence to justify an expectation of publication through such an organization, even though not actually employed by it; a publication contract or prior publication record is relevant to such status;

(5) All other:
A request from an individual not within paragraphs (h)(1), (2), (3), or (4) of this section;

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

Fees
means those direct costs which may be assessed a requester considering the categories established by the FOIA; requesters should submit information to assist NACIC in determining the proper fee category and NACIC may draw reasonable inferences from the identity and activities of the requester in making such determinations; the fee categories include:

(1) Commercial

means a request in which the disclosure sought is primarily in the commercial interest of the requester and which furthers such commercial, trade, income or profit interests;

(2) Non-commercial educational or scientific institution

means a request from an accredited United States educational institution at any academic level or institution engaged in research concerning the social, biological, or physical sciences or an instructor or researcher or member of such institutions; it also means that the information will be used in a specific scholarly
or analytical work, will contribute to the advancement of public knowledge, and
will be disseminated to the general public;

(3) Representative of the news media
means a request from an individual actively gathering news for an entity that is
organized and operated to publish and broadcast news to the American public
and pursuant to their news dissemination function and not their commercial
interests; the term news means information which concerns current events,
would be of current interest to the general public, would enhance the public
understanding of the operations or activities of the U.S. Government, and is in
fact disseminated to a significant element of the public at minimal cost; freelance
journalists are included in this definition if they can demonstrate a solid basis for
expecting publication through such an organization, even though not actually
employed by it; a publication contract or prior publication record is relevant to
such status;

(4) All other
means a request from an individual not within categories (h)(1), (2), or (3) of this
section;

32 CFR § 1900.02(h) [32 CFR CHAPTER XIX—CENTRAL
INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS
TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION
ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

(h) Fees
means those direct costs which may be assessed a requester considering the
categories established by the FOIA; requesters should submit information to
assist the Agency in determining the proper fee category and the Agency may
draw reasonable inferences from the identity and activities of the requester in
making such determinations; the fee categories include:

(1) Commercial
means a request in which the disclosure sought is primarily in the commercial
interest of the requester and which furthers such commercial, trade, income or
profit interests;

(2) Non-commercial educational or scientific institution
means a request from an accredited United States educational institution at any
academic level or institution engaged in research concerning the social,
biological, or physical sciences or an instructor or researcher or member of such
institutions; it also means that the information will be used in a specific scholarly
or analytical work, will contribute to the advancement of public knowledge, and
will be disseminated to the general public;

(3) Representative of the news media
refers to any person actively gathering news for an entity that is organized and
operated to publish or broadcast news to the public. The term “news” means
information that is about current events or that would be of current interest to
the public. Examples of news media entities include television or radio stations
broadcasting to the public at large, and publishers of periodicals (but only in
those instances when they can qualify as disseminators of “news”) who make their products available for purchase or subscription by the general public. These examples are not intended to be all-inclusive. Moreover, as traditional methods of news delivery evolve (e.g., electronic dissemination of newspapers through telecommunications services), such alternative media would be included in this category. In the case of “freelance” journalists, they may be regarded as working for a news organization if they can demonstrate a solid basis for expecting publication through that organization, even though not actually employed by it. A publication contract would be the clearest proof, but agencies may also look to the past publication record of a requestor in making this determination:

(4) All other means a request from an individual not within paragraph (h)(1), (2), or (3) of this section;

Felony

Administrative Law

28 CFR § 28.2 Determination of offenses [28 CFR PART 28—DNA IDENTIFICATION SYSTEM: SUBPART A—Qualifying Federal Offenses for Purposes of DNA Sample Collection]

(a) Felony means a Federal offense that would be classified as a felony under 18 U.S.C. 3559(a) or that is specifically classified by a letter grade as a felony.
(b) The following offenses shall be treated for purposes of section 3 of Pub. L. 106-546 as qualifying Federal offenses:
   (1) Any felony.
   (2) Any offense under chapter 109A of title 18, United States Code, even if not a felony.
   (3) Any offense under any of the following sections of the United States Code, even if not a felony:
      (i) In title 18, section 111, 112(b) involving intimidation or threat, 113, 115, 245, 247, 248 unless the offense involves only a nonviolent physical obstruction and is not a felony, 351, 594, 1153 involving assault against an individual who has not attained the age of 16 years, 1361, 1368, the second paragraph of 1501, 1509, 1751, 1991, or 2194 involving force or threat.
      (ii) In title 16, section 773g if the offense involves a violation of section 773e(a)(3), 1859 if the offense involves a violation of section 1857(1)(E), 3637(c) if the offense involves a violation of section 3637(a)(3), or 5010(b) if the offense involves a violation of section 5009(6).
      (iii) In title 26, section 7212.
(iv) In title 30, section 1463 if the offense involves a violation of section 1461(4).
(v) In title 40, section 5109 if the offense involves a violation or attempted violation of section 5104(e)(2)(F).
(vi) In title 42, section 2283, 3631, or 9152(d) if the offense involves a violation of section 9151(3).
(vii) In title 43, section 1063 involving force, threat, or intimidation.
(viii) In title 47, section 606(b).
(ix) In title 49, section 46506(1) unless the offense involves only an act that would violate section 661 or 662 of title 18 and would not be a felony if committed in the special maritime and territorial jurisdiction of the United States.

(4) Any offense that is an attempt or conspiracy to commit any of the foregoing offenses, even if not a felony.

(c) An offense that was or would have been a qualifying Federal offense as defined in this section at the time of conviction, such as an offense under 18 U.S.C. 2031 or 2032, remains a qualifying Federal offense even if the provision or provisions defining the offense or assigning its penalties have subsequently been repealed, superseded, or modified.

28 CFR § 105.22(d) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment]

As used in this subpart:
[...]
(d) Felony
means a crime punishable by imprisonment for more than one year, regardless of the period of imprisonment actually imposed.

**FFL**

**Administrative Law**


[...]
FFL (federal firearms licensee)
means a person licensed by the ATF as a manufacturer, dealer, or importer of firearms.

**FIA**

Future Image Architecture
File Series

Administrative Law

“File series” means file units or documents arranged according to a filing system or kept together because they relate to a particular subject or function, result from the same activity, document a specific kind of transaction, take a particular physical form, or have some other relationship arising out of their creation, receipt, or use, such as restrictions on access or use.

Executive Order 13,526, Classified National Security Information, § 6.1 (r) (December 29, 2009)
For purposes of this order:
(r) "File series" means file units or documents arranged according to a filing system or kept together because they relate to a particular subject or function, result from the same activity, document a specific kind of transaction, take a particular physical form, or have some other relationship arising out of their creation, receipt, or use, such as restrictions on access or use.

Final Cost Objective

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]
Final cost objective
means a cost objective that has allocated to it, both assignable and allocable costs and, in the carrier's accumulation system, is one of the final accumulation points.
Final Statement

Administrative Law

28 CFR § 5.100 (a)(11) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(a) As used in this part:
(11) The term final statement means the statement required to be filed with the Attorney General following the termination of the registrant’s obligation to register.

Financial Agency

Statutory Law


For purposes of this title [50 U.S.C. §§ 435 et seq.]
(5) the terms "financial agency" and "financial institution" have the meanings given to such terms in section 5312(a) of title 31, United States Code, and the term "holding company" has the meaning given to such term in section 1101(6) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401);

Financial Institution

Statutory Law


For purposes of this title [50 U.S.C. §§ 435 et seq.]
(5) the terms "financial agency" and "financial institution" have the meanings given to such terms in section 5312(a) of title 31, United States Code, and the term "holding company" has the meaning given to such term in section 1101(6) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401);
Fingerprint Identification Records System

Administrative Law

28 CFR § 20.3(l) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:
[...]
(l) Fingerprint Identification Records System or “FIRS” means the following FBI records: Criminal fingerprints and/or related criminal justice information submitted by authorized agencies having criminal justice responsibilities; civil fingerprints submitted by federal agencies and civil fingerprints submitted by persons desiring to have their fingerprints placed on record for personal identification purposes; identification records, sometimes referred to as “rap sheets,” which are compilations of criminal history record information pertaining to individuals who have criminal fingerprints maintained in the FIRS; and a name index pertaining to all individuals whose fingerprints are maintained in the FIRS. See the FIRS Privacy Act System Notice periodically published in the Federal Register for further details.

Firearm

Administrative Law


[...]
Firearm has the same meaning as in 18 U.S.C. 921(a)(3).

FIRS

Administrative Law

28 CFR § 20.3(l) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:
[...]
(l) Fingerprint Identification Records System or “FIRS” means the following FBI records: Criminal fingerprints and/or related criminal justice information submitted by authorized agencies having criminal justice responsibilities; civil fingerprints submitted by federal agencies and civil fingerprints submitted by persons desiring to have their fingerprints placed on
record for personal identification purposes; identification records, sometimes referred to as “rap sheets,” which are compilations of criminal history record information pertaining to individuals who have criminal fingerprints maintained in the FIRS; and a name index pertaining to all individuals whose fingerprints are maintained in the FIRS. See the FIRS Privacy Act System Notice periodically published in the Federal Register for further details.

**FISA**
Foreign Intelligence Surveillance Act of 1978

**FISC**
Foreign Intelligence Surveillance Court

**FISCR**
Foreign Intelligence Surveillance Court of Review

**FISINT**
Foreign instrumentation signals intelligence

**FOIA**

**Administrative Law**

32 CFR § 1700.2(i) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

For purposes of this Part, the following terms have the meanings indicated:

(i) Freedom of Information Act, “FOIA,” or “the Act” means the statute as codified at 5 U.S.C. 552;

ADMINISTRATION OF RECORDS UNDER THE PRIVACY ACT OF 1974]
For purposes of this subpart, the following terms have the meanings indicated:
[...]
FOIA
means the Freedom of Information Act.

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]
For purposes of this part, the following terms have the meanings indicated:
[...]
Freedom of Information Act or “FOIA”
means the statutes as codified at 5 U.S.C. 552;

32 CFR § 1900.02(i) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]
For purposes of this part, the following terms have the meanings indicated:
(i) Freedom of Information Act
or “FOIA” means the statutes as codified at 5 U.S.C. 552;

For Or On Behalf of a Foreign Power

Administrative Law
The Attorney General’s Guidelines for Domestic FBI Operations § VII (C) (Sept. 29, 2008)
The determination that activities are for or on behalf of a foreign power shall be based on consideration of the extent to which the foreign power is involved in:
1. control or policy direction;
2. financial or material support; or
3. leadership, assignments, or discipline.
Foreign Agents Registration Act of 1938

Administrative Law

28 CFR § 5.100 (a)(1) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(a) As used in this part:

Foreign Assistance

Statutory Law


For purposes of this section—
   (1) "foreign assistance" means any tangible or intangible item provided by the United States Government to a foreign country or international organization under this or any other Act, including but not limited to any training, service, or technical advice, any item of real, personal, or mixed property, any agricultural commodity, United States dollars, and any currencies of any foreign country which are owned by the United States Government;

Foreign Computer Intrusion

Administrative Law

The Attorney General’s Guidelines for Domestic FBI Operations § VII (D) (Sept. 29, 2008)

The use or attempted use of any cyber-activity or other means, by, for, or on behalf of a foreign power to scan, probe, or gain unauthorized access into one or more U.S.-based computers.
Foreign Government

Administrative Law

28 CFR § 73.1(b) [28 CFR PART 73—NOTIFICATIONS TO THE ATTORNEY GENERAL BY AGENTS OF FOREIGN GOVERNMENTS]

(b) The term “foreign government” includes any person or group of persons exercising sovereign de facto or de jure political jurisdiction over any country, other than the United States, or over any part of such country, and includes any subdivision of any such group or agency to which such sovereign de facto or de jure authority or functions are directly or indirectly delegated. Such term shall include any faction or body of insurgents within a country assuming to exercise governmental authority whether such faction or body of insurgents has or has not been regarded by the United States as a governing authority.

Foreign Government Information

Administrative Law


“Foreign government information” means:

(1) information provided to the United States Government by a foreign government or governments, an international organization of governments, or any element thereof, with the expectation that the information, the source of the information, or both, are to be held in confidence;

(2) information produced by the United States Government pursuant to or as a result of a joint arrangement with a foreign government or governments, requiring that the information, the arrangement, or both, are to be held in confidence; or

(3) information received and treated as 'foreign government information' under the terms of a predecessor order.

Executive Order 13,526, Classified National Security Information, § 6.1 (s) (December 29, 2009)

For purposes of this order:

(s) "Foreign government information" means:

(1) information provided to the United States Government by a foreign government or governments, an international organization of governments, or any element thereof, with the expectation that the information, the source of the information, or both, are to be held in confidence;

(2) information produced by the United States Government pursuant to or as a result of a joint arrangement with a foreign government or governments, requiring that the information, the arrangement, or both, are to be held in confidence; or
governments, or an international organization of governments, or any element thereof, requiring that the information, the arrangement, or both, are to be held in confidence; or
(3) information received and treated as "foreign government information" under the terms of a predecessor order.

Foreign Intelligence

Statutory Law

As used in this Act:
(2) The term "foreign intelligence" means information relating to the capabilities, intentions, or activities of foreign governments or elements thereof, foreign organizations, or foreign persons, or international terrorist activities.

Administrative Law

Executive Order 12333, United States Intelligence Activities, § 3.5(e) (2010)
Foreign intelligence means information relating to the capabilities, intentions, or activities of foreign governments or elements thereof, foreign organizations, foreign persons, or international terrorists.

Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § DL1.1.11 (Dec. 1982): Foreign Intelligence
Information relating to the capabilities, intentions, and activities of foreign powers, organizations, or persons, but not including counterintelligence except for information on international terrorist activities.

Information relating to the capabilities, intentions, or activities of foreign governments or elements thereof, foreign organizations or foreign persons, or international terrorists.
Foreign Intelligence Information

Statutory Law


As used in this chapter [18 U.S.C. §§ 2510 et seq.]—

(19) "foreign intelligence information", for purposes of section 2517(6) of this title [18 U.S.C. § 2517(6)], means—

(A) information, whether or not concerning a United States person, that relates to the ability of the United States to protect against—

(i) actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power;

(ii) sabotage or international terrorism by a foreign power or an agent of a foreign power;

(iii) clandestine intelligence activities by an intelligence service or network of a foreign power or by an agent of a foreign power;

(B) information, whether or not concerning a United States person, with respect to a foreign power or foreign territory that relates to—

(i) the national defense or the security of the United States; or

(ii) the conduct of the foreign affairs of the United States;


“Foreign intelligence information” means—(1) information that relates to, and if concerning a United States person is necessary to, the ability of the United States to protect against—(A) actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power; (B) sabotage, international terrorism, or the international proliferation of weapons of mass destruction by a foreign power or an agent of a foreign power; or (C) clandestine intelligence activities by an intelligence service or network of a foreign power or by an agent of a foreign power; or (2) information with respect to a foreign power or foreign territory that relates to, and if concerning a United States person is necessary to—(A) the national defense or the security of the United States; or (B) the conduct of the foreign affairs of the United States.

Foreign Intelligence Requirements

Administrative Law

The Attorney General’s Guidelines for Domestic FBI Operations § VII (F) (Sept. 29, 2008)

1. national intelligence requirements issued pursuant to authorization by the Director of National Intelligence, including the National Intelligence
Priorities Framework and the National HUMINT Collection Directives, or any successor directives thereto;
2. requests to collect foreign intelligence by the President or by Intelligence Community officials designated by the President; and
3. directions to collect foreign intelligence by the Attorney General, the Deputy Attorney General, or an official designated by the Attorney General.

Foreign Mission

Statutory Law

(a) For purposes of this title—
(3) "foreign mission" means any mission to or agency or entity in the United States which is involved in the diplomatic, consular, or other activities of, or which is substantially owned or effectively controlled by—
(A) a foreign government, or
(B) an organization (other than an international organization, as defined in section 209(b) of this title [22 U.S.C. § 4309(b)]) representing a territory or political entity which has been granted diplomatic or other official privileges and immunities under the laws of the United States or which engages in some aspect of the conduct of the international affairs of such territory or political entity, including any real property of such a mission and including the personnel of such a mission;".

Foreign Person

Statutory Law

(a) In general. For purposes of this chapter [22 U.S.C. §§ 2797 et seq.]—
(7) the term "foreign person" means any person other than a United States person;
Foreign Policies of the United States

Administrative Law

28 CFR § 5.100 (f) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(f) The term domestic or foreign policies of the United States, as used in sections 1 (o) and (p) of the Act, shall be deemed to relate to existing and proposed legislation, or legislative action generally; treaties; executive agreements, proclamations, and orders; decisions relating to or affecting departmental or agency policy, and the like.

Foreign Political Party

Statutory Law


As used in and for the purposes of this Act—

(f) The term "foreign political party" includes any organization or any other combination of individuals in a country other than the United States, or any unit or branch thereof, having for an aim or purpose, or which is engaged in any activity devoted in whole or in part to, the establishment, administration, control, or acquisition of administration or control, of a government of a foreign country or a subdivision thereof, or the furtherance or influencing of the political or public interests, policies, or relations of a government of a foreign country or a subdivision thereof;

Foreign Power

Statutory Law


For purposes of this title [50 U.S.C. §§ 435 et seq.]—

(6) the terms "foreign power" and "agent of a foreign power" have the same meanings as set forth in sections 101 (a) and (b), respectively, of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801);
“Foreign power” means—(1) a foreign government or any component thereof whether or not recognized by the United States; (2) a faction of a foreign nation or nations, not substantially composed of United States persons; (3) an entity that is openly acknowledged by a foreign government or governments to be directed and controlled by such foreign government or governments; (4) a group engaged in international terrorism or activities in preparation therefor; (5) a foreign-based political organization, not substantially composed of United States persons; (6) an entity that is directed and controlled by a foreign government or governments; or (7) an entity not substantially composed of United States persons that is engaged in the international proliferation of weapons of mass destruction.

As used in this title [50 U.S.C. §§ 1821 et seq.]:

(1) The terms "foreign power", "agent of a foreign power", "international terrorism", "sabotage", "foreign intelligence information", "Attorney General", "United States person", "United States", "person", weapon of mass destruction, and "State" shall have the same meanings as in section 101 of this Act [50 U.S.C. § 1801], except as specifically provided by this title [50 U.S.C. §§ 1821 et seq.].

Administrative Law

Any foreign government (regardless of whether recognized by the United States), foreign-based political party (or faction thereof), foreign military force, foreign-based terrorist group, or any organization composed, in major part, of any such entity or entities.

The Attorney General’s Guidelines for Domestic FBI Operations § VII (G) (Sept. 29, 2008)

1. a foreign government or any component thereof, whether or not recognized by the United States;
2. a faction of a foreign nation or nations, not substantially composed of United States persons;
3. an entity that is openly acknowledged by a foreign government or governments to be directed and controlled by such foreign government or governments;
4. a group engaged in international terrorism or activities in preparation therefor;
5. a foreign-based political organization, not substantially composed of United States persons; or
6. an entity that is directed or controlled by a foreign government or governments.

**Foreign Principal**

**Statutory Law**


As used in and for the purposes of this Act—

(b) The term "foreign principal" includes—

(1) a government of a foreign country and a foreign political party;

(2) a person outside of the United States, unless it is established that such person is an individual and a citizen of and domiciled within the United States, or that such person is not an individual and is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and has its principal place of business within the United States; and

(3) a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.

**Administrative Law**

28 CFR § 5.100 (a)(8) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(a) As used in this part:

(8) The term foreign principal includes a person any of whose activities are directed or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal as that term is defined in section 1(b) of the Act.
Foreign Source

**Statutory Law**


[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:

(9) Foreign source. The term "foreign source" means a business entity other than a "domestic source".

Foreign State

**Statutory Law**


(a) As used in this Act—

(14) The term "foreign state" includes outlying possessions of a foreign state, but self-governing dominions or territories under mandate or trusteeship shall be regarded as separate foreign states.


For purposes of this chapter [28 U.S.C. §§ 1602 et seq.]—

(a) A "foreign state", except as used in section 1608 of this title [28 U.S.C. § 1608], includes a political subdivision of a foreign state or an agency or instrumentality of a foreign state as defined in subsection (b).

Former President

**Statutory Law**


As used in this chapter [44 U.S.C. §§ 2201 et seq.]—

(5) The term "former President", when used with respect to Presidential records, means the former President during whose term or terms of office such Presidential records were created.
Former Presidential Appointee

Administrative Law

32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:

Former Presidential appointee
means any person who has previously occupied a policy-making position in the executive branch of the United States Government to which they were appointed by the current or former President and confirmed by the United States Senate;

32 CFR § 1909.02(i) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:
(i) Former Presidential appointee
means any person who has previously occupied a policy-making position in the executive branch of the United States Government to which they were appointed by the current or former President and confirmed by the United States Senate;

Formulating

Administrative Law

28 CFR § 5.100 (e) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(e) The terms formulating, adopting, or changing, as used in section 1(o) of the Act, shall be deemed to include any activity which seeks to maintain any existing domestic or foreign policy of the United States. They do not include making a routine inquiry of a Government official or employee concerning a current policy or seeking administrative action in a matter where such policy is not in question.
Freedom of Information Act

Administrative Law

32 CFR § 1700.2(i) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

For purposes of this Part, the following terms have the meanings indicated:

(i) Freedom of Information Act, “FOIA,” or “the Act” means the statute as codified at 5 U.S.C. 552;


For purposes of this subpart, the following terms have the meanings indicated:

[...]

FOIA means the Freedom of Information Act.

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

[...]

Freedom of Information Act or “FOIA” means the statutes as codified at 5 U.S.C. 552;

32 CFR § 1900.02(i) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

(i) Freedom of Information Act or “FOIA” means the statutes as codified at 5 U.S.C. 552;

Function

Statutory Law


As used in this Act—
(h) "Function" includes any duty, obligation, power, authority, responsibility, right, privilege, discretion, or activity.

**General Counsel**

**Administrative Law**


For purposes of this part the following terms have the following meanings:

[...]

General Counsel.
The ODNI's General Counsel, Acting General Counsel or Deputy General Counsel.


The following definitions apply to this part:

[...]

General Counsel:
The ODNI's General Counsel, Acting General Counsel or Deputy General Counsel.

32 CFR § 1904.2(d) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1904—PROCEDURES GOVERNING ACCEPTANCE OF SERVICE OF PROCESS]

(d) General Counsel includes the Deputy General Counsel or Acting General Counsel.

32 CFR § 1905.2(e) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1905—PRODUCTION OF OFFICIAL RECORDS OR DISCLOSURE OF OFFICIAL INFORMATION IN PROCEEDINGS BEFORE FEDERAL, STATE OR LOCAL GOVERNMENTAL ENTITIES OF COMPETENT JURISDICTION]

For the purpose of this part:

(e) General Counsel includes the Deputy General Counsel or Acting General Counsel.
Geneva Conventions

Statutory Law

10 U.S.C. § 948a(4) & (5) (Title 10—Chapter 47A: Military Commissions)

In this chapter [10 U.S.C. §§ 948a et seq.]:

GEOINT
Geospatial intelligence.

Geospatial Information

Statutory Law


In this chapter [10 U.S.C. §§ 441 et seq.]:
(4) The term "geospatial information" means information that identifies the geographic location and characteristics of natural or constructed features and boundaries on the earth and includes—
(A) statistical data and information derived from, among other things, remote sensing, mapping, and surveying technologies; and
(B) mapping, charting, geodetic data, and related products.

Geospatial Intelligence

Statutory Law


In this chapter [10 U.S.C. §§ 441 et seq.]:

Page 327
(5) The term "geospatial intelligence" means the exploitation and analysis of imagery and geospatial information to describe, assess, and visually depict physical features and geographically referenced activities on the earth. Geospatial intelligence consists of imagery, imagery intelligence, and geospatial information.

**Governmental Entity**

**Statutory Law**


As used in this chapter [18 U.S.C. §§ 2701 et seq.]—

(4) the term "governmental entity" means a department or agency of the United States or any State or political subdivision thereof.

**Government of a Foreign Country**

**Statutory Law**


As used in and for the purposes of this Act—

(e) The term "government of a foreign country" includes any person or group of persons exercising sovereign de facto or de jure political jurisdiction over any country, other than the United States, or over any part of such country, and includes any subdivision of any such group and any group or agency to which such sovereign de facto or de jure authority or functions are directly or indirectly delegated. Such term shall include any faction or body of insurgents within a country assuming to exercise governmental authority whether such faction or body of insurgents has or has not been recognized by the United States;

**Guaranteeing Agency**

**Statutory Law**


[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]
For purposes of this Act [50 U.S. Appx. §§ 2061 et seq.], the following definitions shall apply:

(10) Guaranteeing agency. The term "guaranteeing agency" means a department or agency of the United States engaged in procurement for the national defense.

**Hearability Survey**

**Administrative Law**

*Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.7.2.2 (Dec. 1982): “Hearability Survey”*

The term hearability survey refers to monitoring radio communications to determine whether a particular radio signal can be received at one or more locations and, if reception is possible, to determine the hearability of reception over time.

**Highly Enriched Uranium**

**Statutory Law**


In this title:

(3) The term "highly enriched uranium" means uranium enriched to 20 percent or more in the isotope U-235.

**Highly Restricted Personal Information**

**Statutory Law**


In this chapter [18 U.S.C. §§ 2721 et seq.]—

(4) "highly restricted personal information" means an individual's photograph or image, social security number, medical or disability information;
Highly Sensitive Program

Statutory Law


(a) Definitions. In this section:

(4) The term "highly sensitive program" means—

(A) a government program designated as a Special Access Program (as that term is defined in section 4.1(h) of Executive Order 12958 [50 U.S.C. § 435 note] or any successor Executive order); or

(B) a government program that applies restrictions required for—

(i) restricted data (as that term is defined in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y))); or

(ii) other information commonly referred to as "sensitive compartmented information".

Historian

Administrative Law

32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:

[...]

Historian or historical researcher
means any individual with professional training in the academic field of history (or related fields such as journalism) engaged in a research project leading to publication (or any similar activity such as academic course development) reasonably intended to increase the understanding of the American public into the operations and activities of the United States government;

32 CFR § 1909.02(j) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:

(j) Historian or historical researcher
means any individual with professional training in the academic field of history (or related fields such as journalism) engaged in a research project leading to publication (or any similar activity such as academic course development)
reasonably intended to increase the understanding of the American public into the operations and activities of the United States government;

**Historical Researcher**

**Administrative Law**

32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:

[...]

Historian or historical researcher means any individual with professional training in the academic field of history (or related fields such as journalism) engaged in a research project leading to publication (or any similar activity such as academic course development) reasonably intended to increase the understanding of the American public into the operations and activities of the United States government;

32 CFR § 1909.02(j) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:

(j) Historian or historical researcher means any individual with professional training in the academic field of history (or related fields such as journalism) engaged in a research project leading to publication (or any similar activity such as academic course development) reasonably intended to increase the understanding of the American public into the operations and activities of the United States government;

**Homeland Security**

**Statutory Law**


[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]
For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:

(11) Homeland security. The term "homeland security" includes efforts—
(A) to prevent terrorist attacks within the United States;
(B) to reduce the vulnerability of the United States to terrorism;
(C) to minimize damage from a terrorist attack in the United States; and
(D) to recover from a terrorist attack in the United States.

**Hostilities**

**Statutory Law**

10 U.S.C. § 948a(9) *(Title 10—Chapter 47A: Military Commissions)*

In this chapter [10 U.S.C. §§ 948a et seq.]:

(9) Hostilities. The term "hostilities" means any conflict subject to the laws of war.

**HSC**

Homeland Security Council

**HSI**

Hyperspectral imagery.

**HSINT**

Homeland security intelligence

**Human Source**

**Administrative Law**

*The Attorney General’s Guidelines for Domestic FBI Operations § VII (H) (Sept. 29, 2008)*

A Confidential Human Source as defined in the Attorney General’s Guidelines Regarding the Use of FBI Confidential Human Sources.
Human Subject

Administrative Law

28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

(f) Human subject means a living individual about whom an investigator (whether professional or student) conducting research obtains

(1) Data through intervention or interaction with the individual, or
(2) Identifiable private information.

Intervention includes both physical procedures by which data are gathered (for example, venipuncture) and manipulations of the subject or the subject's environment that are performed for research purposes. Interaction includes communication or interpersonal contact between investigator and subject. Private information includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by an individual and which the individual can reasonably expect will not be made public (for example, a medical record). Private information must be individually identifiable (i.e., the identity of the subject is or may readily be ascertained by the investigator or associated with the information) in order for obtaining the information to constitute research involving human subjects.

HUMINT
Human Intelligence

IAEA
International Agency for Atomic Energy

I&W
Indications and warning
Identification Record

Administrative Law

28 CFR § 16.31: Definition of identification record [28 CFR PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION: SUBPART C—Production of FBI Identification Records in Response to Written Requests by Subjects Thereof]

An FBI identification record, often referred to as a “rap sheet,” is a listing of certain information taken from fingerprint submissions retained by the FBI in connection with arrests and, in some instances, includes information taken from fingerprints submitted in connection with federal employment, naturalization, or military service. The identification record includes the name of the agency or institution that submitted the fingerprints to the FBI. If the fingerprints concern a criminal offense, the identification record includes the date of arrest or the date the individual was received by the agency submitting the fingerprints, the arrest charge, and the disposition of the arrest if known to the FBI. All arrest data included in an identification record are obtained from fingerprint submissions, disposition reports, and other reports submitted by agencies having criminal justice responsibilities. Therefore, the FBI Criminal Justice Information Services Division is not the source of the arrest data reflected on an identification record.

III System

Administrative Law

28 CFR § 20.3(m) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:

[...]

(m) Interstate Identification Index System

or “III System” means the cooperative federal-state system for the exchange of criminal history records, and includes the National Identification Index, the National Fingerprint File, and, to the extent of their participation in such system, the criminal history record repositories of the states and the FBI.

Imagery

Statutory Law


In this chapter [10 U.S.C. §§ 441 et seq.]:

Page 334
(2) (A) The term "imagery" means, except as provided in subparagraph (B), a likeness or presentation of any natural or manmade feature or related object or activity and the positional data acquired at the same time the likeness or representation was acquired, including—

(i) products produced by space-based national intelligence reconnaissance systems; and

(ii) likenesses or presentations produced by satellites, airborne platforms, unmanned aerial vehicles, or other similar means.

(B) Such term does not include handheld or clandestine photography taken by or on behalf of human intelligence collection organizations.


In this chapter [10 U.S.C. §§ 441 et seq.]:

(3) The term "imagery intelligence" means the technical, geographic, and intelligence information derived through the interpretation or analysis of imagery and collateral materials.

Imagery Intelligence

Statutory Law


In this chapter [10 U.S.C. §§ 441 et seq.]:

(2) (A) The term "imagery" means, except as provided in subparagraph (B), a likeness or presentation of any natural or manmade feature or related object or activity and the positional data acquired at the same time the likeness or representation was acquired, including—

(i) products produced by space-based national intelligence reconnaissance systems; and

(ii) likenesses or presentations produced by satellites, airborne platforms, unmanned aerial vehicles, or other similar means.

(B) Such term does not include handheld or clandestine photography taken by or on behalf of human intelligence collection organizations.


In this chapter [10 U.S.C. §§ 441 et seq.]:

(3) The term "imagery intelligence" means the technical, geographic, and intelligence information derived through the interpretation or analysis of imagery and collateral materials.
**IMINT**

Imagery intelligence

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**Immigrant**

**Statutory Law**


(a) As used in this Act—

(15) The term "immigrant" means every alien except an alien who is within one of the following classes of nonimmigrant aliens—

(A)

(i) an ambassador, public minister, or career diplomatic or an ambassador, public minister, or career diplomatic or consular officer who has been accredited by a foreign government recognized de jure by the United States and who is accepted by the President or by the Secretary of State, and the members of the alien's immediate family;

(ii) upon a basis of reciprocity, other officials and employees who have been accredited by a foreign government recognized de jure by the United States, who are accepted by the Secretary of State, and the members of their immediate families; and

(iii) upon a basis of reciprocity, attendants, servants, personal employees, and members of their immediate families, of the officials and employees who have a nonimmigrant status under (i) and (ii) above;

(B) an alien (other than one coming for the purpose of study or of performing skilled or unskilled labor or as a representative of foreign press, radio, film, or other foreign information media coming to engage in such vocation) having a residence in a foreign country which he has no intention of abandoning and who is visiting the United States temporarily for business or temporarily for pleasure;

(C) an alien in immediate and continuous transit through the United States, or an alien who qualifies as a person entitled to pass in transit to and from the United Nations Headquarters District and foreign countries, under the provisions of paragraphs (3), (4), and (5) of section 11 of the Headquarters Agreement with the United Nations (61 Stat. 758) [22 U.S.C. § 287 note];

(D)

(i) an alien crewman serving in good faith as such in a capacity required for normal operation and service on board a vessel, as defined in section 258(a) [8 U.S.C. § 1288(a)] (other than a fishing vessel having its home port or an operating base in the United States), or aircraft, who intends to land temporarily and solely in pursuit of his calling as a crewman and to depart from the United States with the vessel or aircraft on which he arrived or some other vessel or aircraft;
(ii) an alien crewman serving in good faith as such in any capacity required for normal operations and service aboard a fishing vessel having its home port or an operating base in the United States who intends to land temporarily in Guam or the Commonwealth of the Northern Mariana Islands and solely in pursuit of his calling as a crewman and to depart from Guam or the Commonwealth of the Northern Mariana Island with the vessel on which he arrived;

(E) an alien entitled to enter the United States under and in pursuance of the provisions of a treaty of commerce and navigation between the United States and the foreign state of which he is a national, and the spouse and children of any such alien if accompanying or following to join him: (i) solely to carry on substantial trade, including trade in services or trade in technology, principally between the United States and the foreign state of which he is a national; (ii) solely to develop and direct the operations of an enterprise in which he has invested, or of an enterprise in which he is actively in the process of investing, a substantial amount of capital; or (iii) solely to perform services in a specialty occupation in the United States if the alien is a national of the Commonwealth of Australia and with respect to whom the Secretary of Labor determines and certifies to the Secretary of Homeland Security and the Secretary of State that the intending employer has filed with the Secretary of Labor an attestation under section 212(t)(1) [8 U.S.C. § 1182(t)(1)];

(F) (i) an alien having a residence in a foreign country which he has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study consistent with section 214(l) at an established college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in a language training program in the United States, particularly designated by him and approved by the Attorney General after consultation with the Secretary of Education, which institution or place of study shall have agreed to report to the Attorney General the termination of attendance of each nonimmigrant student, and if any such institution of learning or place of study fails to make reports promptly the approval shall be withdrawn, (ii) the alien spouse and minor children of any alien described in clause (i) if accompanying or following to join such an alien, and (iii) an alien who is a national of Canada or Mexico, who maintains actual residence and place of abode in the country of nationality, who is described in clause (i) except that the alien's qualifications for and actual course of study may be full or part-time, and who commutes to the United States institution or place of study from Canada or Mexico;

(G) (i) a designated principal resident representative of a foreign government recognized de jure by the United States, which foreign government is a member of an international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act (59 Stat. 669), accredited resident members of the staff of such representatives, and members of his or their immediate family;

(ii) other accredited representatives of such a foreign government to such international organizations, and the members of their immediate families;
(iii) an alien able to qualify under (i) or (ii) above except for the fact that the government of which such alien is an accredited representative is not recognized de jure by the United States, or that the government of which he is an accredited representative is not a member of such international organization, and the members of his immediate family;

(iv) officers, or employees of such international organizations, and the members of their immediate families;

(v) attendants, servants, and personal employees of any such representative, officer, or employee, and the members of the immediate families of such attendants, servants, and personal employees;

(H) [Caution: For expiration of amendments made to this subparagraph by Act Nov. 12, 1999, P.L. 106-95, see § 2(e) of such Act, which appears as 8 U.S.C. § 1182 note.] an alien (i)(a) [Deleted] (b) subject to section 212(j)(2) [8 U.S.C. § 1182(j)(2)] who is coming temporarily to the United States to perform services (other than services described in subclause (a) during the period in which such subclause applies and other than services described in subclause (ii)(a) or in subparagraph (O) or (P)) in a specialty occupation described in section 214(i)(1) [8 U.S.C. § 1184(i)(1)] or as a fashion model, who meets the requirements for the occupation specified in section 214(i)(2) [8 U.S.C. § 1184(i)(2)] or, in the case of a fashion model, is of distinguished merit and ability, and with respect to whom the Secretary of Labor determines and certifies to the Attorney General that the intending employer has filed with the Secretary an application under section 212(n)(1) [8 U.S.C. § 1182(n)(1)], or (b1) who is entitled to enter the United States under and in pursuance of the provisions of an agreement listed in section 214(g)(8)(A) [8 U.S.C. § 1184(g)(8)(A)], who is engaged in a specialty occupation described in section 214(i)(3) [8 U.S.C. § 1184(i)(3)], and with respect to whom the Secretary of Labor determines and certifies to the Secretary of Homeland Security and the Secretary of State that the intending employer has filed with the Secretary of Labor an attestation under section 212(t)(1) [8 U.S.C. § 1182(t)(1)], or (c) who is coming temporarily to the United States to perform services as a registered nurse, who meets the qualifications described in section 212(m)(1) [8 U.S.C. § 1182(m)(1)], and with respect to whom the Secretary of Labor determines and certifies to the Attorney General that an unexpired attestation is on file and in effect under section 212(m)(2) [8 U.S.C. § 1182(m)(2)] for the facility (as defined in section 212(m)(6)) [8 U.S.C. § 1182(m)(6)] for which the alien will perform the services; or (ii)(a) having a residence in a foreign country which he has no intention of abandoning who is coming temporarily to the United States to perform agricultural labor or services, as defined by the Secretary of Labor in regulations and including agricultural labor defined in section 3121(g) of the Internal Revenue Code of 1986 [26 U.S.C. § 3121(g)], agriculture as defined in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), and the pressing of apples for cider on a farm, of a temporary or seasonal nature, or (b) having a residence in a foreign country which he has no intention of abandoning who is coming temporarily to the United States to perform other temporary service or labor if unemployed persons capable of performing such service or labor cannot be found in this country, but this clause
shall not apply to graduates of medical schools coming to the United States to perform services as members of the medical profession; or (iii) having a residence in a foreign country which he has no intention of abandoning who is coming temporarily to the United States as a trainee, other than to receive graduate medical education or training; and the alien spouse and minor children of any such alien specified in this paragraph if accompanying him or following to join him;

(I) upon a basis of reciprocity, an alien who is a bona fide representative of foreign press, radio, film, or other foreign information media, who seeks to enter the United States solely to engage in such vocation, and the spouse and children of such a representative, if accompanying or following to join him;

(J) an alien having a residence in a foreign country which he has no intention of abandoning who is a bona fide student, scholar, trainee, teacher, professor, research assistant, specialist, or leader in a field of specialized knowledge or skill, or other person of similar description, who is coming temporarily to the United States as a participant in a program designated by the Director of the United States Information Agency, for the purpose of teaching, instructing or lecturing, studying, observing, conducting research, consulting, demonstrating special skills, or receiving training and who, if he is coming to the United States to participate in a program under which he will receive graduate medical education or training, also meets the requirements of section 212(j) [8 U.S.C. § 1182(j)], and the alien spouse and minor children of any such alien if accompanying him or following to join him;

(K) subject to subsections (d) and (p) of section 214 [8 U.S.C. § 1184], an alien who—

(i) is the fiancee or fiance of a citizen of the United States (other than a citizen described in section 204(a)(1)(A)(viii)(I) [8 U.S.C. § 1154(a)(1)(A)(viii)(I)]) and who seeks to enter the United States solely to conclude a valid marriage with the petitioner within ninety days after admission;

(ii) has concluded a valid marriage with a citizen of the United States (other than a citizen described in section 204(a)(1)(A)(viii)(I) [8 U.S.C. § 1154(a)(1)(A)(viii)(I)]) who is the petitioner, is the beneficiary of a petition to accord a status under section 201(b)(2)(A)(i) [8 U.S.C. § 1151(b)(2)(A)(i)] that was filed under section 204 [8 U.S.C. § 1154] by the petitioner, and seeks to enter the United States to await the approval of such petition and the availability to the alien of an immigrant visa; or

(iii) is the minor child of an alien described in clause (i) or (ii) and is accompanying, or following to join, the alien;

(L) subject to section 214(c)(2) [8 U.S.C. § 1184(c)(2)], an alien who, within 3 years preceding the time of his application for admission into the United States, has been employed continuously for one year by a firm or corporation or other legal entity or an affiliate or subsidiary thereof and who seeks to enter the United States temporarily in order to continue to render his services to the same employer or a subsidiary or affiliate thereof in a capacity that is managerial, executive, or involves specialized knowledge, and the alien spouse and minor children of any such alien if accompanying him or following to join him;
(M) (i) an alien having a residence in a foreign country which he has no intention of abandoning who seeks to enter the United States temporarily and solely for the purpose of pursuing a full course of study at an established vocational or other recognized nonacademic institution (other than in a language training program) in the United States particularly designated by him and approved by the Attorney General, after consultation with the Secretary of Education, which institution shall have agreed to report to the Attorney General the termination of attendance of each non-immigrant nonacademic student and if any such institution fails to make reports promptly the approval shall be withdrawn, (ii) the alien spouse and minor children of any alien described in clause (i) if accompanying or following to join such an alien, and (iii) an alien who is a national of Canada or Mexico, who maintains actual residence and place of abode in the country of nationality, who is described in clause (i) except that the alien’s course of study may be full or part-time, and who commutes to the United States institution or place of study from Canada or Mexico;

(N) (i) the parent of an alien accorded the status of special immigrant under paragraph (27)(I)(i) (or under analogous authority under paragraph (27)(L)), but only if and while the alien is a child, or

(ii) a child of such parent or of an alien accorded the status of a special immigrant under clause (ii), (iii), or (iv) of paragraph (27)(I) (or under analogous authority under paragraph (27)(L));

(O) an alien who—

(i) has extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim or, with regard to motion picture and television productions a demonstrated record of extraordinary achievement, and whose achievements have been recognized in the field through extensive documentation, and seeks to enter the United States to continue work in the area of extraordinary ability;

(ii) (I) seeks to enter the United States temporarily and solely for the purpose of accompanying and assisting in the artistic or athletic performance by an alien who is admitted under clause (i) for a specific event or events,

(II) is an integral part of such actual performance,

(III) (a) has critical skills and experience with such alien which are not of a general nature and which cannot be performed by other individuals, or (b) in the case of a motion picture or television production, has skills and experience with such alien which are not of a general nature and which are critical either based on a pre-existing longstanding working relationship or, with respect to the specific production, because significant production (including pre- and post-production work) will take place both inside and outside the United States and the continuing participation of the alien is essential to the successful completion of the production, and

(IV) has a foreign residence which the alien has no intention of abandoning; or

(iii) is the alien spouse or child of an alien described in clause (i) or (ii) and is accompanying, or following to join, the alien;
(P) an alien having a foreign residence which the alien has no intention of abandoning who—
   (i) (a) is described in section 214(c)(4)(A) [8 U.S.C. § 1184(c)(4)(A)] (relating to athletes), or (b) is described in section 214(c)(4)(B) [8 U.S.C. § 1184(c)(4)(B)] (relating to entertainment groups);
   (ii) (I) performs as an artist or entertainer, individually or as part of a group, or is an integral part of the performance of such a group, and
      (II) seeks to enter the United States temporarily and solely for the purpose of performing as such an artist or entertainer or with such a group under a reciprocal exchange program which is between an organization or organizations in the United States and an organization or organizations in one or more foreign states and which provides for the temporary exchange of artists and entertainers, or groups of artists and entertainers;
   (iii) (I) performs as an artist or entertainer, individually or as part of a group, or is an integral part of the performance of such a group, and
      (II) seeks to enter the United States temporarily and solely to perform, teach, or coach as such an artist or entertainer or with such a group under a commercial or noncommercial program that is culturally unique; or
   (iv) is the spouse or child of an alien described in clause (i), (ii), or (iii) and is accompanying, or following to join, the alien;
   (Q) an alien having a residence in a foreign country which he has no intention of abandoning who is coming temporarily (for a period not to exceed 15 months) to the United States as a participant in an international cultural exchange program approved by the Secretary of Homeland Security for the purpose of providing practical training, employment, and the sharing of the history, culture, and traditions of the country of the alien’s nationality and who will be employed under the same wages and working conditions as domestic workers;
   (R) an alien, and the spouse and children of the alien if accompanying or following to join the alien, who—
   (i) for the 2 years immediately preceding the time of application for admission, has been a member of a religious denomination having a bona fide nonprofit, religious organization in the United States; and
   (ii) seeks to enter the United States for a period not to exceed 5 years to perform the work described in subclause (I), (II), or (III) of paragraph (27)(C)(ii);
   (S) subject to section 214(k) [8 U.S.C. § 1184(k)], an alien—
   (i) who the Attorney General determines—
      (I) is in possession of critical reliable information concerning a criminal organization or enterprise;
      (II) is willing to supply or has supplied such information to Federal or State law enforcement authorities or a Federal or State court; and
      (III) whose presence in the United States the Attorney General determines is essential to the success of an authorized criminal investigation or the successful prosecution of an individual involved in the criminal organization or enterprise; or
   (ii) who the Secretary of State and the Attorney General jointly determine—
(I) is in possession of critical reliable information concerning a terrorist organization, enterprise, or operation;

(II) is willing to supply or has supplied such information to Federal law enforcement authorities or a Federal court;

(III) will be or has been placed in danger as a result of providing such information; and

(IV) is eligible to receive a reward under section 36(a) of the State Department Basic Authorities Act of 1956 [22 U.S.C. § 2708(a)],

and, if the Attorney General (or with respect to clause (ii), the Secretary of State and the Attorney General jointly) considers it to be appropriate, the spouse, married and unmarried sons and daughters, and parents of an alien described in clause (i) or (ii) if accompanying, or following to join, the alien;

(T) (i) subject to section 214(o) [8 U.S.C. § 1184(o)], an alien who the Secretary of Homeland Security, or in the case of subclause (III)(aa) the Secretary of Homeland Security, in consultation with the Attorney General, determines—

(I) is or has been a victim of a severe form of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000 [22 U.S.C. § 7102];

(II) is physically present in the United States, American Samoa, or the Commonwealth of the Northern Mariana Islands, or at a port of entry thereto, on account of such trafficking, including physical presence on account of the alien having been allowed entry into the United States for participation in investigative or judicial processes associated with an act or a perpetrator of trafficking;

(III) (aa) has complied with any reasonable request for assistance in the Federal, State, or local investigation or prosecution of acts of trafficking or the investigation of crime where acts of trafficking are at least one central reason for the commission of that crime;

(bb) in consultation with the Attorney General, as appropriate, is unable to cooperate with a request described in item (aa) due to physical or psychological trauma; or

(cc) has not attained 18 years of age; and

(IV) the alien would suffer extreme hardship involving unusual and severe harm upon removal; and

(ii) if accompanying, or following to join, the alien described in clause (i)—

(I) in the case of an alien described in clause (i) who is under 21 years of age, the spouse, children, unmarried siblings under 18 years of age on the date on which such alien applied for status under such clause, and parents of such alien;

(II) in the case of an alien described in clause (i) who is 21 years of age or older, the spouse and children of such alien; or

(III) any parent or unmarried sibling under 18 years of age of an alien described in subclause (I) or (II) who the Secretary of Homeland Security, in consultation with the law enforcement officer investigating a severe form of trafficking, determines faces a present danger of retaliation as a result of the alien’s escape from the severe form of trafficking or cooperation with law enforcement.

(iii) [Deleted]
(U)

(i) subject to section 214(p) [8 U.S.C. § 1184(p)], an alien who files a petition for status under this subparagraph, if the Secretary of Homeland Security determines that—

(I) the alien has suffered substantial physical or mental abuse as a result of having been a victim of criminal activity described in clause (iii);

(II) the alien (or in the case of an alien child under the age of 16, the parent, guardian, or next friend of the alien) possesses information concerning criminal activity described in clause (iii);

(III) the alien (or in the case of an alien child under the age of 16, the parent, guardian, or next friend of the alien) has been helpful, is being helpful, or is likely to be helpful to a Federal, State, or local law enforcement official, to a Federal, State, or local prosecutor, to a Federal or State judge, to the Service, or to other Federal, State, or local authorities investigating or prosecuting criminal activity described in clause (iii); and

(IV) the criminal activity described in clause (iii) violated the laws of the United States or occurred in the United States (including in Indian country and military installations) or the territories and possessions of the United States;

(ii) if accompanying, or following to join, the alien described in clause (i)—

(I) in the case of an alien described in clause (i) who is under 21 years of age, the spouse, children, unmarried siblings under 18 years of age on the date on which such alien applied for status under such clause, and parents of such alien; or

(II) in the case of an alien described in clause (i) who is 21 years of age or older, the spouse and children of such alien; and

(iii) the criminal activity referred to in this clause is that involving one or more of the following or any similar activity in violation of Federal, State, or local criminal law: rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes; or

(V) subject to section 214(q) [8 U.S.C. § 1184(q)], an alien who is the beneficiary (including a child of the principal alien, if eligible to receive a visa under section 203(d) [8 U.S.C. § 1153(d)]) of a petition to accord a status under section 203(a)(2)(A) [8 U.S.C. § 1153(a)(2)(A)] that was filed with the Attorney General under section 204 [8 U.S.C. § 1154] on or before the date of the enactment of the Legal Immigration Family Equity Act [enacted Dec. 21, 2000], if—

(i) such petition has been pending for 3 years or more; or

(ii) such petition has been approved, 3 years or more have elapsed since such filing date, and—
(I) an immigrant visa is not immediately available to the alien because of a waiting list of applicants for visas under section 203(a)(2)(A) [8 U.S.C. § 1153(a)(2)(A)]; or

(II) the alien's application for an immigrant visa, or the alien's application for adjustment of status under section 245 [8 U.S.C. § 1255], pursuant to the approval of such petition, remains pending.

Immigrant Visa

Statutory Law


(a) As used in this Act—

(16) The term "immigrant visa" means an immigrant visa required by this Act and properly issued by a consular officer at his office outside of the United States to an eligible immigrant under the provisions of this Act.

Immigration Emergency

Administrative Law


As used in this part:

[...]

Immigration emergency means an actual or imminent influx of aliens which either is of such magnitude or exhibits such other characteristics that effective administration of the immigration laws of the United States is beyond the existing capabilities of the Immigration and Naturalization Service ("INS") in the affected area or areas. Characteristics of an influx of aliens, other than magnitude, which may be considered in determining whether an immigration emergency exists include: the likelihood of continued growth in the magnitude of the influx; an apparent connection between the influx and increases in criminal activity; the actual or imminent imposition of unusual and overwhelming demands on law enforcement agencies; and other similar characteristics.
Immigration Judge

Statutory Law


(b) As used in titles I and II [8 U.S.C. §§ 1101 et seq., 1151 et seq.]—

(4) The term "immigration judge" means an attorney whom the Attorney General appoints as an administrative judge within the Executive Office for Immigration Review, qualified to conduct specified classes of proceedings, including a hearing under section 240 [8 U.S.C. § 1229a]. An immigration judge shall be subject to such supervision and shall perform such duties as the Attorney General shall prescribe, but shall not be employed by the Immigration and Naturalization Service.

Immigration Laws

Statutory Law


(a) As used in this Act—

(17) The term "immigration laws" includes this Act and all laws, conventions, and treaties of the United States relating to the immigration, exclusion, deportation, expulsion, or removal of aliens.

Immigration Officer

Statutory Law


(a) As used in this Act—

(18) The term "immigration officer" means any employee or class of employees of the Service or of the United States designated by the Attorney General, individually or by regulation, to perform the functions of an immigration officer specified by this Act or any section thereof.
Incite a Riot

Statutory Law

(b) As used in this chapter, the term "to incite a riot", or "to organize, promote, encourage, participate in, or carry on a riot", includes, but is not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written (1) advocacy of ideas or (2) expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of, or the right to commit, any such act or acts.

NOTE: The term “riot,” as used in this section, is defined in 18 U.S.C. § 2102(a) (2010) (Title 18—Chapter 102: Riots) (“(a) As used in this chapter, the term "riot" means a public disturbance involving (1) an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual and (2) a threat or threats of the commission of an act or acts of violence by one or more persons part of an assemblage of three or more persons having, individually or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened act or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual.”).

Independent Regulatory Agency

Statutory Law

As used in this subchapter [44 U.S.C. §§ 3501 et seq.]—
(5) the term "independent regulatory agency" means the Board of Governors of the Federal Reserve System, the Commodity Futures Trading Commission, the Consumer Product Safety Commission, the Federal Communications Commission, the Federal Deposit Insurance Corporation, the Federal Energy Regulatory Commission, the Federal Housing Finance Agency, the Federal Maritime Commission, the Federal Trade Commission, the Interstate Commerce Commission, the Mine Enforcement Safety and Health Review Commission, the National Labor Relations Board, the Nuclear Regulatory Commission, the Occupational Safety and Health Review Commission, the Postal Regulatory Commission, the Securities and Exchange Commission, and any other similar agency designated by statute as a Federal independent regulatory agency or commission;
Independent States of the Former Soviet Union

Statutory Law


In this title:

(2) The term "independent states of the former Soviet Union" has the meaning given that term in section 3 of the FREEDOM Support Act (22 U.S.C. 5801).

Indian Tribe

Administrative Law

28 CFR § 69.105(g) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

[…]

(g) Indian tribe and tribal organization

have the meaning provided in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450B). Alaskan Natives are included under the definitions of Indian tribes in that Act.

Individual

Administrative Law


For purposes of this subpart, the following terms have the meanings indicated:

[…]

Individual

, when used in connection with the Privacy Act, means a living person who is a citizen of the United States or an alien lawfully admitted for permanent residence. It does not include sole proprietorships, partnerships, or corporations.
For purposes of this part, the following terms have the meanings indicated:

Requester or individual
means a citizen of the United States or an alien lawfully admitted for permanent residence who is a living being and to whom a record might pertain;

For purposes of this part, the following terms have the meanings indicated:

(k) Requester or individual
means a citizen of the United States or an alien lawfully admitted for permanent residence who is a living being and to whom a record might pertain;

As used in these regulations:

(a) Individual.
A citizen of the United States or an alien lawfully admitted for permanent residence.

**Individual with Disabilities**

**Administrative Law**

For purposes of this part, the following terms means—

...]

Individual with disabilities
means any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. As used in this definition, the phrase—

(1) Physical or mental impairment includes—

(i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Cardiovascular; Neurological; musculoskeletal; special
sense organs; respiratory, including speech organs; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or
(ii) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction, and alcoholism.

(2) Major life activities includes functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working;
(3) Has a record of such an impairment means has a history of, or has been misclassified as having a mental or physical impairment that substantially limits one or more major life activities.
(4) Is regarded as having an impairment means—
   (i) Has a physical or mental impairment that does not substantially limit major life activities but is treated by the NACIC as constituting such a limitation;
   (ii) Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward the impairment; or
   (iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by the NACIC as having such an impairment.

Individual with Handicaps

Administrative Law

32 CFR § 1906.103 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1906—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE CENTRAL INTELLIGENCE AGENCY]

For purposes of this part, the following terms means—

Individual with handicaps
means any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. As used in this definition, the phrase—

(1) Physical or mental impairment
includes—
(i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Cardiovascular; Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or
(ii) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term “physical or mental impairment” includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction, and alcoholism.

(2) Major life activities includes functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working;

(3) Has a record of such an impairment means has a history of, or has been misclassified as having a mental or physical impairment that substantially limits one or more major life activities.

(4) Is regarded as having an impairment means—

(i) Has a physical or mental impairment that does not substantially limit major life activities but is treated by the Agency as constituting such a limitation;
(ii) Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward the impairment; or
(iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by the Agency as having such an impairment.

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**Industrial Resources**

**Statutory Law**


[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:
(12) Industrial resources. The term "industrial resources" means materials, services, processes, or manufacturing equipment (including the processes, technologies, and ancillary services for the use of such equipment) needed to establish or maintain an efficient and modern national defense industrial base.

**Ineligible to Citizenship**

**Statutory Law**


(a) As used in this Act—

(19) The term "ineligible to citizenship," when used in reference to any individual, means, notwithstanding the provisions of any treaty relating to military service, an individual who is, or was at any time, permanently debarred from becoming a citizen of the United States under section 3(a) of the Selective Training and Service Act of 1940, as amended (54 Stat. 885; 55 Stat. 844), or under section 4(a) of the Selective Service Act of 1948, as amended (62 Stat. 605; 65 Stat. 76) [50 U.S.C. Appx. § 454(a)], or under any section of this Act, or any other Act, or under any law amendatory of, supplementary to, or in substitution for, any of such sections or Acts.

**INF**

Intermediate Nuclear Forces [Treaty]

**Influencing**

**Administrative Law**

28 CFR § 69.105(h) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

[...]

(h) Influencing or attempting to influence means making, with the intent to influence, any communication to or appearance before an officer or employee or any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any covered Federal action.
Informant

Statutory Law


For the purposes of this title [50 U.S.C. §§ 421 et seq.]:
(6) The term "informant" means any individual who furnishes information to an intelligence agency in the course of a confidential relationship protecting the identity of such individual from public disclosure.

Information

Administrative Law


"Information" means any knowledge that can be communicated or documentary material, regardless of its physical form or characteristics, that is owned by, produced by or for, or is under the control of the United States Government. 'Control' means the authority of the agency that originates information, or its successor in function, to regulate access to the information.

Executive Order 13,526, Classified National Security Information, § 6.1 (t) (December 29, 2009)

For purposes of this order:
(t) "Information" means any knowledge that can be communicated or documentary material, regardless of its physical form or characteristics, that is owned by, is produced by or for, or is under the control of the United States Government.

Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (d) (August 18, 2010)

For purposes of this order:
(d) “Information” means any knowledge that can be communicated or documentary material, regardless of its physical form or characteristics, that is owned by, produced by or for, or is under the control of the United States Government.
For purposes of this subpart, the following terms have the meanings indicated:

Information means information about an individual and includes, but is not limited to, vital statistics; race, sex, or other physical characteristics; earnings information; professional fees paid to an individual and other financial information; benefit data or claims information; the Social Security number, employer identification number, or other individual identifier; address; phone number; medical information; and information about marital, family or other personal relationships.

For purposes of this part, the following terms have the meanings as indicated:

Information means any knowledge that can be communicated or documentary material, regardless of its physical form, that is:

(1) Owned by, produced by or for, or under the control of the United States Government, and

(2) Lawfully and actually in the possession of an authorized holder and for which ownership and control has not been relinquished by NACIC;

For purposes of this part, the following terms have the meanings as indicated:

Information means any knowledge that can be communicated or documentary material, regardless of its physical form that is owned by, produced by or for, or under the control of the United States Government; it does not include information originated by the incumbent President, White House Staff, appointed committees, commissions or boards, or any entities within the Executive Office that solely advise and assist the incumbent President;
For purposes of this part, the following terms have the meanings indicated:

Information
means any knowledge that can be communicated or documentary material, regardless of its physical form that is owned by, produced by or for, or is under the control of the United States Government;

For purposes of this part, the following terms have the meanings as indicated:

(g) Information
means any knowledge that can be communicated or documentary material, regardless of its physical form, that is:

(1) Owned by, produced by or for, or under the control of the United States Government, and

(2) Lawfully and actually in the possession of an authorized holder and for which ownership and control has not been relinquished by the CIA;

For purposes of this part, the following terms have the meanings as indicated:

(f) Information
means any knowledge that can be communicated or documentary material, regardless of its physical form that is owned by, produced by or for, or under the control of the United States Government; it does not include:

(1) Information within the scope of the CIA Information Act, or

(2) Information originated by the incumbent President, White House Staff, appointed committees, commissions or boards, or any entities within the Executive Office that solely advise and assist the incumbent President;
32 CFR § 1909.02(k) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1909—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO § 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:

(k) Information
means any knowledge that can be communicated or documentary material, regardless of its physical form that is owned by, produced by or for, or is under the control of the United States Government;

See Also

28 CFR § 22.2(e) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

[...]
(e) Information identifiable to a private person
means information which either—
(1) Is labelled by name or other personal identifiers, or
(2) Can, by virtue of sample size or other factors, be reasonably interpreted as referring to a particular private person.


The following definitions apply to this part:
[...]
ODNI Information or Material:
Information or material that is contained in ODNI files, related to or based upon material contained in ODNI files or acquired by any ODNI employee as part of that employee's official duties or because of that employee's association with the ODNI.

Information Identifiable to a Private Person

Administrative Law

28 CFR § 22.2(e) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

[...]
(e) Information identifiable to a private person
means information which either—
(1) Is labelled by name or other personal identifiers, or
(2) Can, by virtue of sample size or other factors, be reasonably interpreted as referring to a particular private person.

Information Resources

Statutory Law


As used in this subchapter [44 U.S.C. §§ 3501 et seq.]—
(6) the term "information resources" means information and related resources, such as personnel, equipment, funds, and information technology;

Information Resources Management

Statutory Law


As used in this subchapter [44 U.S.C. §§ 3501 et seq.]—
(7) the term "information resources management" means the process of managing information resources to accomplish agency missions and to improve agency performance, including through the reduction of information collection burdens on the public;

Information Security

Statutory Law


[NOTE: While Subchapter III (44 U.S.C. §§ 3541 et seq.) is in effect Subchapter II [44 U.S.C. §§ 3531 et seq.] shall not apply.]

(b) Additional definitions. As used in this subchapter [44 U.S.C. §§ 3531 et seq.]—
(1) the term "information security" means protecting information and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction in order to provide—

(A) integrity, which means guarding against improper information modification or destruction, and includes ensuring information nonrepudiation and authenticity;

(B) confidentiality, which means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information;

(C) availability, which means ensuring timely and reliable access to and use of information; and

(D) authentication, which means utilizing digital credentials to assure the identity of users and validate their access;


[NOTE: While Subchapter III (44 U.S.C. §§ 3541 et seq.) is in effect Subchapter II [44 U.S.C. §§ 3531 et seq.] shall not apply.]

(b) Additional definitions. As used in this subchapter [44 U.S.C. §§ 3541 et seq.]:

(1) The term "information security" means protecting information and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction in order to provide—

(A) integrity, which means guarding against improper information modification or destruction, and includes ensuring information nonrepudiation and authenticity;

(B) confidentiality, which means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information; and

(C) availability, which means ensuring timely and reliable access to and use of information.

Information-Service Employee

Statutory Law


As used in and for the purposes of this Act—

(i) The term "information-service employee" includes any person who is engaged in furnishing, disseminating, or publishing accounts, descriptions, information, or data with respect to the political, industrial, employment, economic, social, cultural, or other benefits, advantages, facts, or conditions of any country other
than the United States or of any government of a foreign country or of a foreign political party or of a partnership, association, corporation, organization, or other combination of individuals organized under the laws of, or having its principal place of business in, a foreign country;

Information System

Statutory Law


As used in this subchapter [44 U.S.C. §§ 3501 et seq.]—
(8) the term "information system" means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information;


[NOTE: While Subchapter III (44 U.S.C. §§ 3541 et seq.) is in effect Subchapter II [44 U.S.C. §§ 3531 et seq.] shall not apply.]

(b) Additional definitions. As used in this subchapter [44 U.S.C. §§ 3531 et seq.]—
(4) the term "information system" means any equipment or interconnected system or subsystems of equipment that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information, and includes—
(A) computers and computer networks;
(B) ancillary equipment;
(C) software, firmware, and related procedures;
(D) services, including support services; and
(E) related resources.

Information Technology

Statutory Law


As used in this subchapter [44 U.S.C. §§ 3501 et seq.]—
(9) the term "information technology" has the meaning given that term in section 11101 of title 40 but does not include national security systems as defined in section 11103 of title 40;


[NOTE: While Subchapter III (44 U.S.C. §§ 3541 et seq.) is in effect Subchapter II [44 U.S.C. §§ 3531 et seq.] shall not apply.]

(b) Additional definitions. As used in this subchapter [44 U.S.C. §§ 3531 et seq.—
(3) the term "information technology" has the meaning given that term in section 11101 of title 40;


[NOTE: While Subchapter III (44 U.S.C. §§ 3541 et seq.) is in effect Subchapter II [44 U.S.C. §§ 3531 et seq.] shall not apply.]

(b) Additional definitions. As used in this subchapter [44 U.S.C. §§ 3541 et seq.]:
(3) The term "information technology" has the meaning given that term in section 11101 of title 40.

**Infraction**

**Administrative Law**


“Infraction” means any knowing, willful, or negligent action contrary to the requirements of this order or its implementing directives that does not constitute a 'violation,' as defined below.

Executive Order 13,526, Classified National Security Information, § 6.1 (u) (December 29, 2009)

For purposes of this order:
(u) "Infraction" means any knowing, willful, or negligent action contrary to the requirements of this order or its implementing directives that does not constitute a "violation," as defined below.
Initial Statement

Administrative Law

28 CFR § 5.100 (a)(9) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(a) As used in this part:
   (9) The term initial statement means the statement required to be filed with the Attorney General under section 2(a) of the Act.

INR
The Bureau of Intelligence and Research of the Department of State

Inspection

Statutory Law

44 U.S.C. § 2901(8) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)

As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.]—
   (8) the term "inspection" means reviewing any Federal agency's records or records management practices or programs with respect to effectiveness and compliance with records management laws and making necessary recommendations for correction or improvement of records management;

Installed

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]
Installed or deployed
means that, on a specific switching system, equipment, facilities, or services are operable and available for use by the carrier's customers.
Institution

Administrative Law

28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

(b) Institution
means any public or private entity or agency (including federal, state, and other agencies).

Insurance Carrier

Administrative Law


For purposes of this subpart B:
[...] Insurance carrier
means an individual or entity engaged in the business of underwriting automobile insurance.

Integral File Block

Administrative Law

“Integral file block” means a distinct component of a file series, as defined in this section, that should be maintained as a separate unit in order to ensure the integrity of the records. An integral file block may consist of a set of records covering either a specific topic or a range of time such as presidential administration or a 5-year retirement schedule within a specific file series that is retired from active use as a group.

Executive Order 13,526, Classified National Security Information, § 6.1 (v) (December 29, 2009)
For purposes of this order:
(v) "Integral file block" means a distinct component of a file series, as defined in this section, that should be maintained as a separate unit in order to ensure the
integrity of the records. An integral file block may consist of a set of records covering either a specific topic or a range of time, such as a Presidential administration or a 5-year retirement schedule within a specific file series that is retired from active use as a group. For purposes of automatic declassification, integral file blocks shall contain only records dated within 10 years of the oldest record in the file block.

**Integrity**

**Administrative Law**


“Integrity” means the state that exists when information is unchanged from its source and has not been accidentally or intentionally modified, altered, or destroyed.

*Executive Order 13,526, Classified National Security Information, § 6.1 (w) (December 29, 2009)*

For purposes of this order:

(w) "Integrity" means the state that exists when information is unchanged from its source and has not been accidentally or intentionally modified, altered, or destroyed.

**Intelligence**

**Statutory Law**


As used in this Act:

(1) The term "intelligence" includes foreign intelligence and counterintelligence.

**Administrative Law**

*Executive Order 12333, United States Intelligence Activities, § 3.5(f) (2010)*

Intelligence includes foreign intelligence and counterintelligence.

*Executive Order 13,526, Classified National Security Information, § 6.1 (x) (December 29, 2009)*

For purposes of this order:
(x) "Intelligence" includes foreign intelligence and counterintelligence as defined by Executive Order 12333 of December 4, 1981, as amended, or by a successor order.

**Intelligence Activities**

**Administrative Law**

*Executive Order 12333, United States Intelligence Activities, § 3.5(g) (2010)*

Intelligence activities means all activities that elements of the Intelligence Community are authorized to conduct pursuant to this order.

*Executive Order 13,526, Classified National Security Information, § 6.1 (y) (December 29, 2009)*

For purposes of this order:

(y) "Intelligence activities" means all activities that elements of the Intelligence Community are authorized to conduct pursuant to law or Executive Order 12333, as amended, or a successor order.

*Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (e) (August 18, 2010)*

For purposes of this order:

(e) “Intelligence activities” means all activities that elements of the Intelligence Community are authorized to conduct pursuant to law or Executive Order 12333, as amended, or a successor order.


Refers to all activities that DoD intelligence components are authorized to undertake pursuant to Executive Order 12333 (reference (a)).

*The Attorney General’s Guidelines for Domestic FBI Operations § VII (I) (Sept. 29, 2008)*

Any activity conducted for intelligence purposes or to affect political or governmental processes by, for, or on behalf of a foreign power.
Intelligence Agency

Statutory Law


For the purposes of this title [50 U.S.C. §§ 421 et seq.]:

(5) The term "intelligence agency" means the Central Intelligence Agency, a foreign intelligence component of the Department of Defense, or the foreign counterintelligence or foreign counterterrorism components of the Federal Bureau of Investigation.

Intelligence Community

Statutory Law


As used in this Act:

(4) The term "intelligence community" includes the following:

(A) The Office of the Director of National Intelligence.
(B) The Central Intelligence Agency.
(C) The National Security Agency.
(D) The Defense Intelligence Agency.
(E) The National Geospatial-Intelligence Agency.
(F) The National Reconnaissance Office.
(G) Other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs.
(H) The intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, the Federal Bureau of Investigation, and the Department of Energy.
(I) The Bureau of Intelligence and Research of the Department of State.
(J) The Office of Intelligence and Analysis of the Department of the Treasury.
(K) The elements of the Department of Homeland Security concerned with the analysis of intelligence information, including the Office of Intelligence of the Coast Guard.
(L) Such other elements of any other department or agency as may be designated by the President, or designated jointly by the Director of National Intelligence and the head of the department or agency concerned, as an element of the intelligence community.
Administrative Law

Executive Order 12333, United States Intelligence Activities, § 3.5(h) (2010)

Intelligence Community and elements of the Intelligence Community refers to:

(1) The Office of the Director of National Intelligence;
(2) The Central Intelligence Agency;
(3) The National Security Agency;
(4) The Defense Intelligence Agency;
(5) The National Geospatial-Intelligence Agency;
(6) The National Reconnaissance Office;
(7) The other offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;
(8) The intelligence and counterintelligence elements of the Army, the Navy, the Air Force, and the Marine Corps;
(9) The intelligence elements of the Federal Bureau of Investigation;
(10) The Office of National Security Intelligence of the Drug Enforcement Administration;
(11) The Office of Intelligence and Counterintelligence of the Department of Energy;
(12) The Bureau of Intelligence and Research of the Department of State;
(13) The Office of Intelligence and Analysis of the Department of the Treasury;
(14) The Office of Intelligence and Analysis of the Department of Homeland Security;
(15) The intelligence and counterintelligence elements of the Coast Guard; and
(16) Such other elements of any department or agency as may be designated by the President, or designated jointly by the Director and the head of the department or agency concerned, as an element of the Intelligence Community.

Executive Order 13,526, Classified National Security Information, § 6.1 (z) (December 29, 2009)

For purposes of this order:
(z) "Intelligence Community" means an element or agency of the U.S. Government identified in or designated pursuant to section 3(4) of the National Security Act of 1947, as amended, or section 3.5(h) of Executive Order 12333, as amended.
Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § DL1.1.14 (Dec. 1982): Intelligence Community and an Agency of Or Within the Intelligence Community

Refers to the following organizations:
DL1.1.14.3. The Defense Intelligence Agency (DIA).
DL1.1.14.4. The Offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs.
DL1.1.14.5. The Bureau of Intelligence and Research of the Department of State.
DL1.1.14.6. The intelligence elements of the Army, the Navy, the Air Force and the Marine Corps, the Federal Bureau of Investigation (FBI), the Department of the Treasury, and the Department of Energy.
DL1.1.14.7. The staff elements of the Office of the Director of Central Intelligence.

Intelligence Project

Administrative Law

28 CFR § 23.3(b)(5) [28 CFR PART 23—CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES]

(b) As used in these policies:
[...]
(5) Intelligence Project or Project means the organizational unit which operates an intelligence system on behalf of and for the benefit of a single agency or the organization which operates an interjurisdictional intelligence system on behalf of a group of participating agencies; and

Intelligence Related to National Security

Statutory Law

As used in this Act:
The terms "national intelligence" and "intelligence related to national security" refer to all intelligence, regardless of the source from which derived and including information gathered within or outside the United States, that—

(A) pertains, as determined consistent with any guidance issued by the President, to more than one United States Government agency; and

(B) that involves—

(i) threats to the United States, its people, property, or interests;

(ii) the development, proliferation, or use of weapons of mass destruction; or

(iii) any other matter bearing on United States national or homeland security.

**Administrative Law**

*Executive Order 12333, United States Intelligence Activities, § 3.5(i) (2010)*

National Intelligence and Intelligence Related to National Security means all intelligence, regardless of the source from which derived and including information gathered within or outside the United States, that pertains, as determined consistent with any guidance issued by the President, or that is determined for the purpose of access to information by the Director in accordance with section 1.3(a)(1) of this order, to pertain to more than one United States Government agency; and that involves threats to the United States, its people, property, or interests; the development, proliferation, or use of weapons of mass destruction; or any other matter bearing on United States national or homeland security.

**Intended Spouse**

*Statutory Law*


(a) As used in this Act—

**Intercept**

**Statutory Law**

18 U.S.C. § 2510(4) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]

(4) "intercept" means the aural or other acquisition of the contents of any wire, electronic, or oral communication through the use of any electronic, mechanical, or other device.

**Interception**

**Administrative Law**

*Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.3.2.2 (Dec. 1982): “Interception”*

Interception means the acquisition by the United States Signals Intelligence system through electronic means of a nonpublic communication to which it is not an intended party, and the processing of the contents of that communication into an intelligible form, but not including the display of signals on visual display devices intended to permit the examination of the technical characteristics of the signals without reference to the information content carried by the signals.

**Interested Party**

**Administrative Law**

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

[...]

Interested party

means any official in the executive, military, congressional, or judicial branches of government, United States or foreign, or U.S. Government contractor who, in the sole discretion of NACIC, has a subject matter or physical interest in the documents or information at issue;
For purposes of this part, the following terms have the meanings indicated:

interested party means any official in the executive, military, congressional, or judicial branches of government, United States or foreign, or U.S. Government contractor who, in the sole discretion of NACIC, has a subject matter or physical interest in the documents or information at issue;

For purposes of this part, the following terms have the meanings as indicated:

interested party means any official in the executive, military, congressional, or judicial branches of government, United States or foreign, or U.S. Government contractor who, in the sole discretion of NACIC, has a subject matter or physical interest in the documents or information at issue;

For purposes of this part, the following terms have the meanings indicated:

interested party means any official in the executive, military, congressional, or judicial branches of government, United States or foreign, or U.S. Government contractor who, in the sole discretion of NACIC, has a subject matter or physical interest in the documents or information at issue;

For purposes of this part, the following terms have the meanings indicated:

interested party means any official in the executive, military, congressional, or judicial branches of government, United States or foreign, or U.S. Government contractor who, in the sole discretion of NACIC, has a subject matter or physical interest in the documents or information at issue;
means any official in the executive, military, congressional, or judicial branches of government, United States or foreign, or U.S. Government contractor who, in the sole discretion of NACIC, has a subject matter or physical interest in the documents or information at issue;

32 CFR § 1900.02(j) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:
(j) Interested party
means any official in the executive, military, congressional, or judicial branches of government, United States or foreign, or U.S. Government contractor who, in the sole discretion of NACIC, has a subject matter or physical interest in the documents or information at issue;

32 CFR § 1901.02(f) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974]

For purposes of this part, the following terms have the meanings indicated:
(f) Interested party
means any official in the executive, military, congressional, or judicial branches of government, United States or foreign, or U.S. Government contractor who, in the sole discretion of the CIA, has a subject matter or physical interest in the documents or information at issue;

32 CFR § 1907.02(h) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1907—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY AUTHORIZED HOLDERS PURSUANT TO § 1.9 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:
(h) Interested party
means any official in the executive, military, congressional, or judicial branches of government, United States or foreign, or U.S. Government contractor who, in the sole discretion of the CIA, has a subject matter or physical interest in the documents or information at issue;

32 CFR § 1908.02(g) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:
(g) Interested party
means any official in the executive, military, congressional, or judicial branches of government, United States or foreign, or U.S. Government contractor who, in
For purposes of this part, the following terms have the meanings indicated:

(1) Interested party
means any official in the executive, military, congressional, or judicial branches of government, United States or foreign, or U.S. Government contractor who, in the sole discretion of the CIA, has a subject matter or physical interest in the documents or information at issue;

Interjurisdictional Intelligence System

Administrative Law

(b) As used in these policies:
[...]
(2) Interjurisdictional Intelligence System
means an intelligence system which involves two or more participating agencies representing different governmental units or jurisdictions;

International Narcotics Activities

Administrative Law

Refers to activities outside the United States to produce, transfer or sell narcotics or other substances controlled in accordance with Sections 811 and 812 of title 21, United States Code.
International Organization

Statutory Law

22 U.S.C. § 288 (Title 22—Chapter 7: International Bureaus, Congresses, Etc.: Privileges and Immunities of International Organizations)

For the purposes of this title, the term "international organization" means a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation, and which shall have been designated by the President through appropriate Executive order as being entitled to enjoy the privileges, exemptions, and immunities herein provided. The President shall be authorized, in the light of the functions performed by any such international organization, by appropriate Executive order to withhold or withdraw from any such organization or its officers or employees any of the privileges, exemptions, and immunities provided for in this title (including the amendments made by this title) or to condition or limit the enjoyment by any such organization or its officers or employees of any such privilege, exemption, or immunity. The President shall be authorized, if in his judgment such action should be justified by reason of the abuse by an international organization or its officers and employees of the privileges, exemptions, and immunities herein provided or for any other reason, at any time to revoke the designation of any international organization under this section, whereupon the international organization in question shall cease to be classed as an international organization for the purposes of this title.

International Terrorism

Statutory Law


As used in this chapter [18 U.S.C. §§ 2331 et seq.] —
(1) the term "international terrorism" means activities that—
(A) involve violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State; 
(B) appear to be intended—
(i) to intimidate or coerce a civilian population; 
(ii) to influence the policy of a government by intimidation or coercion; or
(iii) to affect the conduct of a government by mass destruction, assassination or kidnapping; and
(C) occur primarily outside the territorial jurisdiction of the United States, or transcend national boundaries in terms of the means by which they are
accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum;


“International terrorism” means activities that—(1) involve violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or any State; (2) appear to be intended—(A) to intimidate or coerce a civilian population; (B) to influence the policy of a government by intimidation or coercion; or (C) to affect the conduct of a government by assassination or kidnapping; and (3) occur totally outside the United States or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to coerce or intimidate, or the locale in which their perpetrators operate or seek asylum.

Administrative Law


Activities that:
1. involve violent acts or acts dangerous to human life that violate federal, state, local, or tribal criminal law or would violate such law if committed within the United States or a state, local, or tribal jurisdiction;
2. appear to be intended:
   i. to intimidate or coerce a civilian population;
   ii. to influence the policy of a government by intimidation or coercion; or
   iii. to affect the conduct of a government by assassination or kidnapping; and
3. occur totally outside the United States, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear to be intended to coerce or intimidate, or the locale in which their perpetrators operate or seek asylum.
International Terrorist Activities

**Administrative Law**

*Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § DL1.1.16 (Dec. 1982): International Terrorist Activities*

Activities undertaken by or in support of terrorists or terrorist organizations that occur totally outside the United States, or that transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to coerce or intimidate, or the locale in which the perpetrators operate or seek asylum.

Internet

**Statutory Law**


As used in this subchapter:

[...]

(50) The term “Internet” means collectively the myriad of computer and telecommunications facilities, including equipment and operating software, which comprise the interconnected worldwide network of networks that employ the Transmission Control Protocol/Internet Protocol, or any predecessor or successor protocol to such protocol, to communicate information of all kinds by wire or radio.

Interstate Identification Index System

**Administrative Law**

*28 CFR § 20.3(m) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]*

As used in these regulations:

[...]

(m) Interstate Identification Index System

or “III System” means the cooperative federal-state system for the exchange of criminal history records, and includes the National Identification Index, the National Fingerprint File, and, to the extent of their participation in such system, the criminal history record repositories of the states and the FBI.
Intervention

Administrative Law

28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

[...]

Intervention includes both physical procedures by which data are gathered (for example, venipuncture) and manipulations of the subject or the subject's environment that are performed for research purposes. Interaction includes communication or interpersonal contact between investigator and subject. Private information includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by an individual and which the individual can reasonably expect will not be made public (for example, a medical record). Private information must be individually identifiable (i.e., the identity of the subject is or may readily be ascertained by the investigator or associated with the information) in order for obtaining the information to constitute research involving human subjects.

Investigative or Law Enforcement Officer

Statutory Law

18 U.S.C. § 2510(7) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]—

(7) "Investigative or law enforcement officer" means any officer of the United States or of a State or political subdivision thereof, who is empowered by law to conduct investigations of or to make arrests for offenses enumerated in this chapter [18 U.S.C. §§ 2510 et seq.], and any attorney authorized by law to prosecute or participate in the prosecution of such offenses;
Involuntary Servitude

Statutory Law


In this division:

(5) Involuntary servitude. The term "involuntary servitude" includes a condition of servitude induced by means of—

(A) any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or

(B) the abuse or threatened abuse of the legal process.

IR

Infrared imagery

IRB

Administrative Law

28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

(g) IRB means an institutional review board established in accord with and for the purposes expressed in this policy.

IRB Approval

Administrative Law

28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

(h) IRB approval means the determination of the IRB that the research has been reviewed and may be conducted at an institution within the constraints set forth by the IRB and by other institutional and federal requirements.
ISR
Intelligence, surveillance, reconnaissance

Items of Proliferation Concern

Statutory Law


In this title:
(3) The term "items of proliferation concern" means—
   (A) equipment, materials, or technology listed in—
      (i) the Trigger List of the Guidelines for Nuclear Transfers of the Nuclear Suppliers Group;
      (ii) the Annex of the Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Materials, Software, and Related Technology of the Nuclear Suppliers Group; or
      (iii) any of the Common Control Lists of the Australia Group; and
   (B) any other sensitive items.

JCS
Joint Chiefs of Staff

JICC
Joint Intelligence Community Council

JMIP
Joint Military Intelligence Program

JTTF
Joint Terrorism Task Force
Judge of Competent Jurisdiction

Statutory Law

18 U.S.C. § 2510(9) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]—
(9) "Judge of competent jurisdiction" means—
(a) a judge of a United States district court or a United States court of appeals; and
(b) a judge of any court of general criminal jurisdiction of a State who is authorized by a statute of that State to enter orders authorizing interceptions of wire, oral, or electronic communications;

Judge of the United States

Statutory Law


As used in this title:
[...]
The term "judge of the United States" includes judges of the courts of appeals, district courts, Court of International Trade and any court created by Act of Congress, the judges of which are entitled to hold office during good behavior.

Judicial District

Statutory Law


As used in this title:
[...]
The terms "district" and "judicial district" mean the districts enumerated in Chapter 5 of this title [28 U.S.C. §§ 81 et seq.].
Judicial Proceeding

**Administrative Law**

28 CFR § 21.1(c) [28 CFR PART 21—WITNESS FEES]

[...]

(c) Judicial proceeding.
Any action or suit, including any condemnation, preliminary, informational or other proceeding of a judicial nature. Examples of the latter include, but are not limited to, hearings and conferences before a committing court, magistrate, or commission, grand jury proceedings, pre-trial conferences, depositions, and coroners' inquests. It does not include information or investigative proceedings conducted by a prosecuting attorney for the purpose of determining whether an information or charge should be made in a particular case. The judicial proceeding may be in the District of Columbia, a State, or a territory or possession of the United States including the Commonwealth of Puerto Rico or the Trust Territory of the Pacific Islands.

**Junk Automobile**

**Administrative Law**


For purposes of this subpart B:

[...]

Junk automobile
means an automobile that—

(1) Is incapable of operating on public streets, roads, and highways; and
(2) Has no value except as a source of parts or scrap.

**Junk Yard**

**Administrative Law**


For purposes of this subpart B:

[...]

Junk yard
means an individual or entity engaged in the business of acquiring or owning junk automobiles for—
   (1) Resale in their entirety or as spare parts; or
   (2) Rebuilding, restoration, or crushing.

**Justice of the United States**

**Statutory Law**


As used in this title:

[...]

The term "justice of the United States" includes the Chief Justice of the United States and the associate justices of the Supreme Court.

**Juvenile Justice Act**

**Administrative Law**

28 CFR § 22.2(j) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

[...]

(j) The Juvenile Justice Act
means the “Juvenile Justice and Delinquency Prevention Act of 1974, as amended.”

**Labor Cost**

**Administrative Law**

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]

Labor cost
means the sum of the payroll cost, payroll taxes, and directly associated benefits.
Law Enforcement Emergency

Administrative Law

28 CFR § 65.70(a) [28 CFR PART 65—EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE]

(a) Law enforcement emergency.

The term law enforcement emergency is defined by the Act as an uncommon situation which requires law enforcement, which is or threatens to become of serious or epidemic proportions, and with respect to which state and local resources are inadequate to protect the lives and property of citizens, or to enforce the criminal law. The Act specifically excludes the following situations when defining “law enforcement emergency”:

(1) The perceived need for planning or other activities related to crowd control for general public safety projects; and,

(2) A situation requiring the enforcement of laws associated with scheduled public events, including political convention and sports events.

Law Enforcement Officer

Statutory Law


(a) As used in sections 1512 and 1513 of this title [18 U.S.C. §§ 1512 and 1513] and in this section—

(4) the term "law enforcement officer" means an officer or employee of the Federal Government, or a person authorized to act for or on behalf of the Federal Government or serving the Federal Government as an adviser or consultant—

(A) authorized under law to engage in or supervise the prevention, detection, investigation, or prosecution of an offense; or

(B) serving as a probation or pretrial services officer under this title;

Administrative Law

28 CFR § 59.2(d) [28 CFR PART 59—GUIDELINES ON METHODS OF OBTAINING DOCUMENTARY MATERIALS HELD BY THIRD PARTIES]

As used in this part—

[...

(d) The term law enforcement officer shall have the same meaning as the term “federal law enforcement officer” as defined in Rule 41(h) of the Federal Rules of Criminal Procedure; and
Lawful Investigation

Administrative Law


An investigation qualifies as a lawful investigation if the subject of the investigation is within DoD investigative jurisdiction; if it is conducted by a DoD Component that has authorization to conduct the particular type of investigation concerned (for example, counterintelligence, personnel security, physical security, communications security); and if the investigation is conducted in accordance with applicable law and policy, including E.O. 12333 and this Regulation.

Lawfully Admitted for Permanent Residence

Statutory Law


(a) As used in this Act—

(20) The term "lawfully admitted for permanent residence" means the status of having been lawfully accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws, such status not having changed.

Legal Commercial Transaction

Administrative Law

*28 CFR § 73.1(f) [28 CFR PART 73—NOTIFICATIONS TO THE ATTORNEY GENERAL BY AGENTS OF FOREIGN GOVERNMENTS]*

(f) The term “legal commercial transaction,” for the purpose of 18 U.S.C. 951(d)(4), means any exchange, transfer, purchase or sale, of any commodity, service or property of any kind, including information or intellectual property, not prohibited by federal or state legislation or implementing regulations.
Legal and Law Enforcement Measures

Statutory Law


(e) Definitions. For purposes of this chapter and other provisions of this Act relating specifically to international narcotics matters—

(1) the term "legal and law enforcement measures" means—

(A) the enactment and implementation of laws and regulations or the implementation of existing laws and regulations to provide for the progressive control, reduction, and gradual elimination of the illicit cultivation, production, processing, transportation, and distribution of narcotic drugs and other controlled substances; and

(B) the effective organization, staffing, equipping, funding, and activation of those governmental authorities responsible for narcotics control;

Legally Authorized Representative

Administrative Law

28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

(c) Legally authorized representative means an individual or judicial or other body authorized under applicable law to consent on behalf of a prospective subject to the subject's participation in the procedure(s) involved in the research.

License

Statutory Law


“License” includes the whole or a part of an agency permit, certificate, approval, registration, charter, membership, statutory exemption or other form of permission.
Licensed Dealer

Administrative Law


[...]
Licensed dealer
means any person defined in 27 CFR 178.11.

Licensed Importer

Administrative Law


[...]
Licensed importer
has the same meaning as in 27 CFR 178.11.

Licensed Manufacturer

Administrative Law


[...]
Licensed manufacturer
has the same meaning as in 27 CFR 178.11.

Licensing

Statutory Law


“Licensing” includes agency process respecting the grant, renewal, denial, revocation, suspension, annulment, withdrawal, limitation, amendment, modification, or conditioning of a license.
Loan Guarantee

**Administrative Law**

28 CFR § 69.105(i) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

[...]

(i) Loan guarantee and loan insurance

means an agency's guarantee or insurance of a loan made by a person.

Loan Insurance

**Administrative Law**

28 CFR § 69.105(i) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

[...]

(i) Loan guarantee and loan insurance

means an agency's guarantee or insurance of a loan made by a person.

Local Entities

**Administrative Law**

Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (f) (August 18, 2010)

For purposes of this order:

(f) “Local” entities refers to “(A) a county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government; and (B) a rural community, unincorporated town or village, or other public entity” as defined in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101(11)).
Local Government

Administrative Law

28 CFR § 69.105(j) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

[j] Local government

means a unit of government in a State and, if chartered, established, or otherwise recognized by a State for the performance of a governmental duty, including a local public authority, a special district, an intrastate district, a council of governments, a sponsor group representative organization, and any other instrumentality of a local government.

MAD

Mutual assured destruction

Mail Cover

Administrative Law

Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C8.2.3 (Dec. 1982): “Mail cover”

Mail cover means the process by which a record is made of any data appearing on the outside cover of any class of mail matter as permitted by law, other than that necessary for the delivery of mail or administration of the Postal Service.

Mail Examination

Administrative Law

Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C8.2.2 (Dec. 1982): “To examine mail”

To examine mail means to employ a mail cover with respect to such mail.
Mail within United States Postal Channels

Administrative Law


Mail Within United States Postal Channels includes:

C8.2.1.1. Mail while in transit within, among, and between the United States, its territories and possessions (including mail of foreign origin that is passed by a foreign postal administration, to the United States Postal Service for forwarding to a foreign postal administration under a postal treaty or convention, and mail temporarily in the hands of the United States Customs Service or the Department of Agriculture), Army-Air Force (APO) and Navy (FPO) post offices, and mail for delivery to the United Nations, NY; and

C8.2.1.2. International mail enroute to an addressee in the United States or its possessions after passage to United States Postal Service from a foreign postal administration or enroute to an addressee abroad before passage to a foreign postal administration. As a rule, mail shall be considered in such postal channels until the moment it is delivered manually in the United States to the specific addressee named on the envelope, or his authorized agent.

Maintain

Administrative Law


For purposes of this subpart, the following terms have the meanings indicated:

[...]

Maintain

means to establish, collect, use, or disseminate when used in connection with the term record; and, to have control over or responsibility for a system of records, when used in connection with the term system of records.


For purposes of this part, the following terms have the meanings indicated:

[...]
Maintain means maintain, collect, use, or disseminate;

32 CFR § 1901.02(g) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974]

For purposes of this part, the following terms have the meanings indicated:
(g) Maintain means maintain, collect, use, or disseminate;

32 CFR § 2102.3 (b) [32 CFR CHAPTER XXI—NATIONAL SECURITY COUNCIL: 32 CFR PART 2102—RULES AND REGULATIONS TO IMPLEMENT THE PRIVACY ACT OF 1974]

As used in these regulations:
(b) Maintain.
Includes maintain, collect, use or disseminate. Under the Act it is also used to connote control over, and, therefore, responsibility for, systems of records in support of the NSC statutory function (50 U.S.C. 401, et seq.).

Major Drug-Transit Country

Statutory Law


(e) Definitions. For purposes of this chapter and other provisions of this Act relating specifically to international narcotics matters—
(5) the term "major drug-transit country" means a country—
(A) that is a significant direct source of illicit narcotic or psychotropic drugs or other controlled substances significantly affecting the United States; or
(B) through which are transported such drugs or substances[;]

Major Illicit Drug Producing Country

Statutory Law


(e) Definitions. For purposes of this chapter and other provisions of this Act relating specifically to international narcotics matters—
(2) the term "major illicit drug producing country" means a country in which—
(A) 1,000 hectares or more of illicit opium poppy is cultivated or harvested during a year;
(B) 1,000 hectares or more of illicit coca is cultivated or harvested during a year; or
(C) 5,000 hectares or more of illicit cannabis is cultivated or harvested during a year, unless the President determines that such illicit cannabis production does not significantly affect the United States;

Major Money Laundering Country

Statutory Law


(e) Definitions. For purposes of this chapter and other provisions of this Act relating specifically to international narcotics matters—
(7) the term "major money laundering country" means a country whose financial institutions engage in currency transactions involving significant amounts of proceeds from international narcotics trafficking;

Major Non-NATO Ally

Statutory Law


As used in this Act—
(q) "Major non-NATO ally" means a country which is designated in accordance with section 517 [22 U.S.C. § 2321k] as a major non-NATO ally for purposes of this Act and the Arms Export Control Act (22 U.S.C. 2751 et seq.).

Managerial Capacity

Statutory Law


(a) As used in this Act—
(44) (A) The term "managerial capacity" means an assignment within an organization in which the employee primarily—
(i) manages the organization, or a department, subdivision, function, or component of the organization;
(ii) supervises and controls the work of other supervisory, professional, or managerial employees, or manages an essential function within the organization, or a department or subdivision of the organization;
(iii) if another employee or other employees are directly supervised, has the authority to hire and fire or recommend those as well as other personnel actions (such as promotion and leave authorization) or, if no other employee is directly supervised, functions at a senior level within the organizational hierarchy or with respect to the function managed; and
(iv) exercises discretion over the day-to-day operations of the activity or function for which the employee has authority.

A first-line supervisor is not considered to be acting in a managerial capacity merely by virtue of the supervisor's supervisory duties unless the employees supervised are professional.

(B) The term "executive capacity" means an assignment within an organization in which the employee primarily—
(i) directs the management of the organization or a major component or function of the organization;
(ii) establishes the goals and policies of the organization, component, or function;
(iii) exercises wide latitude in discretionary decision-making; and
(iv) receives only general supervision or direction from higher level executives, the board of directors, or stockholders of the organization.

(C) If staffing levels are used as a factor in determining whether an individual is acting in a managerial or executive capacity, the Attorney General shall take into account the reasonable needs of the organization, component, or function in light of the overall purpose and stage of development of the organization, component, or function. An individual shall not be considered to be acting in a managerial or executive capacity (as previously defined) merely on the basis of the number of employees that the individual supervises or has supervised or directs or has directed.

Mandatory Declassification Review

Administrative Law


“Mandatory declassification review” means the review for declassification of classified information in response to a request for declassification that meets the requirements under section 3.5 of this order.
Executive Order 13,526, Classified National Security Information, § 6.1 (aa) (December 29, 2009)

For purposes of this order:
(aa) "Mandatory declassification review" means the review for declassification of classified information in response to a request for declassification that meets the requirements under section 3.5 of this order.

MASINT
Measurement and signatures intelligence

Material

Statutory Law


As used in this chapter [44 U.S.C. §§ 2201 et seq.]

(1) The term "documentary material" means all books, correspondence, memorandums, documents, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, films, and motion pictures, including, but not limited to, audio, audiovisual, or other electronic or mechanical recordations.


(f) Definitions. In this section:

(4) The term "material" means any data, regardless of physical form or characteristic, including written or printed matter, automated information systems storage media, maps, charts, paintings, drawings, films, photographs, engravings, sketches, working notes, papers, reproductions of any such things by any means or process, and sound, voice, magnetic, or electronic recordings.


[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:

(13) Materials. The term "materials" includes—
(A) any raw materials (including minerals, metals, and advanced processed materials), commodities, articles, components (including critical components), products, and items of supply; and
(B) any technical information or services ancillary to the use of any such materials, commodities, articles, components, products, or items.

**Administrative Law**


The following definitions apply to this part:

[...]

**ODNI Information or Material:** Information or material that is contained in ODNI files, related to or based upon material contained in ODNI files or acquired by any ODNI employee as part of that employee's official duties or because of that employee's association with the ODNI.

**Meeting**

**Administrative Law**

28 CFR § 16.200(b) [28 CFR PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION: SUBPART F—Public Observation of Parole Commission Meetings]

As used in this part:

[...]

(b) The term “meeting” refers to the deliberations of at least the number of Commissioners required to take action on behalf of the Commission where such deliberations determine or result in the joint conduct or disposition of official Commission business.

(c) Specifically included in the term “meeting” are:

1. Meetings of the Commission required to be held by 18 U.S.C. 4203(a);
2. Special meetings of the Commission called pursuant to 18 U.S.C. 4204(a)(1);
3. Meetings of the National Commissioners in original jurisdiction cases pursuant to 28 CFR 2.17(a);
4. Meetings of the entire Commission to determine original jurisdiction appeal cases pursuant to 28 CFR 2.27; and

(d) Specifically excluded from the term “meeting” are:

(1) Determination made through independent voting of the Commissioners without the joint deliberation of the number of Commissioners required to take such action, pursuant to § 16.201;
(2) Original jurisdiction cases determined by sequential vote pursuant to 28 CFR 2.17;
(3) Cases determined by sequential vote pursuant to 28 CFR 2.24 and 2.25;
(4) National Appeals Board cases determined by sequential vote pursuant to 28 CFR 2.26;
(5) Meetings of special committees of Commissioners not constituting a quorum of the Commission, which may be established by the Chairman to report and make recommendations to the Commission or the Chairman on any matter.
(6) Determinations required or permitted by these regulations to open or close a meeting, or to withhold or disclose documents or information pertaining to a meeting.

**Members of a Mission**

**Statutory Law**


As used in this Act—

(1) the term "members of a mission" means—

¹ Part 4a was removed at 44 FR 6890, Feb. 2, 1979.
(A) the head of a mission and those members of a mission who are members of the diplomatic staff or who, pursuant to law, are granted equivalent privileges and immunities,
(B) members of the administrative and technical staff of a mission, and
(C) members of the service staff of a mission,
as such terms are defined in Article 1 of the Vienna Convention;

Military Departments

Statutory Law

(a) In general. The following definitions apply in this title:
(6) The term "department", when used with respect to a military department, means the executive part of the department and all field headquarters, forces, reserve components, installations, activities, and functions under the control or supervision of the Secretary of the department. When used with respect to the Department of Defense, such term means the executive part of the department, including the executive parts of the military departments, and all field headquarters, forces, reserve components, installations, activities, and functions under the control or supervision of the Secretary of Defense, including those of the military departments.
(7) The term "executive part of the department" means the executive part of the Department of Defense, Department of the Army, Department of the Navy, or Department of the Air Force, as the case may be, at the seat of government.
(8) The term "military departments" means the Department of the Army, the Department of the Navy, and the Department of the Air Force.

Military Education and Training

Statutory Law

As used in this Act—
(n) "Military education and training" includes formal or informal instruction of foreign students in the United States or overseas by officers or employees of the United States, contract technicians, contractors (including instruction at civilian institutions), or by correspondence courses, technical, educational, or information publications and media of all kinds, training aids, orientation, and military advice to foreign military units and forces.
Military Objective

Statutory Law


(a) Definitions. In this subchapter [10 U.S.C. §§ 950p et seq.]:

(1) The term "military objective" means combatants and those objects during hostilities which, by their nature, location, purpose, or use, effectively contribute to the war-fighting or war-sustaining capability of an opposing force and whose total or partial destruction, capture, or neutralization would constitute a definite military advantage to the attacker under the circumstances at the time of an attack.

Military Tactical Communication

Administrative Law

Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.3.2.3 (Dec. 1982): "Military tactical communication"

Military tactical communications means United States and allied military exercise communications within the United States and abroad necessary for the production of simulated foreign intelligence and counterintelligence or to permit an analysis of communications security.

Minimal Risk

Administrative Law

28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

(i) Minimal risk means that the probability and magnitude of harm or discomfort anticipated in the research are not greater in and of themselves than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests.
Minimization Procedures

Statutory Law


“Minimization procedures,” with respect to electronic surveillance, means—(1) specific procedures, which shall be adopted by the Attorney General, that are reasonably designed in light of the purpose and technique of the particular surveillance, to minimize the acquisition and retention, and prohibit the dissemination, of non-publicly available information concerning unconsenting United States persons consistent with the need of the United States to obtain, produce, and disseminate foreign intelligence information; (2) procedures that require that non-publicly available information, which is not foreign intelligence information, as defined in subsection (e)(1), shall not be disseminated in a manner that identifies any United States person, without such person’s consent, unless such person’s identity is necessary to understand foreign intelligence information or assess its importance; (3) notwithstanding paragraphs (1) and (2), procedures that allow for the retention and dissemination of information that is evidence of a crime which has been, is being, or is about to be committed and that is to be retained or disseminated for law enforcement purposes; and (4) notwithstanding paragraphs (1), (2), and (3), with respect to any electronic surveillance approved pursuant to section 102(a) [50 U.S.C. § 1802(a)], procedures that require that no contents of any communication to which a United States person is a party shall be disclosed, disseminated, or used for any purpose or retained for longer than 72 hours unless a court order under section 105 [50 U.S.C. § 1805] is obtained or unless the Attorney General determines that the information indicates a threat of death or serious bodily harm to any person.

50 U.S.C. § 1821 (Title 50—Chapter 36: Foreign Intelligence Surveillance—Subchapter B: Physical Searches)

(4) "Minimization procedures" with respect to physical search, means—

(A) specific procedures, which shall be adopted by the Attorney General, that are reasonably designed in light of the purposes and technique of the particular physical search, to minimize the acquisition and retention, and prohibit the dissemination, of nonpublicly available information concerning unconsenting United States persons consistent with the need of the United States to obtain, produce, and disseminate foreign intelligence information;

(B) procedures that require that nonpublicly available information, which is not foreign intelligence information, as defined in section 101(e)(1) of this Act [50 U.S.C. § 1801(e)(1)], shall not be disseminated in a manner that identifies any United States person, without such person’s consent, unless such person’s identity is necessary to understand such foreign intelligence information or assess its importance;

(C) notwithstanding subparagraphs (A) and (B), procedures that allow for the retention and dissemination of information that is evidence of a crime which has
been, is being, or is about to be committed and that is to be retained or disseminated for law enforcement purposes; and

(D) notwithstanding subparagraphs (A), (B), and (C), with respect to any physical search approved pursuant to section 302(a) [50 U.S.C. § 1822(a)], procedures that require that no information, material, or property of a United States person shall be disclosed, disseminated, or used for any purpose or retained for longer than 72 hours unless a court order under section 304 [50 U.S.C. § 1824] is obtained or unless the Attorney General determines that the information indicates a threat of death or serious bodily harm to any person.

**Minimum Standards for the Elimination of Trafficking**

**Statutory Law**


In this division:


**MIP**

Military Intelligence Program

**Misleading Conduct**

**Statutory Law**


(a) As used in sections 1512 and 1513 of this title [18 U.S.C. §§ 1512 and 1513] and in this section—

(3) the term "misleading conduct" means—

(A) knowingly making a false statement;

(B) intentionally omitting information from a statement and thereby causing a portion of such statement to be misleading, or intentionally concealing a material fact, and thereby creating a false impression by such statement;
(C) with intent to mislead, knowingly submitting or inviting reliance on a writing or recording that is false, forged, altered, or otherwise lacking in authenticity;  
(D) with intent to mislead, knowingly submitting or inviting reliance on a sample, specimen, map, photograph, boundary mark, or other object that is misleading in a material respect; or 
(E) knowingly using a trick, scheme, or device with intent to mislead;

Missile

Statutory Law


(a) In general. For purposes of this chapter [22 U.S.C. §§ 2797 et seq.]—
(1) the term "missile" means a category I system as defined in the MTCR Annex, and any other unmanned delivery system of similar capability, as well as the specially designed production facilities for these systems;

Missile Technology Control Regime

Statutory Law


(a) In general. For purposes of this chapter [22 U.S.C. §§ 2797 et seq.]—
(2) the term "Missile Technology Control Regime" or "MTCR" means the policy statement, between the United States, the United Kingdom, the Federal Republic of Germany, France, Italy, Canada, and Japan, announced on April 16, 1987, to restrict sensitive missile-relevant transfers based on the MTCR Annex, and any amendments thereto;

Mission

Statutory Law


As used in this Act—
(3) the term "mission" includes missions within the meaning of the Vienna Convention and any missions representing foreign governments, individually or
collectively, which are extended the same privileges and immunities, pursuant to law, as are enjoyed by missions under the Vienna Convention;

**Monitoring within the United States**

**Administrative Law**


Monitoring is within the United States if the monitoring device, or the target of the monitoring, is located within the United States.

**Motor Vehicle**

**Administrative Law**


For purposes of this subpart B:

[...]

Motor vehicle

has the same meaning given that term in 49 U.S.C. 3102(6).

**Motor Vehicle Record**

**Statutory Law**


In this chapter [18 U.S.C. §§ 2721 et seq.]—

(1) "motor vehicle record" means any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration, or identification card issued by a department of motor vehicles;
MSI
Multispectral imagery

Multiple Sources

Administrative Law

“Multiple sources” means two or more source documents, classification guides, or a combination of both.

Executive Order 13,526, Classified National Security Information, § 6.1 (bb) (December 29, 2009)
For purposes of this order:
(bb) "Multiple sources" means two or more source documents, classification guides, or a combination of both.

NACIC

Administrative Law

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]
For purposes of this part, the following terms have the meanings indicated:
NACIC means the United States National Counterintelligence Center acting through the NACIC Information and Privacy Coordinator;

For purposes of this part, the following terms have the meanings indicated:
NACIC means the United States National Counterintelligence Center acting through the NACIC Information and Privacy Coordinator;

32 CFR § 1802.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1802—CHALLENGES TO CLASSIFICATION OF DOCUMENTS BY
AUTHORIZED HOLDERS PURSUANT TO SECTION 1.9 OF EXECUTIVE ORDER 12958

For purposes of this part, the following terms have the meanings as indicated:

NACIC means the United States National Counterintelligence Center acting through the NACIC Information and Privacy Coordinator;

32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:

NACIC means the United States National Counterintelligence Center acting through the NACIC Information and Privacy Coordinator;

32 CFR § 1804.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1804—ACCESS BY HISTORICAL RESEARCHERS AND FORMER PRESIDENTIAL APPOINTEES PURSUANT TO SECTION 4.5 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings indicated:

NACIC means the United States National Counterintelligence Center acting through the NACIC Information and Privacy Coordinator;

32 CFR § 1805.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1805—PRODUCTION OF OFFICIAL RECORDS OR DISCLOSURE OF OFFICIAL INFORMATION IN PROCEEDINGS BEFORE FEDERAL, STATE OR LOCAL GOVERNMENT ENTITIES OF COMPETENT JURISDICTION]

For the purpose of this part:

NACIC means the National Counterintelligence Center and includes all staff elements of the NACIC.


NACIC means the National Counterintelligence Center and include all staff elements of NACIC.
NACIC Counsel

Administrative Law

32 CFR § 1805.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1805—PRODUCTION OF OFFICIAL RECORDS OR DISCLOSURE OF OFFICIAL INFORMATION IN PROCEEDINGS BEFORE FEDERAL, STATE OR LOCAL GOVERNMENT ENTITIES OF COMPETENT JURISDICTION]

For the purpose of this part:
 [...]  
NACIC Counsel  
is the NACIC employee designated to manage legal matters and regulatory compliance.


[...]
NACIC Counsel  
refers to the NACIC employee designated by NACIC to manage legal issues and regulatory compliance.

NARA

Administrative Law

32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:
 [...]  
NARA  
means the National Archives and Records Administration;

32 CFR § 1908.02(h) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF
For purposes of this part, the following terms have the meanings as indicated:

(h) NARA
means the National Archives and Records Administration;

Narcotic

Statutory Law


(e) Definitions. For purposes of this chapter and other provisions of this Act relating specifically to international narcotics matters—

(3) the term "narcotic and psychotropic drugs and other controlled substances" has the same meaning as is given by any applicable international narcotics control agreement or domestic law of the country or countries concerned;

See Also

32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS]

As used in this part:

Controlled Substance.

Any drug or other substance, or immediate precursor that has been defined as a controlled substance in the Controlled Substances Act (Title 21 U.S.C. 801 et seq.).

Narcotic and Psychotropic Drugs and Other Controlled Substances

Statutory Law


(e) Definitions. For purposes of this chapter and other provisions of this Act relating specifically to international narcotics matters—
(3) the term "narcotic and psychotropic drugs and other controlled substances" has the same meaning as is given by any applicable international narcotics control agreement or domestic law of the country or countries concerned;

See Also

32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS]

As used in this part:
Controlled Substance.
Any drug or other substance, or immediate precursor that has been defined as a controlled substance in the Controlled Substances Act (Title 21 U.S.C. 801 et seq.).

NASA
National Aeronautics and Space Administration

National

Statutory Law


(a) As used in this Act—
(21) The term "national" means a person owing permanent allegiance to a state.

National Archives of the United States

Statutory Law


As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.]—
(11) the term "National Archives of the United States" means those official records which have been determined by the Archivist of the United States to have sufficient historical or other value to warrant their continued preservation by the
Federal Government, and which have been accepted by the Archivist for deposit in his custody;

**National Crime Information Center**

**Administrative Law**

28 CFR § 20.3(n) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:

(n) National Crime Information Center or “NCIC” means the computerized information system, which includes telecommunications lines and any message switching facilities that are authorized by law, regulation, or policy approved by the Attorney General of the United States to link local, state, tribal, federal, foreign, and international criminal justice agencies for the purpose of exchanging NCIC related information. The NCIC includes, but is not limited to, information in the III System. See the NCIC Privacy Act System Notice periodically published in the Federal Register for further details.


[...]

NCIC (National Crime Information Center) means the nationwide computerized information system of criminal justice data established by the FBI as a service to local, state, and Federal criminal justice agencies.

**National Defense**

**Statutory Law**


[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:

(14) National defense. The term "national defense" means programs for military and energy production or construction, military or critical infrastructure assistance to any foreign nation, homeland security, stockpiling, space, and any
directly related activity. Such term includes emergency preparedness activities conducted pursuant to title VI of The Robert T. Stafford Disaster Relief and Emergency Assistance Act [42 U.S.C. §§ 5195 et seq.] and critical infrastructure protection and restoration.

National-Defense Material

Statutory Law

18 U.S.C. § 2151 (Title 18—Chapter 105: Sabotage)
As used in this chapter [18 U.S.C. §§ 2151 et seq.]:
The words "national-defense material" include arms, armament, ammunition, livestock, forage, forest products and standing timber, stores of clothing, air, water, food, foodstuff, fuel, supplies, munitions, and all other articles of whatever description and any part or ingredient thereof, intended for, adapted to, or suitable for the use of the United States in connection with the national defense or for use in or in connection with the producing, manufacturing, repairing, storing, mining, extracting, distributing, loading, unloading, or transporting of any of the materials or other articles hereinbefore mentioned or any part or ingredient thereof.

National-Defense Premises

Statutory Law

18 U.S.C. § 2151 (Title 18—Chapter 105: Sabotage)
As used in this chapter [18 U.S.C. §§ 2151 et seq.]:
The words "national-defense premises" include all buildings, grounds, mines, or other places wherein such national-defense material is being produced, manufactured, repaired, stored, mined, extracted, distributed, loaded, unloaded, or transported, together with all machinery and appliances therein contained; and all forts, arsenals, navy yards, camps, prisons, or other installations of the Armed Forces of the United States.

National-Defense Utilities

Statutory Law

18 U.S.C. § 2151 (Title 18—Chapter 105: Sabotage)
As used in this chapter [18 U.S.C. §§ 2151 et seq.]:

Page 406
The words "national-defense utilities" include all railroads, railways, electric lines, roads of whatever description, railroad or railway fixture, canal, lock, dam, wharf, pier, dock, bridge, building, structure, engine, machine, mechanical contrivance, car, vehicle, boat, aircraft, airfields, air lanes, and fixtures or appurtenances thereof, or any other means of transportation whatsoever, whereon or whereby such national-defense material, or any troops of the United States, are being or may be transported either within the limits of the United States or upon the high seas or elsewhere; and all air-conditioning systems, dams, reservoirs, aqueducts, water and gas mains and pipes, structures, and buildings, whereby or in connection with which air, water, or gas may be furnished to any national-defense premises or to the Armed Forces of the United States, and all electric light and power, steam or pneumatic power, telephone and telegraph plants, poles, wires, and fixtures and wireless stations, and the buildings connected with the maintenance and operation thereof used to supply air, water, light, heat, power, or facilities of communication to any national-defense premises or to the Armed Forces of the United States.

**National Fingerprint File**

**Administrative Law**

28 CFR § 20.3(o) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:

[...]

(o) National Fingerprint File

or “NFF” means a database of fingerprints, or other uniquely personal identifying information, relating to an arrested or charged individual maintained by the FBI to provide positive identification of record subjects indexed in the III System.

**National Identification Index**

**Administrative Law**

28 CFR § 20.3(p) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:

[...]

(p) National Identification Index

or “NII” means an index maintained by the FBI consisting of names, identifying numbers, and other descriptive information relating to record subjects about whom there are criminal history records in the III System.
National Intelligence

Statutory Law


As used in this Act:

(5) The terms "national intelligence" and "intelligence related to national security" refer to all intelligence, regardless of the source from which derived and including information gathered within or outside the United States, that—

(A) pertains, as determined consistent with any guidance issued by the President, to more than one United States Government agency; and

(B) that involves—

(i) threats to the United States, its people, property, or interests;

(ii) the development, proliferation, or use of weapons of mass destruction; or

(iii) any other matter bearing on United States national or homeland security.

Administrative Law

Executive Order 12333, United States Intelligence Activities, § 3.5(i) (2010)

National Intelligence and Intelligence Related to National Security means all intelligence, regardless of the source from which derived and including information gathered within or outside the United States, that pertains, as determined consistent with any guidance issued by the President, or that is determined for the purpose of access to information by the Director in accordance with section 1.3(a)(1) of this order, to pertain to more than one United States Government agency; and that involves threats to the United States, its people, property, or interests; the development, proliferation, or use of weapons of mass destruction; or any other matter bearing on United States national or homeland security.

National Intelligence Program

Statutory Law


As used in this Act:
(6) The term "National Intelligence Program" refers to all programs, projects, and activities of the intelligence community, as well as any other programs of the intelligence community designated jointly by the Director of Central Intelligence and the head of a United States department or agency or by the President. Such term does not include programs, projects, or activities of the military departments to acquire intelligence solely for the planning and conduct of tactical military operations by United States Armed Forces.

**Administrative Law**

*Executive Order 12333, United States Intelligence Activities, § 3.5(j) (2010)*

The National Intelligence Program means all programs, projects, and activities of the Intelligence Community, as well as any other programs of the Intelligence Community designated jointly by the Director and the head of a United States department or agency or by the President. Such term does not include programs, projects, or activities of the military departments to acquire intelligence solely for the planning and conduct of tactical military operations by United States Armed Forces.

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**National Interest Determination**

**Administrative Law**


(d) “National Interest Determination (NID)” means a determination that access to proscribed information is consistent with the national security interests of the United States.

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**National of the United States**

**Statutory Law**


(a) As used in this Act—

(22) The term "national of the United States" means (A) a citizen of the United States, or (B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States.
National Security

Statutory Law

10 U.S.C. § 948a(8) (Title 10—Chapter 47A: Military Commissions)

In this chapter [10 U.S.C. §§ 948a et seq.]:

(8) National security. The term "national security" means the national defense and foreign relations of the United States.

18 U.S.C. Appx § 1(b) (2010) (Title 18—Appendix: Classified Information Procedures Act)

“National security”, as used in this Act, means the national defense and foreign relations of the United States.

Administrative Law


“National security” means the national defense or foreign relations of the United States.

Executive Order 13,526, Classified National Security Information, § 6.1 (cc) (December 29, 2009)

For purposes of this order:

(cc) "National security" means the national defense or foreign relations of the United States.

National Security Laboratory

Statutory Law


For purposes of this title:

(1) The term "national security laboratory" means any of the following:

(A) Los Alamos National Laboratory, Los Alamos, New Mexico.
(B) Sandia National Laboratories, Albuquerque, New Mexico, and Livermore, California.
(C) Lawrence Livermore National Laboratory, Livermore, California.
National Security System

Statutory Law


[NOTE: While Subchapter III (44 U.S.C. §§ 3541 et seq.) is in effect Subchapter II [44 U.S.C. §§ 3531 et seq.] shall not apply.]

(b) Additional definitions. As used in this subchapter [44 U.S.C. §§ 3531 et seq.],—

(2) the term "national security system" means any information system (including any telecommunications system) used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency, the function, operation, or use of which—

(A) involves intelligence activities;
(B) involves cryptologic activities related to national security;
(C) involves command and control of military forces;
(D) involves equipment that is an integral part of a weapon or weapons system; or

(E) is critical to the direct fulfillment of military or intelligence missions provided that this definition does not apply to a system that is used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications);


[NOTE: While Subchapter III (44 U.S.C. §§ 3541 et seq.) is in effect Subchapter II [44 U.S.C. §§ 3531 et seq.] shall not apply.]

(b) Additional definitions. As used in this subchapter [44 U.S.C. §§ 3541 et seq.]:

(2) (A) The term "national security system" means any information system (including any telecommunications system) used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency—

(i) the function, operation, or use of which—

(I) involves intelligence activities;
(II) involves cryptologic activities related to national security;
(III) involves command and control of military forces;
(IV) involves equipment that is an integral part of a weapon or weapons system; or

Page 411
(V) subject to subparagraph (B), is critical to the direct fulfillment of military or intelligence missions; or
(ii) is protected at all times by procedures established for information that have been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept classified in the interest of national defense or foreign policy.

(B) Subparagraph (A)(i)(V) does not include a system that is to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications).

**NATO**

North Atlantic Treaty Organization

**Naturalization**

**Statutory Law**


(a) As used in this Act—
(23) The term "naturalization" means the conferring of nationality of a state upon a person after birth, by any means whatsoever.

**NCIC**

**Administrative Law**

28 CFR § 20.3(n) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:
[...]
(n) National Crime Information Center or “NCIC” means the computerized information system, which includes telecommunications lines and any message switching facilities that are authorized by law, regulation, or policy approved by the Attorney General of the United States to link local, state, tribal, federal, foreign, and international criminal justice agencies for the purpose of exchanging NCIC related information. The NCIC includes, but is not limited to, information in the III System. See the NCIC Privacy Act System Notice periodically published in the Federal Register for further details.
NCIC (National Crime Information Center) means the nationwide computerized information system of criminal justice data established by the FBI as a service to local, state, and Federal criminal justice agencies.

**NCIX**
National Counterintelligence Executive

**NCPC**
National Counterproliferation Center

**NCS**
National Clandestine Service

**NCTC**
National Counterterrorism Center

**Need-To-Know**

*Administrative Law*


“Need-to-know” means a determination made by an authorized holder of classified information that a prospective recipient requires access to specific classified information in order to perform or assist in a lawful and authorized governmental function.
Executive Order 13,526, Classified National Security Information, § 6.1 (dd) (December 29, 2009)

For purposes of this order:
(dd) "Need-to-know" means a determination within the executive branch in accordance with directives issued pursuant to this order that a prospective recipient requires access to specific classified information in order to perform or assist in a lawful and authorized governmental function.

Network

Administrative Law


“Network” means a system of two or more computers that can exchange data or information.

Executive Order 13,526, Classified National Security Information, § 6.1 (ee) (December 29, 2009)

For purposes of this order:
(ee) "Network" means a system of two or more computers that can exchange data or information.

Network Operations Costs

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]

Network operations costs
means all directly associated costs related to the ongoing management and maintenance of a telecommunications carrier’s network.

Newly Discovered Records

Administrative Law

(k) Newly discovered records means records that were inadvertently not reviewed prior to the effective date of automatic declassification because the appropriate agency personnel were unaware of their existence.

### News

**Administrative Law**

32 CFR § 1700.2(h)(4) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

 [...] the term “news” means information which concerns current events, would be of current interest to the general public, would enhance the public understanding of the operations or activities of the U.S. Government, and is in fact disseminated to a significant element of the public at minimal cost; freelance journalists are included in this definition if they provide sufficient evidence to justify an expectation of publication through such an organization, even though not actually employed by it; a publication contract or prior publication record is relevant to such status;

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

 [...] the term news means information which concerns current events, would be of current interest to the general public, would enhance the public understanding of the operations or activities of the U.S. Government, and is in fact disseminated to a significant element of the public at minimal cost; freelance journalists are included in this definition if they can demonstrate a solid basis for expecting publication through such an organization, even though not actually employed by it; a publication contract or prior publication record is relevant to such status;

32 CFR § 1900.02(h)(3) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:
The term “news” means information that is about current events or that would be of current interest to the public. Examples of news media entities include television or radio stations broadcasting to the public at large, and publishers of periodicals (but only in those instances when they can qualify as disseminators of “news”) who make their products available for purchase or subscription by the general public. These examples are not intended to be all-inclusive. Moreover, as traditional methods of news delivery evolve (e.g., electronic dissemination of newspapers through telecommunications services), such alternative media would be included in this category. In the case of “freelance” journalists, they may be regarded as working for a news organization if they can demonstrate a solid basis for expecting publication through that organization, even though not actually employed by it. A publication contract would be the clearest proof, but agencies may also look to the past publication record of a requestor in making this determination:

NFF

Administrative Law

28 CFR § 20.3(o) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:

[...]

(o) National Fingerprint File

or “NFF” means a database of fingerprints, or other uniquely personal identifying information, relating to an arrested or charged individual maintained by the FBI to provide positive identification of record subjects indexed in the III System.

NFIP

National Foreign Intelligence Program

NGA

National Geospatial-Intelligence Agency

NIC

National Intelligence Council
NICS

Administrative Law


[...]
NICS
means the National Instant Criminal Background Check System, which an FFL must, with limited exceptions, contact for information on whether receipt of a firearm by a person who is not licensed under 18 U.S.C. 923 would violate Federal or state law.

NICS Index

Administrative Law


[...]
NICS Index
means the database, to be managed by the FBI, containing information provided by Federal and state agencies about persons prohibited under Federal law from receiving or possessing a firearm. The NICS Index is separate and apart from the NCIC and the Interstate Identification Index (III).

NICS Operational Day

Administrative Law


[...]
NICS operational day
means the period during which the NICS Operations Center has its daily regular business hours.
NICS Record Identifier

Administrative Law


[...]
NRI (NICS Record Identifier)
means the system-generated unique number associated with each record in the NICS Index.

NICS Representative

Administrative Law


[...]
NICS Representative
means a person who receives telephone inquiries to the NICS Operations Center from FFLs requesting background checks and provides a response as to whether the receipt or transfer of a firearm may proceed or is delayed.

NICS Transaction Number

Administrative Law


[...]
NTN (NICS Transaction Number)
means the unique number that will be assigned to each valid background check inquiry received by the NICS. Its primary purpose will be to provide a means of associating inquiries to the NICS with the responses provided by the NICS to the FFLs.

NID

Administrative Law

32 CFR § 2004.5(d) [32 CFR CHAPTER XX—INFORMATION SECURITY OVERSIGHT OFFICE, NATIONAL ARCHIVES AND
(d) “National Interest Determination (NID)” means a determination that access to proscribed information is consistent with the national security interests of the United States.

**NIE**
National Intelligence Estimate

**NII**

**Administrative Law**

28 CFR § 20.3(p) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:
[...]
(p) National Identification Index
or “NII” means an index maintained by the FBI consisting of names, identifying numbers, and other descriptive information relating to record subjects about whom there are criminal history records in the III System.

**NIMA**
National Imagery and Mapping Agency

**NIO**
National intelligence officers

**NIPF**
National Intelligence Priorities Framework
NIP
National Intelligence Program

NMVTIS

Administrative Law
INFORMATION SYSTEMS: SUBPART B—National Motor Vehicle
Title Information System (NMVTIS)]

For purposes of this subpart B:

[...]

NMVTIS
means the National Motor Vehicle Title Information System.

NOC
Nonofficial Cover

Noncombatant Service

Statutory Law
and Nationality)

(a) As used in this Act—
(25) The term "noncombatant service" shall not include service in which the
individual is not subject to military discipline, court martial, or does not wear the
uniform of any branch of the armed forces.

Non-Commercial Educational Institution

Administrative Law
32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL
COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—
PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM
OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:
(2) Non-commercial educational or scientific institution
means a request from an accredited United States educational institution at any
cademic level or institution engaged in research concerning the social,
biological, or physical sciences or an instructor or researcher or member of such
institutions; it also means that the information will be used in a specific scholarly
or analytical work, will contribute to the advancement of public knowledge, and
will be disseminated to the general public;

Noncommercial Scientific Institution

Administrative Law

(3) Noncommercial scientific institution:
An institution that is not operated on a commercial basis, as that term is defined
in paragraph (h)(1) of this section, and that is operated solely for the purpose of
conducting scientific research the results of which are not intended to promote
any particular product or industry. To be in this category, a requester must show
that the request is authorized by and is made under the auspices of a qualifying
institution and that the records are not sought for a commercial use but are
sought to further scientific research.
PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)

For purposes of this part, the following terms have the meanings indicated:

(2) Non-commercial educational or scientific institution

means a request from an accredited United States educational institution at any academic level or institution engaged in research concerning the social, biological, or physical sciences or an instructor or researcher or member of such institutions; it also means that the information will be used in a specific scholarly or analytical work, will contribute to the advancement of public knowledge, and will be disseminated to the general public;

32 CFR § 1900.02(h)(2) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

(2) Non-commercial educational or scientific institution

means a request from an accredited United States educational institution at any academic level or institution engaged in research concerning the social, biological, or physical sciences or an instructor or researcher or member of such institutions; it also means that the information will be used in a specific scholarly or analytical work, will contribute to the advancement of public knowledge, and will be disseminated to the general public;

Nonconviction Data

Administrative Law

28 CFR § 20.3(q) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:

(q) Nonconviction data

means arrest information without disposition if an interval of one year has elapsed from the date of arrest and no active prosecution of the charge is pending; information disclosing that the police have elected not to refer a matter to a prosecutor, that a prosecutor has elected not to commence criminal proceedings, or that proceedings have been indefinitely postponed; and information that there has been an acquittal or a dismissal.
Nonhumanitarian, Nontrade-Related Foreign Assistance

Statutory Law


In this division:

(7) Nonhumanitarian, nontrade-related foreign assistance. The term "nonhumanitarian, non-trade-related foreign assistance" means—

(A) any assistance under the Foreign Assistance Act of 1961, other than—

(i) assistance under chapter 4 of part II of that Act [22 U.S.C. §§ 2346 et seq.] in support of programs of nongovernmental organizations that is made available for any program, project, or activity eligible for assistance under chapter 1 of part I of that Act [22 U.S.C. §§ 2151 et seq.];

(ii) assistance under chapter 8 of part I of that Act [22 U.S.C. §§ 2291 et seq.];

(iii) any other narcotics-related assistance under part I of that Act [22 U.S.C. §§ 2151 et seq.] or under chapter 4 or 5 [of] part II of that Act [22 U.S.C. §§ 2346 et seq. or 2347 et seq.], but any such assistance provided under this clause shall be subject to the prior notification procedures applicable to reprogrammings pursuant to section 634A of that Act [22 U.S.C. § 2394-1];

(iv) disaster relief assistance, including any assistance under chapter 9 of part I of that Act [22 U.S.C. §§ 2292 et seq.];

(v) antiterrorism assistance under chapter 8 of part II of that Act [22 U.S.C. §§ 2349aa et seq.];

(vi) assistance for refugees;

(vii) humanitarian and other development assistance in support of programs of nongovernmental organizations under chapters 1 and 10 of that Act;

(viii) programs under title IV of chapter 2 of part I of that Act [22 U.S.C. §§ 2191 et seq.], relating to the Overseas Private Investment Corporation; and

(ix) other programs involving trade-related or humanitarian assistance; and

(B) sales, or financing on any terms, under the Arms Export Control Act, other than sales or financing provided for narcotics-related purposes following notification in accordance with the prior notification procedures applicable to reprogrammings pursuant to section 634A of the Foreign Assistance Act of 1961 [22 U.S.C. § 2394-1].
Nonimmigrant Visa

Statutory Law

(a) As used in this Act—
(26) The term "nonimmigrant visa" means a visa properly issued to an alien as an eligible non-immigrant by a competent officer as provided in this Act.

Notification

Administrative Law
28 CFR § 105.10(a) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS]

[...]
Notification means providing the information required under this regulation in the format and manner specified.


For purposes of this subpart, the following terms have the meanings indicated:
[...]
Notification means communication to an individual whether he is a subject individual.

NRI

Administrative Law

[...]
NRI (NICS Record Identifier) means the system-generated unique number associated with each record in the NICS Index.
**NTN**

**Administrative Law**


[...]

NTN (NICS Transaction Number) means the unique number that will be assigned to each valid background check inquiry received by the NICS. Its primary purpose will be to provide a means of associating inquiries to the NICS with the responses provided by the NICS to the FFLs.
Nuclear Weapons Production Facility

Statutory Law


For purposes of this title:

(2) The term "nuclear weapons production facility" means any of the following:
   (A) The Kansas City Plant, Kansas City, Missouri.
   (B) The Pantex Plant, Amarillo, Texas.
   (C) The Y-12 Plant, Oak Ridge, Tennessee.
   (D) The tritium operations facilities at the Savannah River Site, Aiken, South Carolina.
   (E) The Nevada Test Site, Nevada.
   (F) Any facility of the Department of Energy that the Secretary of Energy, in consultation with the Administrator and the Congress, determines to be consistent with the mission of the Administration.

ODNI

Administrative Law

32 CFR § 1700.2(j) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

For purposes of this Part, the following terms have the meanings indicated:

(j) ODNI
means the Office of the Director of National Intelligence and its component organizations. It does not include other members of the Intelligence Community as defined in 50 U.S.C. 401a, or other federal entities subsequently designated in accordance with this authority, unless specifically designated as included in this part or in the notice of a system of records;


For purposes of this subpart, the following terms have the meanings indicated:

[...]
Office of the Director of National Intelligence
means any and all of the components of the ODNI.
For purposes of this part the following terms have the following meanings:

ODNI.
The Office of the Director of National Intelligence and all of its components, including, but not limited to, the National Counterintelligence Executive, the National Counterterrorism Center, the National Counterproliferation Center, the Program Manager for the Information Sharing Environment, and all national intelligence centers and program managers the DNI may establish.

ODNI Employee.
Any current or former employee, contractor, independent contractor, assignee or detailee to the ODNI.

ODNI:
The Office of the Director of National Intelligence and all of its components, including, but not limited to, the Office of the National Counterintelligence Executive, the National Counterterrorism Center, the National Counterproliferation Center, the Program Manager for the Information Sharing Environment, and all national intelligence centers and program managers the DNI may establish.

ODNI Employee.
Any current or former employee, contractor, independent contractor, assignee or detailee to the ODNI.
The following definitions apply to this part:

ODNI Employee:
Any current or former employee, contractor, independent contractor, assignee or detaine to the ODNI.

**ODNI Information**

**Administrative Law**


The following definitions apply to this part:

[...]

ODNI Information or Material:
Information or material that is contained in ODNI files, related to or based upon material contained in ODNI files or acquired by any ODNI employee as part of that employee's official duties or because of that employee's association with the ODNI.

**ODNI Material**

**Administrative Law**


The following definitions apply to this part:

[...]

ODNI Information or Material:
Information or material that is contained in ODNI files, related to or based upon material contained in ODNI files or acquired by any ODNI employee as part of that employee's official duties or because of that employee's association with the ODNI.
Office of the Department of Justice

Administrative Law

28 CFR § 45.10: Procedures to promote compliance with crime victims' rights obligations [28 CFR PART 45—EMPLOYEE RESPONSIBILITIES]

(a) Definitions.
The following definitions shall apply with respect to this section, which implements the provisions of the Justice for All Act that relate to protection of the rights of crime victims. See 18 U.S.C. 3771.

Office of the Department of Justice
means a component of the Department of Justice whose employees directly interact with crime victims in the regular course of their duties.

Office of the Director of National Intelligence

Administrative Law

32 CFR § 1700.2(j) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

For purposes of this Part, the following terms have the meanings indicated:

(j) ODNI
means the Office of the Director of National Intelligence and its component organizations. It does not include other members of the Intelligence Community as defined in 50 U.S.C. 401a, or other federal entities subsequently designated in accordance with this authority, unless specifically designated as included in this part or in the notice of a system of records;


For purposes of this subpart, the following terms have the meanings indicated:

Office of the Director of National Intelligence
means any and all of the components of the ODNI.
Officer

Statutory Law

(b) Personnel generally. The following definitions relating to military personnel apply in this title:
(1) The term "officer" means a commissioned or warrant officer.
(2) The term "commissioned officer" includes a commissioned warrant officer.
(3) The term "warrant officer" means a person who holds a commission or warrant in a warrant officer grade.
(4) The term "general officer" means an officer of the Army, Air Force, or Marine Corps serving in or having the grade of general, lieutenant general, major general, or brigadier general.
(5) The term "flag officer" means an officer of the Navy or Coast Guard serving in or having the grade of admiral, vice admiral, rear admiral, or rear admiral (lower half).

For the purposes of this title [50 U.S.C. §§ 421 et seq.]:
(7) The terms "officer" and "employee" have the meanings given such terms by section 2104 and 2105, respectively, of title 5, United States Code.

Administrative Law

28 CFR § 22.2(g) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]
[...]
(g) Officer or employee of the Federal Government means any person employed as a regular or special employee of the U.S. (including experts, consultants, and advisory board members) as of July 1, 1973, or at any time thereafter.

28 CFR § 69.105(k) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]
For purposes of this part:
[...]
(k) Officer or employee of an agency includes the following individuals who are employed by an agency:
(1) An individual who is appointed to a position in the Government under title 5, U.S. Code, including a position under a temporary appointment;
(2) A member of the uniformed services as defined in section 101(3), title 37, U.S. Code;
(3) A special Government employee as defined in section 202, title 18, U.S. Code; and,
(4) An individual who is a member of a Federal advisory committee, as defined by the Federal Advisory Committee Act, title 5, U.S. Code appendix 2.

**Officer of an Agency**

**Administrative Law**

*28 CFR § 69.105(k)* [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

[...]

(k) Officer or employee of an agency
includes the following individuals who are employed by an agency:

(1) An individual who is appointed to a position in the Government under title 5, U.S. Code, including a position under a temporary appointment;
(2) A member of the uniformed services as defined in section 101(3), title 37, U.S. Code;
(3) A special Government employee as defined in section 202, title 18, U.S. Code; and,
(4) An individual who is a member of a Federal advisory committee, as defined by the Federal Advisory Committee Act, title 5, U.S. Code appendix 2.

**See Also**

*28 CFR § 22.2(g)* [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

[...]

(g) Officer or employee of the Federal Government
means any person employed as a regular or special employee of the U.S. (including experts, consultants, and advisory board members) as of July 1, 1973, or at any time thereafter.
Officer of the Federal Government

Administrative Law

28 CFR § 22.2(g) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

[...]

(g) Officer or employee of the Federal Government means any person employed as a regular or special employee of the U.S. (including experts, consultants, and advisory board members) as of July 1, 1973, or at any time thereafter.

Official

Administrative Law

28 CFR § 5.100 (d) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(d) The term official as used in sections 1(c), 1(o), 3(g), and 4(e) of the Act shall be deemed to include Members and officers of both Houses of Congress as well as officials in the executive branch of the Government of the United States.

Official Proceeding

Statutory Law


(a) As used in sections 1512 and 1513 of this title [18 U.S.C. §§ 1512 and 1513] and in this section—

(1) the term "official proceeding" means—

(A) a proceeding before a judge or court of the United States, a United States magistrate [United States magistrate judge], a bankruptcy judge, a judge of the United States Tax Court, a special trial judge of the Tax Court, a judge of the United States Claims Court [United States Court of Federal Claims], or a Federal grand jury;

(B) a proceeding before the Congress;

(C) a proceeding before a Federal Government agency which is authorized by law; or

(D) a proceeding involving the business of insurance whose activities affect interstate commerce before any insurance regulatory official or agency or any agent or examiner appointed by such official or agency to examine the affairs of
any person engaged in the business of insurance whose activities affect interstate commerce;

Officially and Publicly Acknowledged and Sponsored

Administrative Law

28 CFR § 73.1(e) [28 CFR PART 73—NOTIFICATIONS TO THE ATTORNEY GENERAL BY AGENTS OF FOREIGN GOVERNMENTS]

(e) When used in 18 U.S.C. 951(d) (2) and/or (3), the term “officially and publicly acknowledged and sponsored” means that the person described therein has filed with the Secretary of State a fully-executed notification of status with a foreign government; or is a visitor, officially sponsored by a foreign government, whose status is known and whose visit is authorized by an agency of the United States Government; or is an official of a foreign government on a temporary visit to the United States, for the purpose of conducting official business internal to the affairs of that foreign government; or where an agent of a foreign government is acting pursuant to the requirements of a Treaty, Executive Agreement, Memorandum of Understanding, or other understanding to which the United States or an agency of the United States is a party and which instrument specifically establishes another mechanism for notification of visits by agents and the terms of such visits.

OGC

Administrative Law


For purposes of this part the following terms have the following meanings:

[...]

OGC.
The Office of the General Counsel of the ODNI.

PROCEEDINGS BEFORE FEDERAL, STATE, LOCAL OR OTHER GOVERNMENT ENTITY OF COMPETENT JURISDICTION

The following definitions apply to this part:

[...]

OGC:
The Office of the General Counsel of the ODNI.

OGC Attorney

Administrative Law


The following definitions apply to this part:

[...]

OGC Attorney:
Any attorney in the OGC.

OMB

Office of Management and Budget

Omnibus Crime Control and Safe Streets Act

Administrative Law

28 CFR § 20.3(a) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:

(a) Act
Open

Administrative Law


[...]

Open means those non-canceled transactions where the FFL has not been notified of the final determination. In cases of “open” responses, the NICS continues researching potentially prohibiting records regarding the transferee and, if definitive information is obtained, communicates to the FFL the final determination that the check resulted in a proceed or a deny. An “open” response does not prohibit an FFL from transferring a firearm after three business days have elapsed since the FFL provided to the system the identifying information about the prospective transferee.

Open Storage Area

Administrative Law


(l) Open storage area

means an area constructed in accordance with § 2001.53 of this part and authorized by the agency head for open storage of classified information.

Operator

Administrative Law


For purposes of this subpart B:

[...]

Operator

means the individual or entity authorized or designated as the operator of NMVTIS under 49 U.S.C. 30502(b), or the office designated by the Attorney General, if there is no authorized or designated individual or entity.
As used in this part:
Operator.
A person who operates, drives, controls, or otherwise has charge of, or is in actual
physical control of a mechanical mode of transportation or any other mechanical
equipment.

**Oral Communication**

**Statutory Law**

18 U.S.C. § 2510(2) (Title 18—Chapter 119: Wire and Electronic
Communications Interception and Interception of Oral
Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]—
(2) "oral communication" means any oral communication uttered by a person
exhibiting an expectation that such communication is not subject to interception
under circumstances justifying such expectation, but such term does not include
any electronic communication;

**Order**

**Statutory Law**

Procedure)

“Order” means the whole or a part of a final disposition, whether affirmative,
negative, injunctive, or declaratory in form, of an agency in a matter other than
rule making but including licensing.

NOTE: “Rule making” is defined in 5 U.S.C. § 551(5) (Title 5—Chapter 5:
Administrative Procedure) (“‘Rule Making’ means agency process for
formulating, amending, or repealing a rule.”). “Rule” is defined in 5 U.S.C. §
551(4) (2010) (Title 5—Chapter 5: Administrative Procedure) (“‘Rule’ means the
whole or a part of an agency statement of general or particular applicability and
future effect designed to implement, interpret, or prescribe law or policy or
describing the organization, procedure, or practice requirements of an agency
and includes the approval or prescription for the future of rates, wages, corporate
or financial structures or reorganizations thereof, prices, facilities, appliances,
services or allowances therefor or of valuations, costs, or accounting, or practices
bearing on any of the foregoing.”).
Order of Deportation

Statutory Law


(a) As used in this Act—

(47) (A) The term "order of deportation" means the order of the special inquiry officer, or other such administrative officer to whom the Attorney General has delegated the responsibility for determining whether an alien is deportable, concluding that the alien is deportable or ordering deportation.

(B) The order described under subparagraph (A) shall become final upon the earlier of—

(i) a determination by the Board of Immigration Appeals affirming such order; or

(ii) the expiration of the period in which the alien is permitted to seek review of such order by the Board of Immigration Appeals.

Organization

Statutory Law


(a) As used in this Act—

(28) The term "organization" means, but is not limited to, an organization, corporation, company, partnership, association, trust, foundation or fund; and includes a group of persons, whether or not incorporated, permanently or temporarily associated together with joint action on any subject or subjects.

Administrative Law


The term organization includes corporations and other commercial organizations, academic institutions, clubs, professional societies, associations, and any other group whose existence is formalized in some manner or otherwise functions on a continuing basis.
Organization within the United States

Administrative Law

An organization within the United States means all organizations physically located within the geographical boundaries of the United States whether or not they constitute a United States persons. Thus, a branch, subsidiary, or office of an organization within the United States, which is physically located outside the United States, is not considered as an organization within the United States.

Organize a Riot

Statutory Law
(b) As used in this chapter, the term "to incite a riot", or "to organize, promote, encourage, participate in, or carry on a riot", includes, but is not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written (1) advocacy of ideas or (2) expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of, or the right to commit, any such act or acts.

NOTE: The term “riot,” as used in this section, is defined in 18 U.S.C. § 2102(a) (2010) (Title 18—Chapter 102: Riots) (“(a) As used in this chapter, the term "riot" means a public disturbance involving (1) an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual or (2) a threat or threats of the commission of an act or acts of violence by one or more persons part of an assemblage of three or more persons having, individually or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened act or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual.”).
ORI

Administrative Law


[...]
ORI (Originating Agency Identifier) means a nine-character identifier assigned by the FBI to an agency that has met the established qualifying criteria for ORI assignment to identify the agency in transactions on the NCIC System.

Original Classification

Administrative Law

“Original classification” means an initial determination that information requires, in the interest of the national security, protection against unauthorized disclosure.

Executive Order 13,526, Classified National Security Information, § 6.1 (ff) (December 29, 2009)
For purposes of this order:
(ff) "Original classification" means an initial determination that information requires, in the interest of the national security, protection against unauthorized disclosure.

Original Classification Authority

Administrative Law

“Original classification authority” means an individual authorized in writing, either by the President, the Vice President in the performance of executive duties, or by agency heads or other officials designated by the President, to classify information in the first instance.

Executive Order 13,526, Classified National Security Information, § 6.1 (gg) (December 29, 2009)
For purposes of this order:
"Original classification authority" means an individual authorized in writing, either by the President, the Vice President, or by agency heads or other officials designated by the President, to classify information in the first instance.


(m) Original classification authority with jurisdiction over the information includes:

1. The official who authorized the original classification, if that official is still serving in the same position;
2. The originator's current successor in function;
3. A supervisory official of either; or
4. The senior agency official under the Order.

Original Classification Authority with Jurisdiction over the Information

Administrative Law


(m) Original classification authority with jurisdiction over the information includes:

1. The official who authorized the original classification, if that official is still serving in the same position;
2. The originator's current successor in function;
3. A supervisory official of either; or
4. The senior agency official under the Order.

Originating Agency

Administrative Law


[…] Originating Agency

means an agency that provides a record to a database checked by the NICS.
Originating Agency Identifier

Administrative Law


[...] ORI (Originating Agency Identifier) means a nine-character identifier assigned by the FBI to an agency that has met the established qualifying criteria for ORI assignment to identify the agency in transactions on the NCIC System.

Originator

Administrative Law

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

[...] Originator means the U.S. Government official who originated the document at issue or successor in office or such official who has been delegated release or declassification authority pursuant to law;


For purposes of this part, the following terms have the meanings indicated:

[...] Originator means the U.S. Government official who originated the document at issue or successor in office or such official who has been delegated release or declassification authority pursuant to law;
For purposes of this part, the following terms have the meanings as indicated:

Originator
means the NACIC officer who originated the information at issue, or successor in office, or a NACIC officer who has been delegated declassification authority for the information at issue in accordance with the provisions of this Order;

For purposes of this part, the following terms have the meanings indicated:

Originator
means the NACIC officer who originated the information at issue, or successor in office, or a NACIC officer who has been delegated declassification authority for the information at issue in accordance with the provisions of this Order;

For purposes of this part, the following terms have the meanings indicated:

Originator
means the NACIC officer who originated the information at issue, or successor in office, or a NACIC officer who has been delegated declassification authority for the information at issue in accordance with the provisions of this Order;

For purposes of this part, the following terms have the meanings indicated:

Originator
means the U.S. Government official who originated the document at issue or successor in office or such official who has been delegated release or declassification authority pursuant to law;
For purposes of this part, the following terms have the meanings indicated:

(h) Originator
means the U.S. Government official who originated the document at issue or successor in office or such official who has been delegated release or declassification authority pursuant to law;

(i) Originator
means the CIA officer who originated the information at issue, or successor in office, or a CIA officer who has been delegated declassification authority for the information at issue in accordance with the provisions of this Order;

(i) Originator
means the CIA officer who originated the information at issue, or successor in office, or a CIA officer who has been delegated declassification authority for the information at issue in accordance with the provisions of this Order;

(i) Originator
means the CIA officer who originated the information at issue, or successor in office, or a CIA officer who has been delegated declassification authority for the information at issue in accordance with the provisions of this Order;

(m) Originator
means the CIA officer who originated the information at issue, or successor in office, or a CIA officer who has been delegated declassification authority for the information at issue in accordance with the provisions of this Order;

OSD
Office of the Secretary of Defense
OSINT
Open-source intelligence

OSS
Office of Strategic Services

Other Circumstances

Administrative Law

As used in this part:
[...]
Other circumstances means a situation that, as determined by the Attorney General, requires the resources of a State or local government to ensure the proper administration of the immigration laws of the United States or to meet urgent demands arising from the presence of aliens in a State or local government's jurisdiction.

Outlying Possessions of the United States

Statutory Law

(a) As used in this Act—
(29) The term "outlying possessions of the United States" means American Samoa and Swains Island.
Overt

**Administrative Law**


Overt means refers to methods of collection whereby the source of the information being collected is advised, or is otherwise aware, that he is providing such information to the Department of Defense or a component thereof.

P&E

Processing and exploitation

Pages

**Administrative Law**

32 CFR § 1700.2(c) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

For purposes of this Part, the following terms have the meanings indicated:

(c) Pages

means paper copies of standard office size or the dollar value equivalent in other media;

Parent

**Statutory Law**


(b) As used in titles I and II [8 U.S.C. §§ 1101 et seq., 1151 et seq.]—

(2) The terms "parent," "father," or "mother" mean a parent, father, or mother only where the relationship exists by reason of any of the circumstances set forth in (1) above, except that, for purposes of paragraph (1)(F) (other than the second proviso therein) and paragraph (1)(G)(i) in the case of a child born out of wedlock described in paragraph (1)(D) (and not described in paragraph (1)(C)), the term "parent" does not include the natural father of the child if the father has
disappeared or abandoned or deserted the child or if the father has in writing irrevocably released the child for emigration and adoption.

**Parole Commission Meeting**

**Administrative Law**

28 CFR § 16.200(b) [28 CFR PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION: SUBPART F—Public Observation of Parole Commission Meetings]

As used in this part:

[...]

(b) The term “meeting” refers to the deliberations of at least the number of Commissioners required to take action on behalf of the Commission where such deliberations determine or result in the joint conduct or disposition of official Commission business.

(c) Specifically included in the term “meeting” are:

1. Meetings of the Commission required to be held by 18 U.S.C. 4203(a);
2. Special meetings of the Commission called pursuant to 18 U.S.C. 4204(a)(1);
3. Meetings of the National Commissioners in original jurisdiction cases pursuant to 28 CFR 2.17(a);
4. Meetings of the entire Commission to determine original jurisdiction appeal cases pursuant to 28 CFR 2.27; and

(d) Specifically excluded from the term “meeting” are:

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2 Part 4a was removed at 44 FR 6890, Feb. 2, 1979.
(1) Determination made through independent voting of the Commissioners without the joint deliberation of the number of Commissioners required to take such action, pursuant to § 16.201;
(2) Original jurisdiction cases determined by sequential vote pursuant to 28 CFR 2.17;
(3) Cases determined by sequential vote pursuant to 28 CFR 2.24 and 2.25;
(4) National Appeals Board cases determined by sequential vote pursuant to 28 CFR 2.26;
(5) Meetings of special committees of Commissioners not constituting a quorum of the Commission, which may be established by the Chairman to report and make recommendations to the Commission or the Chairman on any matter.
(6) Determinations required or permitted by these regulations to open or close a meeting, or to withhold or disclose documents or information pertaining to a meeting.

**Participate in a Riot**

**Statutory Law**

*18 U.S.C. § 2102(b) (2010) (Title 18—Chapter 102: Riots)*

(b) As used in this chapter, the term "to incite a riot", or "to organize, promote, encourage, participate in, or carry on a riot", includes, but is not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written (1) advocacy of ideas or (2) expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of, or the right to commit, any such act or acts.

NOTE: The term “riot,” as used in this section, is defined in 18 U.S.C. § 2102(a) (2010) (Title 18—Chapter 102: Riots) (“(a) As used in this chapter, the term "riot" means a public disturbance involving (1) an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual or (2) a threat or threats of the commission of an act or acts of violence by one or more persons part of an assemblage of three or more persons having, individually or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened act or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual.”).
Participating Agency

Administrative Law

28 CFR § 23.3(b)(4) [28 CFR PART 23—CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES]

(b) As used in these policies:

(4) Participating Agency
means an agency of local, county, State, Federal, or other governmental unit which exercises law enforcement or criminal investigation authority and which is authorized to submit and receive criminal intelligence information through an interjurisdictional intelligence system. A participating agency may be a member or a nonmember of an interjurisdictional intelligence system;

Participating State

Administrative Law

28 CFR § 105.22(e) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment]

As used in this subpart:

(e) Participating State
means a State that has not elected to opt out of participating in the Act by statutory enactment or gubernatorial order. A State may decline to participate in the background check system authorized by the Act by enacting a law or issuing an order by the Governor (if consistent with state law) providing that the State is declining to participate. The regulations in this subpart that pertain to States apply only to participating states.

Participation

Administrative Law


Participation refers to any action undertaken within the structure or framework of the organization involved. Such actions include serving as a representative or agent of the organization; acquiring membership; attending meetings not open to the public, including social functions for the organization as a whole; carrying out
the work or functions of the organization; and contributing funds to the organization other than in payment for goods or services. Actions taken outside the organizational framework, however, do not constitute participation. Thus, attendance at meetings or social gatherings that involve organization members, but are not functions or activities of the organization itself does not constitute participation.

Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C10.2.5 (Dec. 1982): “Participation on behalf of an agency within the intelligence community”

Participation is on behalf of an agency within the intelligence community when an employee is tasked or requested to take action within an organization for the benefit of such agency. Such employee may already be a member of the organization or may be asked to join. Actions undertaken for the benefit of an intelligence agency include collecting information, identifying potential sources or contacts, or establishing and maintaining cover. If a cooperating source furnishes information to an intelligence agency that he or she obtained by participation within an organization, but was not given prior direction or tasking by the intelligence agency to collect such information, then such participation was not on behalf of such agency.

Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C10.2.6 (Dec. 1982): “Participation solely for personal purposes”

Participation is solely for personal purposes, if undertaken at the initiative and expense of the employee for the employee's benefit.

Passport

Statutory Law


(a) As used in this Act—

(30) The term "passport" means any travel document issued by competent authority showing the bearer's origin, identity, and nationality if any, which is valid for the admission of the bearer into a foreign country.
Pattern of Activities

Statutory Law


For the purposes of this title [50 U.S.C. §§ 421 et seq.]:

(10) The term "pattern of activities" requires a series of acts with a common purpose or objective.

Pattern of Racketeering Activity

Statutory Law


As used in this chapter [18 U.S.C. §§ 1961 et seq.]—

(5) "pattern of racketeering activity" requires at least two acts of racketeering activity, one of which occurred after the effective date of this chapter and the last of which occurred within ten years (excluding any period of imprisonment) after the commission of a prior act of racketeering activity;

PCs

Principals Committees

PDB

President’s Daily Briefing

PDD

Presidential Decision Directive
Pen Register

Statutory Law
18 U.S.C. § 3127(3) (Title 18—Chapter 206: Pen Registers and Trap and Trace Devices)
As used in this chapter [18 U.S.C. §§ 3121 et seq.]—
(3) the term "pen register" means a device or process which records or decodes dialing, routing, addressing, or signaling information transmitted by an instrument or facility from which a wire or electronic communication is transmitted, provided, however, that such information shall not include the contents of any communication, but such term does not include any device or process used by a provider or customer of a wire or electronic communication service for billing, or recording as an incident to billing, for communications services provided by such provider or any device or process used by a provider or customer of a wire communication service for cost accounting or other like purposes in the ordinary course of its business;

Penalty

Statutory Law
As used in this subchapter [44 U.S.C. §§ 3501 et seq.]—
(14) the term "penalty" includes the imposition by an agency or court of a fine or other punishment; a judgment for monetary damages or equitable relief; or the revocation, suspension, reduction, or denial of a license, privilege, right, grant, or benefit.

Periodic Reinvestigations

Statutory Law
(a) Definitions. In this section:
(7) The term "periodic reinvestigations" means investigations conducted for the purpose of updating a previously completed background investigation—
(A) every 5 years in the case of a top secret clearance or access to a highly sensitive program;
(B) every 10 years in the case of a secret clearance; or
(C) every 15 years in the case of a Confidential Clearance.

**Permanent**

**Statutory Law**


(a) As used in this Act—
(31) The term "permanent" means a relationship of continuing or lasting nature, as distinguished from temporary, but a relationship may be permanent even though it is one that may be dissolved eventually at the instance either of the United States or of the individual, in accordance with law.

**Permanent Historical Value**

**Administrative Law**


(o) Permanently valuable information or permanent historical value refers to information contained in:
(1) Records that have been accessioned by the National Archives;
(2) Records that have been scheduled as permanent under a records disposition schedule approved by the National Archives; and
(3) Presidential historical materials, presidential records or donated historical materials located in the National Archives, a presidential library, or any other approved repository.

**Permanent Records**

**Administrative Law**


(n) Permanent records
means any Federal record that has been determined by the National Archives to have sufficient value to warrant its preservation in the National Archives. Permanent records include all records accessioned by the National Archives into the National Archives and later increments of the same records, and those for which the disposition is permanent on SF 115s, Request for Records Disposition Authority, approved by the National Archives on or after May 14, 1973.

**Permanently Valuable Information**

**Administrative Law**


(o) Permanently valuable information or permanent historical value refers to information contained in:

1. Records that have been accessioned by the National Archives;
2. Records that have been scheduled as permanent under a records disposition schedule approved by the National Archives; and
3. Presidential historical materials, presidential records or donated historical materials located in the National Archives, a presidential library, or any other approved repository.

**Permit**

**Administrative Law**

32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS]

As used in this part:

Permit.

A written authorization to engage in uses or activities that are otherwise prohibited, restricted, or regulated.
Person

Statutory Law

(b) As used in titles I and II [8 U.S.C. §§ 1101 et seq., 1151 et seq.]—
(3) The term "person" means an individual or an organization.

(c) As used in title III [8 U.S.C. §§ 1401 et seq.]—
(2) The terms "parent," "father," and "mother" include in the case of a posthumous child a deceased parent, father, and mother.

As used in this chapter [18 U.S.C. §§ 1961 et seq.]—
(3) "person" includes any individual or entity capable of holding a legal or beneficial interest in property;

As used in this chapter [18 U.S.C. §§ 2331 et seq.]—
(3) the term "person" means any individual or entity capable of holding a legal or beneficial interest in property;

18 U.S.C. § 2510(6) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)
As used in this chapter [18 U.S.C. §§ 2510 et seq.]—
(6) "person" means any employee, or agent of the United States or any State or political subdivision thereof, and any individual, partnership, association, joint stock company, trust, or corporation;

As used in and for the purposes of this Act—
(a) The term "person" includes an individual, partnership, association, corporation, organization, or any other combination of individuals;

(a) In general. For purposes of this chapter [22 U.S.C. §§ 2797 et seq.]—
(8) (A) the term "person" means a natural person as well as a corporation, business association, partnership, society, trust, any other nongovernmental
entity, organization, or group, and any governmental entity operating as a business enterprise, and any successor of any such entity; and

(B) in the case of countries with non-market economies (excluding former members of the Warsaw Pact), the term "person" means—

(i) all activities of that government relating to the development or production of any missile equipment or technology; and

(ii) all activities of that government affecting the development or production of electronics, space systems or equipment, and military aircraft;


As used in this chapter [44 U.S.C. §§ 1501 et seq.], unless the context otherwise requires—

"person" means an individual, partnership, association, or corporation;


As used in this subchapter [44 U.S.C. §§ 3501 et seq.]—

(10) the term "person" means an individual, partnership, association, corporation, business trust, or legal representative, an organized group of individuals, a State, territorial, tribal, or local government or branch thereof, or a political subdivision of a State, territory, tribal, or local government or a branch of a political subdivision;


The word "person," as used herein, shall be deemed to mean an individual, partnership, association, company, or other unincorporated body of individuals, or corporation or body politic.


[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:

(15) Person. The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative thereof, or any State or local government or agency thereof.
Administrative Law

28 CFR § 22.2(a) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

(a) Person means any individual, partnership, corporation, association, public or private organization or governmental entity, or combination thereof.

28 CFR § 69.105(l) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

(l) Person means an individual, corporation, company, association, authority, firm, partnership, society, State, and local government, regardless of whether such entity is operated for profit or not for profit. This term excludes an Indian tribe, tribal organization, or any other Indian organization with respect to expenditures specifically permitted by other Federal law.

28 CFR § 77.2(g) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT]

As used in this part, the following terms shall have the following meanings, unless the context indicates otherwise:

(g) The term person means any individual or organization.

28 CFR § 105.22(f) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment]

As used in this subpart:

(f) Person means an individual, partnership, firm, company, corporation or institution that performs security services, whether for a third party for consideration or as an internal, proprietary function.

Personal Information

Statutory Law


In this chapter [18 U.S.C. §§ 2721 et seq.—

__________________________________________

Page 456
(3) "personal information" means information that identifies an individual, including an individual's photograph, social security number, driver identification number, name, address (but not the 5-digit zip code), telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations, and driver's status.

**Personal Records**

**Statutory Law**


As used in this chapter [44 U.S.C. §§ 2201 et seq.]—

(3) The term "personal records" means all documentary materials, or any reasonably segregable portion thereof, of a purely private or nonpublic character which do not relate to or have an effect upon the carrying out of the constitutional, statutory, or other official or ceremonial duties of the President. Such term includes—

(A) diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal which are not prepared or utilized for, or circulated or communicated in the course of, transacting Government business;

(B) materials relating to private political associations, and having no relation to or direct effect upon the carrying out of constitutional, statutory, or other official or ceremonial duties of the President; and

(C) materials relating exclusively to the President's own election to the office of the Presidency; and materials directly relating to the election of a particular individual or individuals to Federal, State, or local office, which have no relation to or direct effect upon the carrying out of constitutional, statutory, or other official or ceremonial duties of the President.

**Personal Relationship**

**Administrative Law**

*28 CFR § 45.2: Disqualification arising from personal or political relationship [28 CFR PART 45—EMPLOYEE RESPONSIBILITIES]*

(c) For the purposes of this section:

[...]

(2) Personal relationship means a close and substantial connection of the type normally viewed as likely to induce partiality. An employee is presumed to have a personal relationship with his father, mother, brother, sister, child and spouse. Whether relationships (including friendships) of an employee to other persons or organizations are
“personal” must be judged on an individual basis with due regard given to the subjective opinion of the employee.

Personnel Security

Administrative Law


Measures designed to insure that persons employed, or being considered for employment, in sensitive positions of trust are suitable for such employment with respect to loyalty, character, emotional stability, and reliability and that such employment is clearly consistent with the interests of the national security. It includes measures designed to ensure that persons granted access to classified information remain suitable for such access and that access is consistent with the interests of national security.

Personnel Security Investigation

Statutory Law


(a) Definitions. In this section:

(6) The term "personnel security investigation" means any investigation required for the purpose of determining the eligibility of any military, civilian, or government contractor personnel to access classified information.

Administrative Law


DL1.1.19.1. An inquiry into the activities of a person granted access to intelligence or other classified information; or a person who is being considered for access to intelligence or other classified information, including persons who are granted or may be granted access to facilities of DoD intelligence components; or a person to be assigned or retained in a position with sensitive duties. The investigation is designed to develop information pertaining to the suitability, eligibility, and
trustworthiness of the individual with respect to loyalty, character, emotional stability and reliability.

DL1.1.19.2. Inquiries and other activities directed against DoD employees or members of a Military Service to determine the facts of possible voluntary or involuntary compromise of classified information by them.

DL1.1.19.3. The collection of information about or from military personnel in the course of tactical training exercises for security training purposes.

**PFIAB**
President’s Foreign Intelligence Advisory Board

**PHOTINT**
Photo intelligence

**Physical Force**

**Statutory Law**


(a) As used in sections 1512 and 1513 of this title [18 U.S.C. §§ 1512 and 1513] and in this section—

(2) the term "physical force" means physical action against another, and includes confinement;

**Physical Search**

**Statutory Law**

50 U.S.C. § 1821 (Title 50—Chapter 36: Foreign Intelligence Surveillance—Subchapter B: Physical Searches)

(5) "Physical search" means any physical intrusion within the United States into premises or property (including examination of the interior of property by technical means) that is intended to result in a seizure, reproduction, inspection, or alteration of information, material, or property, under circumstances in which a person has a reasonable expectation of privacy and a warrant would be required for law enforcement purposes, but does not include (A) "electronic surveillance", as defined in section 101(f) of this Act [50 U.S.C. § 1801(f)], or (B) the acquisition
by the United States Government of foreign intelligence information from international or foreign communications, or foreign intelligence activities conducted in accordance with otherwise applicable Federal law involving a foreign electronic communications system, utilizing a means other than electronic surveillance as defined in section 101(f) of this Act [50 U.S.C. § 1801(f)].

**Administrative Law**

*Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C7.2 (Dec. 1982)*

Physical search means any intrusion upon a person or a person's property or possessions to obtain items of property or information. The term does not include examination of areas that are in plain view and visible to the unaided eye if no physical trespass is undertaken, and does not include examinations of abandoned property left in a public place. The term also does not include any intrusion authorized as necessary to accomplish lawful electronic surveillance conducted pursuant to Parts 1 and 2 of Procedure 5.

**Physical Security**

**Administrative Law**


The physical measures taken to prevent unauthorized access to, and prevent the damage or loss of, equipment, facilities, materiel and documents; and measures undertaken to protect DoD personnel from physical threats to their safety.


The term physical surveillance means a systematic and deliberate observation of a person by any means on a continuing basis, or the acquisition of a nonpublic communication by a person not a party thereto or visibly present thereat through any means not involving electronic surveillance.
Physical Security Investigation

Administrative Law


All inquiries, inspections, or surveys of the effectiveness of controls and procedures designed to provide physical security; and all inquiries and other actions undertaken to obtain information pertaining to physical threats to DoD personnel or property.

PIOB

President’s Intelligence Oversight Board

Plant Costs

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

 [...] Plant costs means the directly associated costs related to the modifications of specific kinds of telecommunications plants, such as switches, intelligent peripherals and other network elements. These costs shall include the costs of inspecting, testing and reporting on the condition of telecommunications plant to determine the need for replacements, rearranges and changes; rearranging and changing the location of plant not retired; inspecting after modifications have been made; the costs of modifying equipment records, such as administering trunking and circuit layout work; modifying operating procedures; property held for future telecommunications use; provisioning costs; network operations costs; and receiving training to perform plant work. Also included are the costs of direct supervision and office support of this work.
POC

Administrative Law


[...]

Point of Contact

Administrative Law


[...]

Political Activities

Statutory Law


As used in and for the purposes of this Act—
(o) The term "political activities" means any activity that the person engaging in believes will, or that the person intends to, in any way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party;

**Political Consultant**

**Statutory Law**


As used in and for the purposes of this Act—

(p) The term “political consultant” means any person who engages in informing or advising any other person with reference to the domestic or foreign policies of the United States or the political or public interest, policies, or relations of a foreign country or of a foreign political party.

**Political Relationship**

**Administrative Law**

28 CFR § 45.2: Disqualification arising from personal or political relationship [28 CFR PART 45—EMPLOYEE RESPONSIBILITIES]

(c) For the purposes of this section:

(1) Political relationship means a close identification with an elected official, a candidate (whether or not successful) for elective, public office, a political party, or a campaign organization, arising from service as a principal adviser thereto or a principal official thereof; and

**Possession**

**Administrative Law**

32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS]

As used in this part:
Possession.
Exercising direct physical control or dominion, with or without ownership, over the property.

**Possessions**

**Statutory Law**


(a) In general. The following definitions apply in this title:

(3) The term "possessions" includes the Virgin Islands, Guam, American Samoa, and the Guano Islands, so long as they remain possessions, but does not include any Commonwealth.

**Potential Requester**

**Administrative Law**

32 CFR § 1700.2(k) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

For purposes of this Part, the following terms have the meanings indicated:

(k) Potential requester
means a person, organization, or other entity who submits an expression of interest.

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

[...]

(k) Potential requester
means a person, organization, or other entity who submits an expression of interest;

32 CFR § 1900.02(l) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

(l) Potential requester

Page 464
means a person, organization, or other entity who submits an expression of interest;

**Practical Utility**

**Statutory Law**


As used in this subchapter [44 U.S.C. §§ 3501 et seq.]—

(11) the term "practical utility" means the ability of an agency to use information, particularly the capability to process such information in a timely and useful fashion;

**Precursor Chemical**

**Statutory Law**


(e) Definitions. For purposes of this chapter and other provisions of this Act relating specifically to international narcotics matters—

(6) the term "precursor chemical" has the same meaning as the term "listed chemical" has under paragraph (33) of section 102 of the Controlled Substances Act (21 U.S.C. 802(33));

**Presidential Historical Materials**

**Administrative Law**


(p) Presidential papers, historical materials, and records means the papers or records of the former Presidents under the legal control of the Archivist pursuant to sections 2111, 2111 note, or 2203 of title 44, U.S.C.
Presidential Libraries

Administrative Law

32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:

[j...]

Presidential libraries
means the libraries or collection authorities established by statute to house the papers of former Presidents Hoover, Roosevelt, Truman, Eisenhower, Kennedy, Johnson, Nixon, Ford, Carter, Reagan, Bush and similar institutions or authorities as may be established in the future;

32 CFR § 1908.02(j) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1908—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO § 3.6 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:

(j) Presidential libraries
means the libraries or collection authorities established by statute to house the papers of former Presidents Hoover, Roosevelt, Truman, Eisenhower, Kennedy, Nixon, Ford, Carter, Reagan, Bush and similar institutions or authorities as may be established in the future;

Presidential Papers

Administrative Law


(p) Presidential papers, historical materials, and records
means the papers or records of the former Presidents under the legal control of the Archivist pursuant to sections 2111, 2111 note, or 2203 of title 44, U.S.C.
Presidential Records

Statutory Law


As used in this chapter [44 U.S.C. §§ 2201 et seq.]—

(2) The term "Presidential records" means documentary materials, or any reasonably segregable portion thereof, created or received by the President, his immediate staff, or a unit or individual of the Executive Office of the President whose function is to advise and assist the President, in the course of conducting activities which relate to or have an effect upon the carrying out of the constitutional, statutory, or other official or ceremonial duties of the President. Such term—

(A) includes any documentary materials relating to the political activities of the President or members of his staff, but only if such activities relate to or have a direct effect upon the carrying out of constitutional, statutory, or other official or ceremonial duties of the President; but

(B) does not include any documentary materials that are (i) official records of an agency (as defined in section 552(e) of title 5, United States Code; (ii) personal records; (iii) stocks of publications and stationery; or (iv) extra copies of documents produced only for convenience of reference, when such copies are clearly so identified.

Administrative Law


(p) Presidential papers, historical materials, and records means the papers or records of the former Presidents under the legal control of the Archivist pursuant to sections 2111, 2111 note, or 2203 of title 44, U.S.C.

Pre-Trial Conference

Administrative Law

28 CFR § 21.1(d) [28 CFR PART 21—WITNESS FEES]

[...]

(d) Pre-trial conference.

A conference between the Government Attorney and a witness to discuss the witness’ testimony. The conference must take place after a trial, hearing or grand
jury proceeding has been scheduled but prior to the witness' actual appearance at
the proceeding.

Prevention of Weapons of Mass Destruction Proliferation and Terrorism

Statutory Law


In this title:

(1) The terms "prevention of weapons of mass destruction proliferation and terrorism" and "prevention of WMD proliferation and terrorism" include activities under—

(A) the programs specified in section 1501(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201; 110 Stat. 2731; 50 U.S.C. 2362 note);

(B) the programs for which appropriations are authorized by section 3101(a)(2) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 116 Stat. 2729) [unclassified];

(C) programs authorized by section 504 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (the FREEDOM Support Act) (22 U.S.C. 5854) and programs authorized by section 1412 of the Former Soviet Union Demilitarization Act of 1992 (22 U.S.C. 5902); and

(D) a program of any agency of the Federal Government having a purpose similar to that of any of the programs identified in subparagraphs (A) through (C), as designated by the United States Coordinator for the Prevention of Weapons of Mass Destruction Proliferation and Terrorism and the head of the agency.

Prints

Statutory Law


As used in and for the purposes of this Act—

(n) The term "prints" means newspapers and periodicals, books, pamphlets, sheet music, visiting cards, address cards, printing proofs, engravings, photographs, pictures, drawings, plans, maps, patterns to be cut out, catalogs, prospectuses, advertisements, and printed, engraved, lithographed, or
autographed notices of various kinds, and, in general, all impressions or reproductions obtained on paper or other material assimilable to paper, on parchment or on cardboard, by means of printing, engraving, lithography, autography, or any other easily recognizable mechanical process, with the exception of the copying press, stamps with movable or immovable type, and the typewriter;

**Prior Notification**

**Administrative Law**

28 CFR § 73.1(c) [28 CFR PART 73—NOTIFICATIONS TO THE ATTORNEY GENERAL BY AGENTS OF FOREIGN GOVERNMENTS]

(c) The term “prior notification” means the notification letter, telex, or facsimile must be received by the addressee named in § 73.3 prior to commencing the services contemplated by the parties.

**Privacy Act**

**Administrative Law**


For purposes of this part, the following terms have the meanings indicated:

 [...] Privacy Act or PA

means the statute as codified at 5 U.S.C. 552a;

32 CFR § 1901.02(i) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY; 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974]

For purposes of this part, the following terms have the meanings indicated:

(i) Privacy Act or PA

means the statute as codified at 5 U.S.C. 552a;
Private Person

Administrative Law

28 CFR § 22.2(b) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

[...]

(b) Private person
means any person defined in § 22.2(a) other than an agency, or department of Federal, State, or local government, or any component or combination thereof. Included as a private person is an individual acting in his or her official capacity.

Private Sector

Administrative Law

Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (g) (August 18, 2010)

For purposes of this order:

(g) “Private sector” means persons outside government who are critically involved in ensuring that public and private preparedness and response efforts are integrated as part of the Nation's Critical Infrastructure or Key Resources (CIKR), including:

(1) corporate owners and operators determined by the Secretary of Homeland Security to be part of the CIKR;
(2) subject matter experts selected to assist the Federal or State CIKR;
(3) personnel serving in specific leadership positions of CIKR coordination, operations, and oversight;
(4) employees of corporate entities relating to the protection of CIKR; or
(5) other persons not otherwise eligible for the granting of a personnel security clearance pursuant to Executive Order 12829, as amended, who are determined by the Secretary of Homeland Security to require a personnel security clearance.

Private Security Officer

Administrative Law

28 CFR § 105.22(g) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment]

As used in this subpart:
[...]

Page 470
(g) Private Security Officer
means an individual other than an employee of a Federal, State, or local
government whose primary duty is to perform security services, full or part time,
for consideration, whether armed or unarmed and in uniform or plain clothes,
except as may be excluded from coverage in these regulations, except that the
term excludes—
(1) Employees whose duties are primarily internal audit or credit
functions;
(2) Employees of electronic security system companies acting as
technicians or monitors; or
(3) Employees whose duties involve the secure movement of prisoners.

Privileged Belligerent

Statutory Law
10 U.S.C. § 948a(6) (Title 10—Chapter 47A: Military Commissions)
In this chapter [10 U.S.C. §§ 948a et seq.]:
(6) Privileged belligerent. The term "privileged belligerent" means an individual
belonging to one of the eight categories enumerated in Article 4 of the Geneva
Convention Relative to the Treatment of Prisoners of War.

10 U.S.C. § 948a(7) (Title 10—Chapter 47A: Military Commissions)
In this chapter [10 U.S.C. §§ 948a et seq.]:
(7) Unprivileged enemy belligerent. The term "unprivileged enemy belligerent"
means an individual (other than a privileged belligerent) who—
(A) has engaged in hostilities against the United States or its coalition
partners;
(B) has purposefully and materially supported hostilities against the United
States or its coalition partners; or
(C) was a part of al Qaeda at the time of the alleged offense under this chapter
[10 U.S.C. §§ 948a et seq.].

Proceed

Administrative Law
INFORMATION SYSTEMS]

[...]
Proceed
means a NICS response indicating that the information available to the system at
the time of the response did not demonstrate that transfer of the firearm would
violate federal or state law. A “Proceed” response would not relieve an FFL from compliance with other provisions of Federal or state law that may be applicable to firearms transfers. For example, under 18 U.S.C. 922(d), an FFL may not lawfully transfer a firearm if he or she knows or has reasonable cause to believe that the prospective recipient is prohibited by law from receiving or possessing a firearm.

**Proceeding**

**Administrative Law**


As used in this part:

[...]

(e) Proceeding

means an adversary adjudication as defined in § 24.102(b) above.


The following definitions apply to this part:

[...]

Proceeding:

Any matter before a court of law, administrative law judge, administrative tribunal or commission or other body that conducts legal or administrative proceedings, and includes all phases of the proceeding.

**Proceeding Before an Agency of the United States**

**Statutory Law**


“Agency Proceeding” means an agency process defined as rulemaking, adjudication, or licensing.


As used in this chapter [18 U.S.C. §§ 6001 et seq.]—
(3) "proceeding before an agency of the United States" means any proceeding before such an agency with respect to which it is authorized to issue subpenas and to take testimony or receive other information from witnesses under oath;

**Process**

**Administrative Law**


For purposes of this part the following terms have the following meanings:

[...]

**Process**

A summons, complaint, subpoena or other document properly issued by or under the authority of, a federal, state, local or other government entity of competent jurisdiction.


[...]

**Process**

means a summons complaint, subpoena, or other official paper (except garnishment orders) issued in conjunction with a proceeding or hearing being conducted by a federal, state, or local government entity of competent jurisdiction.

32 CFR § 1904.2(b) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1904—PROCEDURES GOVERNING ACCEPTANCE OF SERVICE OF PROCESS]

(b) **Process**

means a summons, complaint, subpoena, or other official paper (except garnishment orders) issued in conjunction with a proceeding or hearing being conducted by a federal, state, or local governmental entity of competent jurisdiction.
The following definitions apply to this part:

Production or Produce:
The disclosure of ODNI information or material in response to a demand.

Production or produce:
means the disclosure of:

(1) Any material contained in the files of NACIC; or
(2) Any information relating to material contained in the files of NACIC, including but not limited to summaries of such information or material, or opinions based on such information or material; or
(3) Any information acquired by persons while such persons were employees of NACIC as a part of the performance of their official duties or because of their official status or association with NACIC; in response to a demand upon an employee of NACIC.

(1) Any material contained in the files of CIA; or
(2) Any information relating to material contained in the files of CIA, including but not limited to summaries of such information or material, or opinions based on such information or material; or
(3) Any information acquired by persons while such persons were employees of CIA as a part of the performance of their official duties or because of their official status or association with CIA; in response to a demand upon an employee of CIA.

Production

Administrative Law


The following definitions apply to this part:

 [...]

Production or Produce:
The disclosure of ODNI information or material in response to a demand.

32 CFR § 1805.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1805—PRODUCTION OF OFFICIAL RECORDS OR DISCLOSURE OF OFFICIAL INFORMATION IN PROCEEDINGS BEFORE FEDERAL, STATE OR LOCAL GOVERNMENT ENTITIES OF COMPETENT JURISDICTION]

For the purpose of this part:

 [...]

Production or produce

means the disclosure of:

(1) Any material contained in the files of NACIC; or
(2) Any information relating to material contained in the files of NACIC, including but not limited to summaries of such information or material, or opinions based on such information or material; or
(3) Any information acquired by persons while such persons were employees of NACIC as a part of the performance of their official duties or because of their official status or association with NACIC; in response to a demand upon an employee of NACIC.
For the purpose of this part:
(d) Production or produce
means the disclosure of:
(1) Any material contained in the files of CIA; or
(2) Any information relating to material contained in the files of CIA, including but not limited to summaries of such information or material, or opinions based on such information or material; or
(3) Any information acquired by persons while such persons were employees of CIA as a part of the performance of their official duties or because of their official status or association with CIA; in response to a demand upon an employee of CIA.

Profession

Statutory Law
(a) As used in this Act—
(32) The term "profession" shall include but not be limited to architects, engineers, lawyers, physicians, surgeons, and teachers in elementary or secondary schools, colleges, academies, or seminaries.

Promote a Riot

Statutory Law
(b) As used in this chapter, the term "to incite a riot", or "to organize, promote, encourage, participate in, or carry on a riot", includes, but is not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written (1) advocacy of ideas or (2) expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of, or the right to commit, any such act or acts.

NOTE: The term “riot,” as used in this section, is defined in 18 U.S.C. § 2102(a) (2010) (Title 18—Chapter 102: Riots) (“(a) As used in this chapter, the term "riot"
means a public disturbance involving (1) an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual or (2) a threat or threats of the commission of an act or acts of violence by one or more persons part of an assemblage of three or more persons having, individually or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened act or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual.”).

Proprietary

Administrative Law

The Attorney General’s Guidelines for Domestic FBI Operations § VII (K) (Sept. 29, 2008)

A sole proprietorship, partnership, corporation, or other business entity operated on a commercial basis, which is owned, controlled, or operated wholly or in part on behalf of the FBI, and whose relationship with the FBI is concealed from third parties.

Proprietary Information

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

 [...] Trade secrets/proprietary information means information which is in the possession of a carrier but not generally available to the public, which that carrier desires to protect against unrestricted disclosure or competitive use, and which is clearly identified as such at the time of its disclosure to the government.
Proscribed Information

Administrative Law


(e) “Proscribed information” means Top Secret; Communications Security, except classified keys used for data transfer; Restricted Data; Special Access Program; or Sensitive Compartmented Information.

Protected Person

Statutory Law


(a) Definitions. In this subchapter [10 U.S.C. §§ 950p et seq.]:

(2) The term "protected person" means any person entitled to protection under one or more of the Geneva Conventions, including civilians not taking an active part in hostilities, military personnel placed out of combat by sickness, wounds, or detention, and military medical or religious personnel.

Protected Property

Statutory Law


(a) Definitions. In this subchapter [10 U.S.C. §§ 950p et seq.]:

(3) The term "protected property" means any property specifically protected by the law of war, including buildings dedicated to religion, education, art, science, or charitable purposes, historic monuments, hospitals, and places where the sick and wounded are collected, but only if and to the extent such property is not being used for military purposes or is not otherwise a military objective. The term includes objects properly identified by one of the distinctive emblems of the Geneva Conventions, but does not include civilian property that is a military objective.
Provider

Administrative Law

28 CFR § 105.10(a) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS]

[...]
Provider
means a person or entity subject to regulation under Title 49 Subtitle VII, Part A, United States Code. This definition includes individual training providers, training centers, certificated carriers, and flight schools. Virtually all private providers of instruction in the operation of aircraft with a maximum certificated takeoff weight of 12,500 pounds or more are covered by section 113 of ATSA (49 U.S.C. 44939) and are therefore subject to this rule. Providers located in countries other than the United States are included in this definition to the extent that they are providing training leading to a United States license, certification, or rating. Providers who “dry-lease” simulator equipment to individuals or entities for use within the United States are deemed to be providing the training themselves if the lessee is not subject to regulation under Title 49. Providers located in countries other than the United States who are providing training that does not lead to a United States pilot or flight engineer certification, or rating are not included in this definition. When the Department of Defense or the U.S. Coast Guard, or an entity providing training pursuant to a contract with the Department of Defense or the U.S. Coast Guard (including a subcontractor), provides training for a military purpose, such training is not subject to Federal Aviation Administration (FAA) regulation. Accordingly, these entities, when providing such training, are not “person[s] subject to regulation under this part” within the meaning of section 113 of ATSA.

Provisioning Costs

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]
Provisioning costs
means all costs directly associated with the resources expended within a telecommunications carrier's network to provide a connection and/or service to an end user of the telecommunications service.
Public Information

Statutory Law


As used in this subchapter [44 U.S.C. §§ 3501 et seq.]—
(12) the term "public information" means any information, regardless of form or format, that an agency discloses, disseminates, or makes available to the public;

Public-Relations Counsel

Statutory Law


As used in and for the purposes of this Act—
(g) The term "public-relations counsel" includes any person who engages directly or indirectly in informing, advising or in any way representing a principal in any public relations matter pertaining to political or public interests, policies, or relations of such principal;

Publicly Available

Administrative Law


Information that has been published or broadcast for public consumption, is available on request to the public, is accessible online or otherwise to the public, is available to the public by subscription or purchase, could be seen or heard by any casual observer, is made available at a meeting open to the public, or is obtained by visiting any place or attending any event that is open to the public.
Publicity Agent

Statutory Law


As used in and for the purposes of this Act—
(h) The term "publicity agent" includes any person who engages directly or indirectly in the publication or dissemination of oral, visual, graphic, written, or pictorial information or matter of any kind, including publication by means of advertising, books, periodicals, newspapers, lectures, broadcasts, motion pictures, or otherwise;

Purchaser

Administrative Law


For purposes of this subpart B:
[…]
Purchaser means the individual or entity buying an automobile or financing the purchase of an automobile. For purposes of this subpart, purchasers include dealers, auction companies or entities engaged in the business of purchasing used automobiles, lenders financing the purchase of new or used automobiles, and automobile dealers.

Qualified Individual with Disabilities

Administrative Law

32 CFR § 1807.103 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1807—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE NATIONAL COUNTERINTELLIGENCE CENTER]

For purposes of this part, the following terms means—
[…]
Qualified individual with disabilities means—
(1) With respect to any NACIC program or activity under which a person is required to perform services or to achieve a level of accomplishment, an individual with a handicap who meets the essential eligibility requirements and who can achieve the purpose of the program or activity without modifications in the program or activity that the NACIC can demonstrate would result in a fundamental alteration in its nature;
(2) With respect to any other NACIC program or activity, an individual with disabilities who meets the essential eligibility requirements for participation in, or receipt of benefits from, that program or activity; and
(3) Qualified individual with a disability as that term is defined for purposes of employment in 29 CFR 1614.203(a)(6), which is made applicable to this part by § 1807.140.

Qualified Individual with Handicaps

Administrative Law

32 CFR § 1906.103 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1906—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE CENTRAL INTELLIGENCE AGENCY]

For purposes of this part, the following terms means—
Qualified individual with handicaps
means—

(1) With respect to any Agency program or activity under which a person is required to perform services or to achieve a level of accomplishment, an individual with handicaps who meets the essential eligibility requirements and who can achieve the purpose of the program or activity without modifications in the program or activity that the Agency can demonstrate would result in a fundamental alteration in its nature;
(2) With respect to any other Agency program or activity, an individual with handicaps who meets the essential eligibility requirements for participation in, or receipt of benefits from, that program or activity; and
(3) Qualified handicapped person as that term is defined for purposes of employment in 29 CFR 1613.702(f), which is made applicable to this part by § 1906.140.
Questionable Activity

Administrative Law


The term "questionable activity," as used herein, refers to any conduct that constitutes, or is related to, an intelligence activity that may violate the law, any Executive order or Presidential directive, including E.O. 12333 (reference (a)), or applicable DoD policy, including this Regulation.

Racketeering Activity

Statutory Law


As used in this chapter [18 U.S.C. §§ 1961 et seq.].—

Substances Act [21 U.S.C. § 802]), punishable under any law of the United States, (E) any act which is indictable under the Currency and Foreign Transactions Reporting Act, (F) any act which is indictable under the Immigration and Nationality Act, section 274 [8 U.S.C. § 1324] (relating to bringing in and harboring certain aliens), section 277 [8 U.S.C. § 1327] (relating to aiding or assisting certain aliens to enter the United States), or section 278 [8 U.S.C. § 1328] (relating to importation of alien for immoral purpose) if the act indictable under such section of such Act was committed for the purpose of financial gain, or (G) any act that is indictable under any provision listed in section 2332b(g)(5)(B) [18 U.S.C. § 2332b(g)(5)(B)];

Racketeering Investigation

Statutory Law


As used in this chapter [18 U.S.C. §§ 1961 et seq.]—
(8) "racketeering investigation" means any inquiry conducted by any racketeering investigator for the purpose of ascertaining whether any person has been involved in any violation of this chapter [18 U.S.C. §§ 1961 et seq.] or of any final order, judgment, or decree of any court of the United States, duly entered in any case or proceeding arising under this chapter [18 U.S.C. §§ 1961 et seq.];

Racketeering Investigator

Statutory Law


As used in this chapter [18 U.S.C. §§ 1961 et seq.]—
(7) "racketeering investigator" means any attorney or investigator so designated by the Attorney General and charged with the duty of enforcing or carrying into effect this chapter [18 U.S.C. §§ 1961 et seq.];

Rap Sheet

Administrative Law

28 CFR § 16.31: Definition of identification record [28 CFR PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR
An FBI identification record, often referred to as a “rap sheet,” is a listing of certain information taken from fingerprint submissions retained by the FBI in connection with arrests and, in some instances, includes information taken from fingerprints submitted in connection with federal employment, naturalization, or military service. The identification record includes the name of the agency or institution that submitted the fingerprints to the FBI. If the fingerprints concern a criminal offense, the identification record includes the date of arrest or the date the individual was received by the agency submitting the fingerprints, the arrest charge, and the disposition of the arrest if known to the FBI. All arrest data included in an identification record are obtained from fingerprint submissions, disposition reports, and other reports submitted by agencies having criminal justice responsibilities. Therefore, the FBI Criminal Justice Information Services Division is not the source of the arrest data reflected on an identification record.

Readily Accessible to the General Public

Statutory Law


As used in this chapter [18 U.S.C. §§ 2510 et seq.]—

(16) "readily accessible to the general public" means, with respect to a radio communication, that such communication is not—

(A) scrambled or encrypted;

(B) transmitted using modulation techniques whose essential parameters have been withheld from the public with the intention of preserving the privacy of such communication;

(C) carried on a subcarrier or other signal subsidiary to a radio transmission;

(D) transmitted over a communication system provided by a common carrier, unless the communication is a tone only paging system communication; or

(E) transmitted on frequencies allocated under part 25, subpart D, E, or F of part 74, or part 94 of the Rules of the Federal Communications Commission, unless, in the case of a communication transmitted on a frequency allocated under part 74 that is not exclusively allocated to broadcast auxiliary services, the communication is a two-way voice communication by radio;
Reasonable Belief

Administrative Law


A reasonable belief arises when the facts and circumstances are such that a reasonable person would hold the belief. Reasonable belief must rest on facts and circumstances that can be articulated; "hunches" or intuitions are not sufficient. Reasonable belief can be based on experience, training, and knowledge in foreign intelligence or counterintelligence work applied to facts and circumstances at hand, so that a trained and experienced "reasonable person" might hold a reasonable belief sufficient to satisfy this criterion when someone unfamiliar with foreign intelligence or counterintelligence work might not.

Reasonable Compensation

Administrative Law

28 CFR § 69.105(m) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

[…] (m) Reasonable compensation means, with respect to a regularly employed officer or employee of any person, compensation that is consistent with the normal compensation for such officer or employee for work that is not furnished to, not funded by, or not furnished in cooperation with the Federal Government.

Reasonable Payment

Administrative Law

28 CFR § 69.105(n) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

[…] (n) Reasonable payment means, with respect to professional and other technical services, a payment in an amount that is consistent with the amount normally paid for such services in the private sector.
Reasonably Described Records

Administrative Law

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

[...] Reasonably described records

means a description of a document (record) by unique identification number or descriptive terms which permit a NACIC employee to locate documents with reasonable effort given existing indices and finding aids;

32 CFR § 1900.02(m) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

(m) Reasonably described records

means a description of a document (record) by unique identification number or descriptive terms which permit an Agency employee to locate documents with reasonable effort given existing indices and finding aids;

Recipient

Administrative Law

28 CFR § 69.105(o) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

[...]

(o) Recipient

includes all contractors, subcontractors at any tier, and subgrantees at any tier of the recipient of funds received in connection with a Federal contract, grant, loan, or cooperative agreement. The term excludes an Indian tribe, tribal organization, or any other Indian organization with respect to expenditures specifically permitted by other Federal law.
See Also

28 CFR § 22.2(f) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

[...]
(f) Recipient of assistance
means any recipient of a grant, contract, interagency agreement, subgrant, or subcontract under the Act and any person, including subcontractors, employed by such recipient in connection with performances of the grant, contract, or interagency agreement.

Recipient of Assistance

Administrative Law

28 CFR § 22.2(f) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

[...]
(f) Recipient of assistance
means any recipient of a grant, contract, interagency agreement, subgrant, or subcontract under the Act and any person, including subcontractors, employed by such recipient in connection with performances of the grant, contract, or interagency agreement.

Record

Statutory Law

As used in this chapter [44 U.S.C. §§ 1501 et seq.], unless the context otherwise requires—
"document" means a Presidential proclamation or Executive order and an order, regulation, rule, certificate, code of fair competition, license, notice, or similar instrument, issued, prescribed, or promulgated by a Federal agency;

44 U.S.C. § 2901(1) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)
As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.]—
(1) the term "records" has the meaning given it by section 3301 of this title;

As used in this chapter [44 U.S.C. §§ 3301 et seq.], "records" includes all books, papers, maps, photographs, machine readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included.


For purposes of this section and section 3316 through section 3324 of this title [44 U.S.C. §§ 3316-3324]—

(3) the term "records and documents" shall include handwritten and typewritten documents, motion pictures, television tapes and recordings, magnetic tapes, automated data processing documentation in various forms, and other records that reveal the history of the Nation.

Administrative Law


"Document" means any recorded information, regardless of the nature of the medium or the method or circumstances of recording.


"Records" means the records of an agency and Presidential papers or Presidential records, as those terms are defined in title 44, United States Code, including those created or maintained by a government contractor, licensee, certificate holder, or grantee that are subject to the sponsoring agency’s control under the terms of the contract, license, certificate, or grant.

Executive Order 13,526, Classified National Security Information, § 6.1 (hh) (December 29, 2009)

For purposes of this order:

(hh) "Records" means the records of an agency and Presidential papers or Presidential records, as those terms are defined in title 44, United States Code,
including those created or maintained by a government contractor, licensee, certificate holder, or grantee that are subject to the sponsoring agency's control under the terms of the contract, license, certificate, or grant.


[...]
Record means any item, collection, or grouping of information about an individual that is maintained by an agency, including but not limited to information that disqualifies the individual from receiving a firearm, and that contains his or her name or other personal identifiers.


For purposes of this subpart, the following terms have the meanings indicated:
[...]
Record means any item, collection, or grouping of information about an individual that is maintained by the ODNI including, but not limited to, information such as an individual's education, financial transactions, medical history, and criminal or employment history that contains the individual's name, or an identifying number, symbol, or any other identifier assigned to an individual. When used in this subpart, record means only a record that is in a system of records.

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:
[...]
Records or agency records means all documents, irrespective of physical or electronic form, made or received by NACIC in pursuance of federal law or in connection with the transaction of public business and appropriate for preservation by NACIC as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of NACIC or because of the informational value of the data contained therein; it does not include:

1) Books, newspapers, magazines, journals, magnetic or printed transcripts of electronic broadcasts, or similar public sector materials acquired generally and/or maintained for library or reference purposes; to the extent that such materials are incorporated into any form of analysis or otherwise distributed or published by NACIC, they are fully subject to the disclosure provisions of the FOIA;
(2) Index, filing, or museum documents made or acquired and preserved solely for reference, indexing, filing, or exhibition purposes; and
(3) Routing and transmittal sheets and notes and filing or destruction notes which do not also include information, comment, or statements of substance;


For purposes of this part, the following terms have the meanings indicated:
[...]
Record
means an item, collection, or grouping of information about an individual that is maintained by NACIC in a system of records;

32 CFR § 1900.02(n) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:
(n) Records or agency records
means all documents, irrespective of physical or electronic form, made or received by the CIA in pursuance of federal law or in connection with the transaction of public business and appropriate for preservation by the CIA as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the CIA or because of the informational value of the data contained therein; it does not include:
(1) Books, newspapers, magazines, journals, magnetic or printed transcripts of electronic broadcasts, or similar public sector materials acquired generally and/or maintained for library or reference purposes; to the extent that such materials are incorporated into any form of analysis or otherwise distributed or published by the Agency, they are fully subject to the disclosure provisions of the FOIA;
(2) Index, filing, or museum documents made or acquired and preserved solely for reference, indexing, filing, or exhibition purposes; and
(3) Routing and transmittal sheets and notes and filing or destruction notes which do not also include information, comment, or statements of substance;

32 CFR § 1901.02(j) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974]

For purposes of this part, the following terms have the meanings indicated:
(j) Record
means an item, collection, or grouping of information about an individual that is maintained by the Central Intelligence Agency in a system of records;

Page 492
(j) Federal record includes all books, papers, maps, photographs, machine-readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them. Library and museum material made or acquired and preserved solely for reference, and stocks of publications and processed documents are not included. (44 U.S.C. 3301)

The Attorney General’s Guidelines for Domestic FBI Operations § VII (M) (Sept. 29, 2008)
Any records, databases, files, indices, information systems, or other retained information.

See Also

32 CFR § 1800.2  [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]
For purposes of this part, the following terms have the meanings indicated:
[...]
Responsive records
means those documents (i.e., records) which NACIC has determined to be within the scope of a FOIA request.

For purposes of this part, the following terms have the meanings indicated:
[...]
Responsive record
means those documents (records) which NACIC has determined to be within the scope of a Privacy Act request;

32 CFR § 1900.02(o)  [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS
TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

(o) Responsive records
means those documents (i.e., records) which the Agency has determined to be within the scope of a FOIA request.

32 CFR § 1901.02(l) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 190—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974]

For purposes of this part, the following terms have the meanings indicated:

(l) Responsive record
means those documents (records) which the Agency has determined to be within the scope of a Privacy Act request;

Recordkeeping Requirement

Statutory Law


As used in this subchapter [44 U.S.C. §§ 3501 et seq.]—

(13) the term "recordkeeping requirement" means a requirement imposed by or for an agency on persons to maintain specified records, including a requirement to—

(A) retain such records;
(B) notify third parties, the Federal Government, or the public of the existence of such records;
(C) disclose such records to third parties, the Federal Government, or the public; or
(D) report to third parties, the Federal Government, or the public regarding such records;
Records Center

Statutory Law


As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.],—

(6) the term "records center" means an establishment maintained and operated by the Archivist or by another Federal agency primarily for the storage, servicing, security, and processing of records which need to be preserved for varying periods of time and need not be retained in office equipment or space;

Records Creation

Statutory Law

44 U.S.C. § 2901(3) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)

As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.],—

(3) the term "records creation" means the production or reproduction of any record;

Records Disposition

Statutory Law


As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.],—

(5) the term "records disposition" means any activity with respect to—

(A) disposal of temporary records no longer necessary for the conduct of business by destruction or donation;

(B) transfer of records to Federal agency storage facilities or records centers;
(C) transfer to the National Archives of the United States of records
determined to have sufficient historical or other value to warrant continued
preservation; or
(D) transfer of records from one Federal agency to any other Federal agency;

Records Having Permanent Historical Value

Administrative Law

Executive Order 12958, Classified National Security Information, §
“Records having permanent historical value” means Presidential papers or
Presidential records and the records of an agency that the Archivist has
determined should be maintained permanently in accordance with title 44,
United States Code.

Executive Order 13,526, Classified National Security Information,
§ 6.1 (ii) (December 29, 2009)
For purposes of this order:
(ii) "Records having permanent historical value" means Presidential papers or
Presidential records and the records of an agency that the Archivist has
determined should be maintained permanently in accordance with title 44,
United States Code.

Records Maintenance and Use

Statutory Law

Management by the Archivist of the United States and by the
Administrator of General Services)
As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33
of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et
seq.]—
(4) the term "records maintenance and use" means any activity involving—
(A) location of records of a Federal agency;
(B) storage, retrieval, and handling of records kept at office file locations by or
for a Federal agency;
(C) processing of mail by a Federal agency; or
(D) selection and utilization of equipment and supplies associated with
records and copying;
Records Management

Statutory Law

44 U.S.C. § 2901(2) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)

As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.]—

(2) the term "records management" means the planning, controlling, directing, organizing, training, promoting, and other managerial activities involved with respect to records creation, records maintenance and use, and records disposition in order to achieve adequate and proper documentation of the policies and transactions of the Federal Government and effective and economical management of agency operations;

Administrative Law


“Records management” means the planning, controlling, directing, organizing, training, promoting, and other managerial activities involved with respect to records creation, records maintenance and use, and records disposition in order to achieve adequate and proper documentation of the policies and transactions of the Federal Government and effective and economical management of agency operations.

Executive Order 13,526, Classified National Security Information, § 6.1 (jj) (December 29, 2009)

For purposes of this order:

(jj) "Records management" means the planning, controlling, directing, organizing, training, promoting, and other managerial activities involved with respect to records creation, records maintenance and use, and records disposition in order to achieve adequate and proper documentation of the policies and transactions of the Federal Government and effective and economical management of agency operations.
Records Management Study

Statutory Law

44 U.S.C. § 2901(7) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)

As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.]—

(7) the term "records management study" means an investigation and analysis of any Federal agency records, or records management practices or programs (whether manual or automated), with a view toward rendering findings and recommendations with respect thereto;

Redaction

Administrative Law


(q) Redaction means the removal of classified information from copies of a document such that recovery of the information on the copy is not possible using any reasonably known technique or analysis.

Referral

Administrative Law

32 CFR § 1803.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1803—PUBLIC REQUESTS FOR MANDATORY DECLASSIFICATION REVIEW OF CLASSIFIED INFORMATION PURSUANT TO SECTION 3.6 OF EXECUTIVE ORDER 12958]

For purposes of this part, the following terms have the meanings as indicated:

[...]

Referral means coordination with or transfer of action to an interested party;
For purposes of this part, the following terms have the meanings as indicated:

(k) Referral means coordination with or transfer of action to an interested party;

Refugee

Statutory Law


(a) As used in this Act—

(42) The term "refugee" means (A) any person who is outside any country of such person's nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, or (B) in such special circumstances as the President after appropriate consultation (as defined in section 207(e) of this Act [8 U.S.C. § 1157(e)]) may specify, any person who is within the country of such person's nationality or, in the case of a person having no nationality, within the country in which such person is habitually residing, and who is persecuted or who has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. The term "refugee" does not include any person who ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion. For purposes of determinations under this Act, a person who has been forced to abort a pregnancy or to undergo involuntary sterilization, or who has been persecuted for failure or refusal to undergo such a procedure or for other resistance to a coercive population control program, shall be deemed to have been persecuted on account of political opinion, and a person who has a well founded fear that he or she will be forced to undergo such a procedure or subject to persecution for such failure, refusal, or resistance shall be deemed to have a well founded fear of persecution on account of political opinion.
Registrant

**Administrative Law**

28 CFR § 5.100 (a)(6) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(a) As used in this part:

(6) The term registrant means any person who has filed a registration statement with the Registration Unit, pursuant to section 2(a) of the Act and § 5.3.

Registration Statement

**Statutory Law**


As used in and for the purposes of this Act—

(k) The term "registration statement" means the registration statement required to be filed with the Attorney General under section 2(a) hereof [22 U.S.C. § 612(a)], and any supplements thereto required to be filed under section 2(b) hereof [22 U.S.C. § 612(b)], and includes all documents and papers required to be filed therewith or amendatory thereof or supplemental thereto, whether attached thereto or incorporated therein by reference;

Regularly Employed

**Administrative Law**

28 CFR § 69.105(p) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:

[...]

(p) Regularly employed

means, with respect to an officer or employee of a person requesting or receiving a Federal contract, grant, loan, or cooperative agreement or a commitment providing for the United States to insure or guarantee a loan, an officer or employee who is employed by such person for at least 130 working days within one year immediately preceding the date of the submission that initiates agency consideration of such person for receipt of such contract, grant, loan, cooperative agreement, loan insurance commitment, or loan guarantee commitment. An officer or employee who is employed by such person for less than 130 working
days within one year immediately preceding the date of the submission that initiates agency consideration of such person shall be considered to be regularly employed as soon as he or she is employed by such person for 130 working days.

**Relief**

**Statutory Law**


“Relief” includes the whole or a part of an agency—

(A) grant of money, assistance, license, authority, exemption, exception, privilege, or remedy;

(B) recognition of a claim, right, immunity, privilege, exemption, or exception; or

(C) taking of other action on the application or petition of, and beneficial to, a person.

**Remote Computing Service**

**Statutory Law**


As used in this chapter [18 U.S.C. §§ 2701 et seq.]—

(2) the term "remote computing service" means the provision to the public of computer storage or processing services by means of an electronic communications system;

**Representative of the News Media**

**Administrative Law**

32 CFR § 1700.2(h)(4) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

[...]

(4) Representative of the news media:

An individual actively gathering news for an entity that is organized and operated to publish and broadcast news to the public and pursuant to the entity’s news
dissemination function and not its commercial interests; the term “news” means information which concerns current events, would be of current interest to the general public, would enhance the public understanding of the operations or activities of the U.S. Government, and is in fact disseminated to a significant element of the public at minimal cost; freelance journalists are included in this definition if they provide sufficient evidence to justify an expectation of publication through such an organization, even though not actually employed by it; a publication contract or prior publication record is relevant to such status;

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

(3) Representative of the news media means a request from an individual actively gathering news for an entity that is organized and operated to publish and broadcast news to the American public and pursuant to their news dissemination function and not their commercial interests; the term news means information which concerns current events, would be of current interest to the general public, would enhance the public understanding of the operations or activities of the U.S. Government, and is in fact disseminated to a significant element of the public at minimal cost; freelance journalists are included in this definition if they can demonstrate a solid basis for expecting publication through such an organization, even though not actually employed by it; a publication contract or prior publication record is relevant to such status;

32 CFR § 1900.02(h)(3) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

(3) Representative of the news media refers to any person actively gathering news for an entity that is organized and operated to publish or broadcast news to the public. The term “news” means information that is about current events or that would be of current interest to the public. Examples of news media entities include television or radio stations broadcasting to the public at large, and publishers of periodicals (but only in those instances when they can qualify as disseminators of “news”) who make their products available for purchase or subscription by the general public. These examples are not intended to be all-inclusive. Moreover, as traditional methods of news delivery evolve (e.g., electronic dissemination of newspapers through telecommunications services), such alternative media would be included in this category. In the case of “freelance” journalists, they may be regarded as working
for a news organization if they can demonstrate a solid basis for expecting
publication through that organization, even though not actually employed by it. A
publication contract would be the clearest proof, but agencies may also look to
the past publication record of a requestor in making this determination:

Reproduction

Administrative Law

32 CFR § 1700.2(d) [32 CFR CHAPTER XVII—OFFICE OF THE
DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—
PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO
THE FREEDOM OF INFORMATION ACT]

For purposes of this Part, the following terms have the meanings indicated:
(d) Reproduction
means generation of a copy of a requested record in a form appropriate for
release;

Request for Access

Administrative Law

28 CFR § 16.40(b)(2) [28 CFR PART 16—PRODUCTION OR
DISCLOSURE OF MATERIAL OR INFORMATION: SUBPART D—
Protection of Privacy and Access to Individual Records Under the
Privacy Act of 1974]

As used in this subpart:
[...]

(2) Request for access
to a record means a request made under Privacy Act subsection (d)(1).

Request for Amendment or Correction

Administrative Law

28 CFR § 16.40(b)(3) [28 CFR PART 16—PRODUCTION OR
DISCLOSURE OF MATERIAL OR INFORMATION: SUBPART D—
Protection of Privacy and Access to Individual Records Under the
Privacy Act of 1974]

As used in this subpart:
[...]

Page 503
(3) Request for amendment or correction of a record means a request made under Privacy Act subsection (d)(2).

**Request for an Accounting**

**Administrative Law**


As used in this subpart:

(4) Request for an accounting means a request made under Privacy Act subsection (c)(3).

**Requester**

**Administrative Law**


As used in this subpart:

(5) Requester means an individual who makes a request for access, a request for amendment or correction, or a request for an accounting under the Privacy Act.


For purposes of this part, the following terms have the meanings indicated:

Requester or individual means a citizen of the United States or an alien lawfully admitted for permanent residence who is a living being and to whom a record might pertain;

32 CFR § 1901.02(k) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974]

For purposes of this part, the following terms have the meanings indicated:
(k) Requester or individual means a citizen of the United States or an alien lawfully admitted for permanent residence who is a living being and to whom a record might pertain;

Research

Administrative Law

28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

(d) Research means a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge. Activities which meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under a program which is considered research for other purposes. For example, some demonstration and service programs may include research activities.

Research or Statistical Project

Administrative Law

28 CFR § 22.2(c) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

[…]

(c) Research or statistical project means any program, project, or component thereof which is supported in whole or in part with funds appropriated under the Act and whose purpose is to develop, measure, evaluate, or otherwise advance the state of knowledge in a particular area. The term does not include “intelligence” or other information-gathering activities in which information pertaining to specific individuals is obtained for purposes directly related to enforcement of the criminal laws.

Research or Statistical Information

Administrative Law

28 CFR § 22.2(d) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

[…]

(d) Research or statistical information
means any information which is collected during the conduct of a research or statistical project and which is intended to be utilized for research or statistical purposes. The term includes information which is collected directly from the individual or obtained from any agency or individual having possession, knowledge, or control thereof.

Research Subject to Regulation

Administrative Law

28 CFR § 46.102: Definitions [28 CFR PART 46—PROTECTION OF HUMAN SUBJECTS]

(e) Research subject to regulation, and similar terms are intended to encompass those research activities for which a federal department or agency has specific responsibility for regulating as a research activity, (for example, Investigational New Drug requirements administered by the Food and Drug Administration). It does not include research activities which are incidentally regulated by a federal department or agency solely as part of the department's or agency's broader responsibility to regulate certain types of activities whether research or non-research in nature (for example, Wage and Hour requirements administered by the Department of Labor).

Reserve Components

Statutory Law

10 U.S.C. § 101(c) (2010) (Title 10—Chapter 1: Definitions)

(c) Reserve components. The following definitions relating to the reserve components apply in this title:

(1) The term "National Guard" means the Army National Guard and the Air National Guard.

(2) The term "Army National Guard" means that part of the organized militia of the several States and Territories, Puerto Rico, and the District of Columbia, active and inactive, that—

(A) is a land force;

(B) is trained, and has its officers appointed, under the sixteenth clause of section 8, article I, of the Constitution;

(C) is organized, armed, and equipped wholly or partly at Federal expense; and

(D) is federally recognized.
(3) The term "Army National Guard of the United States" means the reserve component of the Army all of whose members are members of the Army National Guard.

(4) The term "Air National Guard" means that part of the organized militia of the several States and Territories, Puerto Rico, and the District of Columbia, active and inactive, that—
(A) is an air force;
(B) is trained, and has its officers appointed, under the sixteenth clause of section 8, article I, of the Constitution;
(C) is organized, armed, and equipped wholly or partly at Federal expense; and
(D) is federally recognized.

(5) The term "Air National Guard of the United States" means the reserve component of the Air Force all of whose members are members of the Air National Guard.

(6) The term "reserve", with respect to an enlistment, appointment, grade, or office, means enlistment, appointment, grade, or office held as a Reserve of one of the armed forces.

(7) The term "reserve active-status list" means a single list for the Army, Navy, Air Force, or Marine Corps (required to be maintained under section 14002 of this title [10 U.S.C. § 14002]) that contains the names of all officers of that armed force except warrant officers (including commissioned warrant officers) who are in an active status in a reserve component of the Army, Navy, Air Force, or Marine Corps and are not on an active-duty list.

Residence

Statutory Law

(a) As used in this Act—
(33) The term "residence" means the place of general abode; the place of general abode of a person means his principal, actual dwelling place in fact, without regard to intent.

Administrative Law
28 CFR § 21.1(e) [28 CFR PART 21—WITNESS FEES]

 [...] 

(e) Residence.
The term residence is not limited to the legal residence, but includes any place at which the witness is actually residing and at which the subpoena or summons is served. If the residence of the witness at the time of appearance is different from
the place of subpoena or summons, the new place of residence shall be considered the witness' residence for computation of the transportation allowance; but, if the witness is on a business or vacation trip at the time of appearance, the witness shall be paid for travel from the place of service if this does not result in the witness being paid for more travel than is actually performed.

**Responsive Record**

**Administrative Law**

32 CFR § 1800.2 [32 CFR CHAPTER XVIII—NATIONAL COUNTERINTELLIGENCE CENTER: 32 CFR PART 1800—PUBLIC ACCESS TO NACIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

[...]

Responsive records
means those documents (i.e., records) which NACIC has determined to be within the scope of a FOIA request.


For purposes of this part, the following terms have the meanings indicated:

[...]

Responsive record
means those documents (records) which NACIC has determined to be within the scope of a Privacy Act request;

32 CFR § 1900.02(o) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)]

For purposes of this part, the following terms have the meanings indicated:

(o) Responsive records
means those documents (i.e., records) which the Agency has determined to be within the scope of a FOIA request.

32 CFR § 1901.02(l) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974]

For purposes of this part, the following terms have the meanings indicated:

(l) Responsive record
means those documents (records) which the Agency has determined to be within the scope of a Privacy Act request;

**Restricted Data**

**Statutory Law**


For purposes of this title:

(4) The term "Restricted Data" has the meaning given such term in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).

**Restricted Portal**

**Administrative Law**

Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (h) (August 18, 2010)

For purposes of this order:

(h) “Restricted portal” means a protected community of interest or similar area housed within an information system and to which access is controlled by a host agency different from the agency that controls the information system.

**Retention**

**Administrative Law**


The term "retention," as used in this procedure, refers only to the maintenance of information about United States persons that can be retrieved by reference to the person’s name or other identifying data.
Review

Administrative Law

32 CFR § 1700.2(e) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

For purposes of this Part, the following terms have the meanings indicated:

(e) Review

means all time expended in examining a record to determine whether any portion must be withheld pursuant to law and in effecting any required deletions but excludes personnel hours expended in resolving general legal or policy issues; it also means personnel hours of professional time;

Riot

Statutory Law


(a) As used in this chapter, the term "riot" means a public disturbance involving (1) an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual or (2) a threat or threats of the commission of an act or acts of violence by one or more persons part of an assemblage of three or more persons having, individually or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened act or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual.


(b) As used in this chapter, the term "to incite a riot", or "to organize, promote, encourage, participate in, or carry on a riot", includes, but is not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written (1) advocacy of ideas or (2) expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of, or the right to commit, any such act or acts.
Risk Management Principles

Administrative Law


(r) Risk management principles means the principles applied for assessing threats and vulnerabilities and implementing security countermeasures while maximizing the sharing of information to achieve an acceptable level of risk at an acceptable cost.

Routine

Administrative Law


For purposes of this subpart, the following terms have the meanings indicated:
[...]
Routine use means the disclosure of a record outside ODNI, without the consent of the subject individual, for a purpose which is compatible with the purpose for which the record was collected. It does not include disclosure which the Privacy Act otherwise permits pursuant to subsection (b) of the Act.

Routine Use

Administrative Law


For purposes of this part, the following terms have the meanings indicated:
[...]
Routine use means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which the record is maintained;
32 CFR § 1901.02(m) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974]

For purposes of this part, the following terms have the meanings indicated:

(m) Routine use
means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which the record is maintained;

32 CFR § 2102.3 (e) [32 CFR CHAPTER XXI—NATIONAL SECURITY COUNCIL: 32 CFR PART 2102—RULES AND REGULATIONS TO IMPLEMENT THE PRIVACY ACT OF 1974]

As used in these regulations:

(e) Routine Use.
With respect to the disclosure of a record, the use of such a record in a manner which is compatible with the purpose for which it was collected.

Rule

Statutory Law


“Rule” means the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency and includes the approval or prescription for the future of rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor or of valuations, costs, or accounting, or practices bearing on any of the foregoing.

Rulemaking

Statutory Law


“Rule Making” means agency process for formulating, amending, or repealing a rule.

NOTE: "Rule" is defined in 5 U.S.C. § 551(4) (2010) (Title 5—Chapter 5: Administrative Procedure) (“'Rule' means the whole or a part of an agency statement of general or particular applicability and future effect designed to
implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency and includes the approval or prescription for the future of rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor or of valuations, costs, or accounting, or practices bearing on any of the foregoing.”).

**Sabotage**

**Statutory Law**


“Sabotage” means activities that involve a violation of chapter 105 of title 18, United States Code [18 U.S.C. §§ 2151 et seq.], or that would involve such a violation if committed against the United States.

**Safeguarding**

**Administrative Law**


“Safeguarding” means measures and controls that are prescribed to protect classified information.

Executive Order 13,526, Classified National Security Information, § 6.1 (kk) (December 29, 2009)

For purposes of this order:

(kk) "Safeguarding" means measures and controls that are prescribed to protect classified information.

**Salvage Automobile**

**Administrative Law**


For purposes of this subpart B:

[...]
Salvage automobile means an automobile that is damaged by collision, fire, flood, accident, trespass, or other event, to the extent that its fair salvage value plus the cost of repairing the automobile for legal operation on public streets, roads, and highways would be more than the fair market value of the automobile immediately before the event that caused the damage. Salvage automobiles include automobiles determined to be a total loss under the law of the applicable jurisdiction or designated as a total loss by an insurer under the terms of its policies, regardless of whether or not the ownership of the vehicle is transferred to the insurance carrier.

Salvage Yard

Administrative Law


For purposes of this subpart B:

Salvage yard means an individual or entity engaged in the business of acquiring or owning salvage automobiles for—

1. Resale in their entirety or as spare parts; or
2. Rebuilding, restoration, or crushing.

Note to definition of “Salvage yard”: For purposes of this subpart, vehicle remarketers and vehicle recyclers, including scrap vehicle shredders and scrap metal processors as well as “pull- or pick-apart yards,” salvage pools, salvage auctions, and other types of auctions handling salvage or junk vehicles (including vehicles declared a “total loss”), are included in the definition of “junk or salvage yards.”

SAMs

Surface-to-air missiles
Sanction

Statutory Law


“Sanction” includes the whole or a part of an agency—
(A) prohibition, requirement, limitation, or other condition affecting the freedom of a person;
(B) withholding of relief;
(C) imposition of penalty or fine;
(D) destruction, taking, seizure, or withholding of property;
(E) assessment of damages, reimbursement, restitution, compensation, costs, charges, or fees;
(F) requirement, revocation, or suspension of a license; or
(G) taking other compulsory or restrictive action.

SAS
British Special Air Services

SBS
British Special Boat Services

SCI
Sensitive Compartmented Information

SCI Level

Statutory Law


(f) Definitions. In this section:
(5) The term "Sensitive Compartmented Information (SCI) level", in the case of classified material, means a level of classification for information in such material

Page 515
concerning or derived from intelligence sources, methods, or analytical processes that requires such information to be handled within formal access control systems established by the Director of Central Intelligence.

**SCIF**
Sensitive Compartmented Information Facility

**SDI**
Strategic Defense Initiative

**Search**

Administrative Law

32 CFR § 1700.2(f) [32 CFR CHAPTER XVII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE: 32 CFR PART 1700—PROCEDURES FOR DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION ACT]

For purposes of this Part, the following terms have the meanings indicated:

(f) Search
means all time expended in looking for and retrieving material that may be responsive to a request utilizing available paper and electronic indices and finding aids; it also means personnel hours of professional time or the dollar value equivalent in computer searches;

**Secret**

Administrative Law

32 CFR § 2400.6 (a)(2) [32 CFR CHAPTER XXIV—OFFICE OF SCIENCE AND TECHNOLOGY POLICY: 32 CFR PART 2400—REGULATIONS TO IMPLEMENT E.O. 12356; OFFICE OF SCIENCE AND TECHNOLOGY POLICY INFORMATION SECURITY PROGRAM]

[...]

(2) “Secret” shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause serious damage to the national security.
Secretary of State

**Administrative Law**

28 CFR § 5.100 (a)(4) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(a) As used in this part:

(4) The term Secretary of State means the Secretary of State of the United States.

Security-in-Depth

**Administrative Law**


(s) Security-in-depth means a determination by the agency head that a facility's security program consists of layered and complementary security controls sufficient to deter and detect unauthorized entry and movement within the facility. Examples include, but are not limited to, use of perimeter fences, employee and visitor access controls, use of an Intrusion Detection System (IDS), random guard patrols throughout the facility during nonworking hours, closed circuit video monitoring or other safeguards that mitigate the vulnerability of open storage areas without alarms and security storage cabinets during nonworking hours.

Security Services

**Administrative Law**

28 CFR § 105.22(h) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment]

As used in this subpart:

[...]

(h) Security services means services, whether provided by a third party for consideration, or by employees as an internal, proprietary function, to protect people or property,
including activities to: Patrol, guard, or monitor property (including real property as well as tangible or intangible personal property such as records, merchandise, money, and equipment); protect against fire, theft, misappropriation, vandalism, violence, terrorism, and other illegal activity; safeguard persons; control access to real property and prevent trespass; or deter criminal activity on the authorized employer's or another's premises. This definition does not cover services by the employees described in § 105.22(f) as excluded from the definition of private security officer.

**SEIB**
Senior Executive Intelligence Brief

**Self-Inspection**

**Administrative Law**


“Self-inspection” means the internal review and evaluation of individual agency activities and the agency as a whole with respect to the implementation of the program established under this order and its implementing directives.

*Executive Order 13,526, Classified National Security Information, § 6.1 (ll) (December 29, 2009)*

For purposes of this order:
(ll) "Self-inspection" means the internal review and evaluation of individual agency activities and the agency as a whole with respect to the implementation of the program established under this order and its implementing directives.

**Sending State**

**Statutory Law**


(a) For purposes of this title—
(6) "sending State" means the foreign government, territory, or political entity represented by a foreign mission;
Senior Agency Official

Administrative Law


“Senior agency official” means the official designated by the agency head under section 5.4(d) of this order to direct and administer the agency's program under which information is classified, safeguarded, and declassified.

Executive Order 13,526, Classified National Security Information, § 6.1 (mm) (December 29, 2009)

For purposes of this order:

(mm) "Senior agency official" means the official designated by the agency head under section 5.4(d) of this order to direct and administer the agency's program under which information is classified, safeguarded, and declassified.

Senior Executive Service Position

Statutory Law


(2) "Senior Executive Service position" means any position in an agency which is classified above GS-15 pursuant to section 5108 [5 U.S.C. § 5108] or in level IV or V of the Executive Schedule, or an equivalent position, which is not required to be filled by an appointment by the President by and with the advice and consent of the Senate, and in which an employee—

(A) directs the work of an organizational unit;

(B) is held accountable for the success of one or more specific programs or projects;

(C) monitors progress toward organizational goals and periodically evaluated and makes appropriate adjustments to such goals;

(D) supervises the work of employees other than personal assistants; or

(E) otherwise exercises important policy-making, policy-determining, or other executive functions;

but does not include—

(i) any position in the Foreign Service of the United States; or

(ii) an administrative law judge position under section 3105 of this title [5 U.S.C. § 3105];

(iii) [Deleted]
Sensitive Compartmented Information Level

Statutory Law


(f) Definitions. In this section:

(5) The term "Sensitive Compartmented Information (SCI) level", in the case of classified material, means a level of classification for information in such material concerning or derived from intelligence sources, methods, or analytical processes that requires such information to be handled within formal access control systems established by the Director of Central Intelligence.

Sensitive Investigative Matter

Administrative Law


An investigative matter involving the activities of a domestic public official or political candidate (involving corruption or a threat to the national security), religious or political organization or individual prominent in such an organization, or news media, or any other matter which, in the judgment of the official authorizing an investigation, should be brought to the attention of FBI Headquarters and other Department of Justice officials.

Sensitive Monitoring Circumstance

Administrative Law

The Attorney General's Guidelines for Domestic FBI Operations § VII (O) (Sept. 29, 2008)

1. investigation of a member of Congress, a federal judge, a member of the Executive Branch at Executive Level IV or above, or a person who has served in such capacity within the previous two years;
2. investigation of the Governor, Lieutenant Governor, or Attorney General of any state or territory, or a judge or justice of the highest court of any state or territory, concerning an offense involving bribery, conflict of interest, or extortion related to the performance of official duties;
3. a party to the communication is in the custody of the Bureau of Prisons or the United States Marshals Service or is being or has been afforded protection in the Witness Security Program; or
4. the Attorney General, the Deputy Attorney General, or an Assistant Attorney General has requested that the FBI obtain prior approval for the use of consensual monitoring in a specific investigation.

**Serious Bodily Injury**

**Statutory Law**


As used in this subchapter:

[...]

(25) The term “serious bodily injury” means bodily injury which involves—
   (A) a substantial risk of death;
   (B) protracted and obvious disfigurement; or
   (C) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

**Services**

**Statutory Law**


[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:

(16) Services. The term "services" includes any effort that is needed for or incidental to—
   (A) the development, production, processing, distribution, delivery, or use of an industrial resource or a critical technology item;
   (B) the construction of facilities;
   (C) the movement of individuals and property by all modes of civil transportation; or
   (D) other national defense programs and activities.
Servicing

**Statutory Law**

44 U.S.C. § 2901(9) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)

As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.]—

(9) the term "servicing" means making available for use information in records and other materials in the custody of the Archivist, or in a records center—

(A) by furnishing the records or other materials, or information from them, or copies or reproductions thereof, to any Federal agency for official use, or to the public; or

(B) by making and furnishing authenticated or unauthenticated copies or reproductions of the records or other materials;

Severe Forms of Trafficking in Persons

**Statutory Law**


In this division:

(8) Severe forms of trafficking in persons. The term "severe forms of trafficking in persons" means—

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

Severe Mental Pain or Suffering

**Statutory Law**


As used in this chapter [18 U.S.C. §§ 2340 et seq.]—

(2) "severe mental pain or suffering" means the prolonged mental harm caused by or resulting from—
(A) the intentional infliction or threatened infliction of severe physical pain or suffering;
(B) the administration or application, or threatened administration or application, of mind-altering substances or other procedures calculated to disrupt profoundly the senses or the personality;
(C) the threat of imminent death; or
(D) the threat that another person will imminently be subjected to death, severe physical pain or suffering, or the administration or application of mind-altering substances or other procedures calculated to disrupt profoundly the senses or personality;

Sex Trafficking

Statutory Law


In this division:
(9) Sex trafficking. The term "sex trafficking" means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

SGAC
Senate Governmental Affairs Committee

Short Form Registration Statement

Administrative Law

28 CFR § 5.100 (a)(12) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(a) As used in this part:
(12) The term short form registration statement means the registration statement required to be filed by certain partners, officers, directors, associates, employees, and agents of a registrant.
SIB

Administrative Law

28 CFR § 105.22(i) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment]

As used in this subpart:
[...]
(i) State Identification Bureau (SIB)
means the state agency designated by the Governor or other appropriate executive official or the state legislature to perform centralized recordkeeping functions for criminal history records and associated services in the States.

SIGINT

Signals intelligence

Signals Intelligence

Administrative Law

Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § DL1.1.23 (Dec. 1982): Signals Intelligence

A category of intelligence including communications intelligence, electronic intelligence, and foreign instrumentation signals intelligence, either individually or in combination.

Small Business Concern

Statutory Law


[NOTE: See 50 U.S.C. Appx § 2166(a) for information regarding the termination of this section.]

For purposes of this Act [50 U.S.C. Appx. §§ 2061 et seq.], the following definitions shall apply:

(17) Small business concern. The term "small business concern" means a business concern that meets the requirements of section 3(a) of the Small
Business Act [15 U.S.C. § 632(a)] and the regulations promulgated pursuant to that section, and includes such business concerns owned and controlled by socially and economically disadvantaged individuals or by women.

**SMO**
Support to military operations

**SMS**
Secretary’s Morning Summary

**SOCOM**
Special Operations Command

**Source Document**

**Administrative Law**


“Source document” means an existing document that contains classified information that is incorporated, paraphrased, restated, or generated in new form into a new document.

*Executive Order 13,526, Classified National Security Information, § 6.1 (nn) (December 29, 2009)*

For purposes of this order:

(nn) "Source document" means an existing document that contains classified information that is incorporated, paraphrased, restated, or generated in new form into a new document.

**SPA**
Special political action
Special Access Program

Administrative Law


“Special access program” means a program established for a specific class of classified information that imposes safeguarding and access requirements that exceed those normally required for information at the same classification level.

*Executive Order 13,526, Classified National Security Information, § 6.1 (oo) (December 29, 2009)*

For purposes of this order:

(oo) "Special access program" means a program established for a specific class of classified information that imposes safeguarding and access requirements that exceed those normally required for information at the same classification level.

Special Agent in Charge

Administrative Law

*The Attorney General’s Guidelines for Domestic FBI Operations § VII (P) (Sept. 29, 2008)*

The Special Agent in Charge of an FBI field office (including an Acting Special Agent in Charge), except that the functions authorized for Special Agents in Charge by these Guidelines may also be exercised by the Assistant Director in Charge or by any Special Agent in Charge designated by the Assistant Director in Charge in an FBI field office headed by an Assistant Director, and by FBI Headquarters officials designated by the Director of the FBI.

Special Events Management

Administrative Law

*The Attorney General’s Guidelines for Domestic FBI Operations § VII (Q) (Sept. 29, 2008)*

Planning and conduct of public events or activities whose character may make them attractive targets for terrorist attack.
Special Immigrant

Statutory Law


(a) As used in this Act—

(27) The term "special immigrant" means—

(A) an immigrant, lawfully admitted for permanent residence, who is returning from a temporary visit abroad;

(B) an immigrant who was a citizen of the United States and may, under section 324(a) or 327 of title III [8 U.S.C. §§ 1435(a) or 1438], apply for reacquisition of citizenship;

(C) an immigrant, and the immigrant's spouse and children if accompanying or following to join the immigrant, who—

(i) for at least 2 years immediately preceding the time of application for admission, has been a member of a religious denomination having a bona fide nonprofit, religious organization in the United States;

(ii) seeks to enter the United States—

(I) solely for the purpose of carrying on the vocation of a minister of that religious denomination,

(II) before September 30, 2012, in order to work for the organization at the request of the organization in a professional capacity in a religious vocation or occupation, or

(III) before September 30, 2012, in order to work for the organization (or for a bona fide organization which is affiliated with the religious denomination and is exempt from taxation as an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 [26 U.S.C. § 501(c)(3)]) at the request of the organization in a religious vocation or occupation; and

(iii) has been carrying on such vocation, professional work, or other work continuously for at least the 2-year period described in clause (i);

(D) an immigrant who is an employee, or an honorably retired former employee, of the United States Government abroad, or of the American Institute in Taiwan, and who has performed faithful service for a total of fifteen years, or more, and his accompanying spouse and children: Provided, That the principal officer of a Foreign Service establishment (or, in the case of the American Institute in Taiwan, the Director thereof), in his discretion, shall have recommended the granting of special immigrant status to such alien in exceptional circumstances and the Secretary of State approves such recommendation and finds that it is in the national interest to grant such status;

(E) an immigrant, and his accompanying spouse and children, who is or has been an employee of the Panama Canal Company or Canal Zone Government before the date on which the Panama Canal Treaty of 1977 (as described in section 3(a)(1) of the Panama Canal Act of 1979 [22 U.S.C. § 3602(a)(1)]) enters into force, who was resident in the Canal Zone on the effective date of the
exchange of instruments of ratification of such Treaty, and who has performed faithful service as such an employee for one year or more;

(F) an immigrant, and his accompanying spouse and children, who is a Panamanian national and (i) who, before the date on which such Panama Canal Treaty of 1977 enters into force, has been honorably retired from United States Government employment in the Canal Zone with a total of 15 years or more of faithful service, or (ii) who, on the date on which such Treaty enters into force, has been employed by the United States Government in the Canal Zone with a total of 15 years or more of faithful service and who subsequently is honorably retired from such employment or continues to be employed by the United States Government in an area of the former Canal Zone;

(G) an immigrant, and his accompanying spouse and children, who was an employee of the Panama Canal Company or Canal Zone Government on the effective date of the exchange of instruments of ratification of such Panama Canal Treaty of 1977, who has performed faithful service for five years or more as such an employee, and whose personal safety, or the personal safety of whose spouse or children, as a direct result of such Treaty, is reasonably placed in danger because of the special nature of any of that employment;

(H) an immigrant, and his accompanying spouse and children, who—

(i) has graduated from a medical school or has qualified to practice medicine in a foreign state,

(ii) was fully and permanently licensed to practice medicine in a State on January 9, 1978, and was practicing medicine in a State on that date,

(iii) entered the United States as a nonimmigrant under subsection (a)(15)(H) or (a)(15)(J) before January 10, 1978, and

(iv) has been continuously present in the United States in the practice or study of medicine since the date of such entry;

(I) (i) an immigrant who is the unmarried son or of an officer or employee, or of a former officer or employee, of an international organization described in paragraph (15)(G)(i), and who (I) while maintaining the status of a nonimmigrant under paragraph (15)(G)(iv) or paragraph (15)(N), has resided and been physically present in the United States for periods totaling at least one-half of the seven years before the date of application for a visa or for adjustment of status to a status under this subparagraph and for a period or periods aggregating at least seven years between the ages of five and 21 years, and (II) applies for a visa or adjustment of status under this subparagraph no later than his twenty-fifth birthday or six months after the date of enactment of the Immigration Technical Corrections Act of 1988 [enacted Oct. 24, 1988], whichever is later;

(ii) an immigrant who is the surviving spouse of a deceased officer or employee of such an international organization, and who (I) while maintaining the status of a nonimmigrant under paragraph (15)(G)(iv) or paragraph (15)(N), has resided and been physically present in the United States for periods totaling at least one-half of the seven years before the date of application for a visa or for adjustment of status to a status under this subparagraph and for a period or periods aggregating at least 15 years before the date of the death of such officer or employee, and (II) files a petition for status under this subparagraph no later
than six months after the date of such death or six months after the date of enactment of the Immigration Technical Corrections Act of 1988 [enacted Oct. 24, 1988], whichever is later;

(iii) an immigrant who is a retired officer or employee of such an international organization, and who (I) while maintaining the status of a nonimmigrant under paragraph (15)(G)(iv), has resided and been physically present in the United States for periods totaling at least one-half of the seven years before the date of application for a visa or for adjustment of status to a status under this subparagraph and for a period or periods aggregating at least 15 years before the date of the officer or employee's retirement from any such international organization, and (II) files a petition for status under this subparagraph no later than six months after the date of such retirement or six months after the date of enactment of the Immigration and Nationality Technical Corrections Act of 1994 [enacted Oct. 25, 1994], whichever is later; or

(iv) an immigrant who is the spouse of a retired officer or employee accorded the status of special immigrant under clause (iii), accompanying or following to join such retired officer or employee as a member of his immediate family;

(J) an immigrant who is present in the United States—

(i) who has been declared dependent on a juvenile court located in the United States or whom such a court has legally committed to, or placed under the custody of, an agency or department of a State, or an individual or entity appointed by a State or juvenile court located in the United States, and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law;

(ii) for whom it has been determined in administrative or judicial proceedings that it would not be in the alien's best interest to be returned to the alien's or parent's previous country of nationality or country of last habitual residence; and

(iii) in whose case the Secretary of Homeland Security consents to the grant of special immigrant juvenile status, except that—

(I) no juvenile court has jurisdiction to determine the custody status or placement of an alien in the custody of the Secretary of Health and Human Services unless the Secretary of Health and Human Services specifically consents to such jurisdiction; and

(II) no natural parent or prior adoptive parent of any alien provided special immigrant status under this subparagraph shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this Act;

(K) an immigrant who has served honorably on active duty in the Armed Forces of the United States after October 15, 1978, and after original lawful enlistment outside the United States (under a treaty or agreement in effect on the date of the enactment of this subparagraph) for a period or periods aggregating—

(i) 12 years and who, if separated from such service, was never separated except under honorable conditions, or
(ii) 6 years, in the case of an immigrant who is on active duty at the time of seeking special immigrant status under this subparagraph and who has reenlisted to incur a total active duty service obligation of at least 12 years, and the spouse or child of any such immigrant if accompanying or following to join the immigrant, but only if the executive department under which the immigrant serves or served recommends the granting of special immigrant status to the immigrant;

(L) an immigrant who would be described in clause (i), (ii), (iii), or (iv) of subparagraph (I) if any reference in such a clause—

(i) to an international organization described in paragraph (15)(G)(i) were treated as a reference to the North Atlantic Treaty Organization (NATO);

(ii) to a nonimmigrant under paragraph (15)(G)(iv) were treated as a reference to a non-immigrant classifiable under NATO-6 (as a member of a civilian component accompanying a force entering in accordance with the provisions of the NATO Status-of-Forces Agreement, a member of a civilian component attached to or employed by an Allied Headquarters under the "Protocol on the Status of International Military Headquarters" set up pursuant to the North Atlantic Treaty, or as a dependent); and

(iii) to the Immigration Technical Corrections Act of 1988 or to the Immigration and Nationality Technical Corrections Act of 1994 were a reference to the American Competitiveness and Workforce Improvement Act of 1998[; or]

(M) subject to the numerical limitations of section 203(b)(4) [8 U.S.C. § 1153(b)(4)], an immigrant who seeks to enter the United States to work as a broadcaster in the United States for the International Broadcasting Bureau of the Broadcasting Board of Governors, or for a grantee of the Broadcasting Board of Governors, and the immigrant's accompanying spouse and children.

Sponsoring Agency

Administrative Law

Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (i) (August 18, 2010)

For purposes of this order:

(i) “Sponsoring Agency” means an agency that recommends access to or possession of classified information by SLTPS personnel.
Spouse

Statutory Law


(a) As used in this Act—
(35) The term [terms] "spouse," "wife," or "husband" do not include a spouse, wife, or husband by reason of any marriage ceremony where the contracting parties thereto are not physically present in the presence of each other, unless the marriage shall have been consummated.

Staff

Administrative Law


For purposes of this subpart, the following terms have the meanings indicated:
[...]
Staff
means any current or former regular or special employee, detailee, assignee, employee of a contracting organization, or independent contractor of the ODNI or any of its components.

START
Strategic Arms Reduction Treaty

State

Statutory Law


(a) As used in this Act—
(36) The term "State" includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.
As used in this chapter [18 U.S.C. §§ 1961 et seq.]—
(2) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, any political subdivision, agency, or instrumentality thereof;

18 U.S.C. § 2510(3) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)
As used in this chapter [18 U.S.C. §§ 2510 et seq.]—
(3) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States;

As used in this chapter [18 U.S.C. §§ 3071 et seq.], the term—
(5) "State" includes any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other possession or territory of the United States;

As used in this subchapter:
[...]
(26) The term "State" means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

In this division:
(10) State. The term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and territories and possessions of the United States.

For purposes of this title [50 U.S.C. §§ 435 et seq.]—
(7) the term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, and any other possession of the United States;
Administrative Law

Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (j) (August 18, 2010)

For purposes of this order:
(j) “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States, as defined in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101(15)).

28 CFR § 20.3(r) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]

As used in these regulations:
[…]
(r) State means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.


For purposes of this subpart B:
[…]
State means a state of the United States or the District of Columbia.

28 CFR § 65.70(d) [28 CFR PART 65—EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE]
[…]
(d) State. The term state is defined by the Act as any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, or the Commonwealth of the Northern Mariana Islands.

28 CFR § 69.105(q) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:
[…]
(q) State means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, a territory or possession of the United States, an agency or
instrumentality of a State, and a multi-State, regional, or interstate entity having governmental duties and powers.

**State-Assigned Transaction Number**

**Administrative Law**


[...]

STN (State-Assigned Transaction Number)
means a unique number that may be assigned by a POC to a valid background check inquiry.

**State Identification Bureau**

**Administrative Law**

28 CFR § 105.22(i) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS: Subpart C—Private Security Officer Employment]

As used in this subpart:

[...]

(i) State Identification Bureau (SIB)
means the state agency designated by the Governor or other appropriate executive official or the state legislature to perform centralized recordkeeping functions for criminal history records and associated services in the States.

**State Law**

**Administrative Law**

32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS]

As used in this part:
State law.
The applicable and non-conflicting laws, statutes, regulations, ordinances, and codes of the State(s) and other political subdivision(s) within whose exterior boundaries an Agency installation or a portion thereof is located.
State Laws and Rules and Local Federal Court Rules Governing Attorneys

Administrative Law

28 CFR § 77.2(h) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT]

As used in this part, the following terms shall have the following meanings, unless the context indicates otherwise:

[...]

(h) The phrase “state laws and rules and local federal court rules governing attorneys” means rules enacted or adopted by any State or Territory of the United States or the District of Columbia or by any federal court, that prescribe ethical conduct for attorneys and that would subject an attorney, whether or not a Department attorney, to professional discipline, such as a code of professional responsibility. The phrase does not include:

(1) Any statute, rule, or regulation which does not govern ethical conduct, such as rules of procedure, evidence, or substantive law, whether or not such rule is included in a code of professional responsibility for attorneys;

(2) Any statute, rule, or regulation that purports to govern the conduct of any class of persons other than attorneys, such as rules that govern the conduct of all litigants and judges, as well as attorneys; or

(3) A statute, rule, or regulation requiring licensure or membership in a particular state bar.

State, Local, or Tribal

Administrative Law

The Attorney General’s Guidelines for Domestic FBI Operations § VII (R) (Sept. 29, 2008)

Any state or territory of the United States or political subdivision thereof, the District of Columbia, or Indian tribe.

State, Local, and Tribal Personnel

Administrative Law

Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (k) (August 18, 2010)

For purposes of this order:
(k) “State, local, and tribal personnel” means any of the following persons:
   (1) Governors, mayors, tribal leaders, and other elected or appointed officials of a State, local government, or tribe;
   (2) State, local, and tribal law enforcement personnel and firefighters;
   (3) public health, radiological health, and medical professionals of a State, local government, or tribe; and
   (4) regional, State, local, and tribal emergency management agency personnel, including State Adjutants General and other appropriate public safety personnel and those personnel providing support to a Federal CIKR mission.

State of Licensure

Administrative Law

28 CFR § 77.2(i) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT]
As used in this part, the following terms shall have the following meanings, unless the context indicates otherwise:

(i) The phrase “state of licensure” means the District of Columbia or any State or Territory where a Department attorney is duly licensed and authorized to practice as an attorney. This term shall be construed in the same manner as it has been construed pursuant to the provisions of Pub. L. 96-132, 93 Stat. 1040, 1044 (1979), and Sec. 102 of the Departments of Commerce, Justice and State, the Judiciary, and Related Agency Appropriations Act, 1999, Pub. L. 105-277.

Statute

Administrative Law

28 CFR § 20.3(s) [28 CFR PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS]
As used in these regulations:

(s) Statute
means an Act of Congress or of a state legislature or a provision of the Constitution of the United States or of a state.
STN

Administrative Law

[...]
STN (State-Assigned Transaction Number) means a unique number that may be assigned by a POC to a valid background check inquiry.

Stowaway

Statutory Law

(a) As used in this Act—
(49) The term "stowaway" means any alien who obtains transportation without the consent of the owner, charterer, master or person in command of any vessel or aircraft through concealment aboard such vessel or aircraft. A passenger who boards with a valid ticket is not to be considered a stowaway.

STRATCOM
Strategic Forces Command

Subject

Administrative Law

For purposes of this subpart, the following terms have the meanings indicated:
[...]
Subject individual means the person to whom a record pertains (or “record subject”).
Substantial

Statutory Law


(a) As used in this Act—

(45) The term "substantial" means, for purposes of paragraph (15)(E) with reference to trade or capital, such an amount of trade or capital as is established by the Secretary of State, after consultation with appropriate agencies of Government.

Summons

Administrative Law

28 CFR § 21.1(f) [28 CFR PART 21—WITNESS FEES]

[…]

(f) Summons.
An official request, invitation or call, evidenced by an official writing of the court, authority, or party responsible for the conduct of the proceeding.

Supervisory Official of the Department of Justice

Administrative Law

28 CFR § 59.2(e) [28 CFR PART 59—GUIDELINES ON METHODS OF OBTAINING DOCUMENTARY MATERIALS HELD BY THIRD PARTIES]

As used in this part—

[…]

(e) The term supervisory official of the Department of Justice means the supervising attorney for the section, office, or branch within the Department of Justice which is responsible for the investigation or prosecution of the offense at issue, or any of his superiors.

Supplemental Controls

Administrative Law

(t) Supplemental controls means prescribed procedures or systems that provide security control measures designed to augment the physical protection of classified information. Examples of supplemental controls include intrusion detection systems, periodic inspections of security containers or areas, and security-in-depth.

Supplemental Statement

Administrative Law

28 CFR § 5.100 (a)(10) [28 CFR PART 5—ADMINISTRATION AND ENFORCEMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED]

(a) As used in this part:

(10) The term supplemental statement means the supplement required to be filed with the Attorney General under section 2(b) of the Act at intervals of 6 months following the filing of the initial statement.

Suspension

Statutory Law


“Suspension” means the placing of an employee, for disciplinary reasons, in a temporary status without duties and pay.

Systems of Records

Administrative Law


For purposes of this subpart, the following terms have the meanings indicated:

[...]

System of records
means a group of records under ODNI's control from which information about an individual is retrieved by the name of the individual or by an identifying number, symbol, or other particular assigned to the individual. Single records or groups of records which are not retrieved by a personal identifier are not part of a system of records.


For purposes of this part, the following terms have the meanings indicated:

System of records
means a group of any records under the control of NACIC from which records are retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to that individual.

32 CFR § 1901.02(n) [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1901—PUBLIC RIGHTS UNDER THE PRIVACY ACT OF 1974]

For purposes of this part, the following terms have the meanings indicated:

(n) System of records
means a group of any records under the control of the Central Intelligence Agency from which records are retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to that individual.

32 CFR § 2102.3 (c) [32 CFR CHAPTER XXI—NATIONAL SECURITY COUNCIL: 32 CFR PART 2102—RULES AND REGULATIONS TO IMPLEMENT THE PRIVACY ACT OF 1974]

As used in these regulations:

(c) Systems of Records.
A grouping of any records maintained by the NSC from which information is retrieved by the name of the individual or by some other identifying particular assigned to the individual.

Systematic Declassification Review

Administrative Law


“Systematic declassification review” means the review for declassification of classified information contained in records that have been determined by the
Archivist to have permanent historical value in accordance with title 44, United States Code.

_Executive Order 13,526, Classified National Security Information, § 6.1 (pp) (December 29, 2009)_

For purposes of this order:
(pp) "Systematic declassification review" means the review for declassification of classified information contained in records that have been determined by the Archivist to have permanent historical value in accordance with title 44, United States Code.

**Task Force**

**Statutory Law**


In this division:

**TECHINT**

Technical intelligence

**TELINT**

Telemetry intelligence

**Technical Surveillance Countermeasures**

**Administrative Law**

_Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.4.2 (Dec. 1982): Explanation of Undefined Terms_

The term technical surveillance countermeasures refers to activities authorized pursuant to DoD Directive 5200.29 (reference (c)), and, as used in this
procedure, refers to the use of electronic surveillance equipment, or electronic or mechanical devices, solely for determining the existence and capability of electronic surveillance equipment being used by persons not authorized to conduct electronic surveillance, or for determining the susceptibility of electronic equipment to unlawful electronic surveillance.

Telecommunications

Administrative Law


“Telecommunications” means the preparation, transmission, or communication of information by electronic means.

Executive Order 13,526, Classified National Security Information, § 6.1 (qq) (December 29, 2009)

For purposes of this order:

(qq) "Telecommunications" means the preparation, transmission, or communication of information by electronic means.

Temporary Records

Administrative Law


(u) Temporary records

means Federal records approved by NARA for disposal, either immediately or after a specified retention period. Also called disposable records.

Threat to the National Security

Administrative Law

The Attorney General’s Guidelines for Domestic FBI Operations § VII (S) (Sept. 29, 2008)

1. international terrorism;
2. espionage and other intelligence activities, sabotage, and assassination, conducted by, for, or on behalf of foreign powers, organizations, or persons;
3. foreign computer intrusion; and
4. other matters determined by the Attorney General, consistent with Executive Order 12333 or a successor order.

TIARA
Tactical intelligence and related activities

To the Same Extent and in the Same Manner as Other Attorneys

Administrative Law

28 CFR § 77.2(k) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT]

As used in this part, the following terms shall have the following meanings, unless the context indicates otherwise:

(k) The phrase “to the same extent and in the same manner as other attorneys” means that Department attorneys shall only be subject to laws and rules of ethical conduct governing attorneys in the same manner as such rules apply to non-Department attorneys. The phrase does not, however, purport to eliminate or otherwise alter state or federal laws and rules and federal court rules that expressly exclude some or all government attorneys from particular limitations or prohibitions.

Top Secret

Administrative Law

32 CFR § 2400.6 (a)(1) [32 CFR CHAPTER XXIV—OFFICE OF SCIENCE AND TECHNOLOGY POLICY: 32 CFR PART 2400—REGULATIONS TO IMPLEMENT E.O. 12356; OFFICE OF SCIENCE AND TECHNOLOGY POLICY INFORMATION SECURITY PROGRAM]

[...]
(1) “Top Secret” shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause exceptionally grave damage to the national security.

TOR
Terms of reference

Torture

Statutory Law
As used in this chapter [18 U.S.C. §§ 2340 et seq.]—
(1) "torture" means an act committed by a person acting under the color of law specifically intended to inflict severe physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions) upon another person within his custody or physical control;

Total Loss

Administrative Law
For purposes of this subpart B:
[...]
Total loss
means that the cost of repairing such vehicles plus projected supplements plus projected diminished resale value plus rental reimbursement expense exceeds the cost of buying the damaged motor vehicle at its pre-accident value, minus the proceeds of selling the damaged motor vehicle for salvage.
Totalitarian Party

Statutory Law


(a) As used in this Act—

(37) The term "totalitarian party" means an organization which advocates the establishment in the United States of a totalitarian dictatorship or totalitarianism. The terms "totalitarian dictatorship" and "totalitarianism" mean and refer to systems of government not representative in fact, characterized by (A) the existence of a single political party, organized on a dictatorial basis, with so close an identity between such party and its policies and the governmental policies of the country in which it exists, that the party and the government constitute an indistinguishable unit, and (B) the forcible suppression of opposition to such party.

TPEDs
Tasking, processing, exploitation, and dissemination

Trade

Statutory Law


The words "to trade," as used herein, shall be deemed to mean—

(a) Pay, satisfy, compromise, or give security for the payment or satisfaction of any debt or obligation.

(b) Draw, accept, pay, present for acceptance or payment, or indorse any negotiable instrument or chose in action.

(c) Enter into, carry on, complete, or perform any contract, agreement, or obligation.

(d) Buy or sell, loan or extend credit, trade in, deal with, exchange, transmit, transfer, assign, or otherwise dispose of, or receive any form of property.

(e) To have any form of business or commercial communication or intercourse with.
Trade Secrets

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]
Trade secrets/proprietary information means information which is in the possession of a carrier but not generally available to the public, which that carrier desires to protect against unrestricted disclosure or competitive use, and which is clearly identified as such at the time of its disclosure to the government.

Traffic

Administrative Law

32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS]

As used in this part:
Traffic.
Pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any road, path, street, or other thoroughfare for the purpose of travel.

Training

Administrative Law

28 CFR § 105.10(a) [28 CFR PART 105—CRIMINAL HISTORY BACKGROUND CHECKS]

[...]
Training means any instruction in the operation of an aircraft, including “ground school,” flight simulator, and in-flight training. It does not include the provision of training manuals or other materials, and does not include mechanical training that would not enable the trainee to operate the aircraft in flight.
Transclassification

Administrative Law


(v) Transclassification means information that has been removed from the Restricted Data category in order to carry out provisions of the National Security Act of 1947, as amended, and safeguarded under applicable Executive orders as “National Security Information.”

Transfer

Statutory Law

18 U.S.C. § 4101(j) (2010) (Title 18—Chapter 306: Transfer to or from Foreign Countries)

As used in this chapter [18 U.S.C. §§ 4100 et seq.] the term—
(j) "transfer" means a transfer of an individual for the purpose of the execution in one country of a sentence imposed by the courts of another country;

Trap and Trace Device

Statutory Law

18 U.S.C. § 3127(4) (Title 18—Chapter 206: Pen Registers and Trap and Trace Devices)

As used in this chapter [18 U.S.C. §§ 3121 et seq.]—
(4) the term "trap and trace device" means a device or process which captures the incoming electronic or other impulses which identify the originating number or other dialing, routing, addressing, and signaling information reasonably likely to identify the source of a wire or electronic communication, provided, however, that such information shall not include the contents of any communication;
Tribal Organization

Administrative Law

28 CFR § 69.105(g) [28 CFR PART 69—NEW RESTRICTIONS ON LOBBYING]

For purposes of this part:
[...]
(g) Indian tribe and tribal organization have the meaning provided in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450B). Alaskan Natives are included under the definitions of Indian tribes in that Act.

Tribe

Administrative Law


For purposes of this order:
(l) “Tribe” means any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe as defined in the Federally Recognized Tribe List Act of 1994 (25 U.S.C. 479a(2)).

TTIC
Terrorism Threat Integration Center

TUAV
Tactical unmanned aerial vehicle

UAV
Unmanned aerial vehicle
Unauthenticated Copies

Statutory Law

44 U.S.C. § 2901(10) (2010) (Title 44—Chapter 29: Records Management by the Archivist of the United States and by the Administrator of General Services)

As used in this chapter [44 U.S.C. §§ 2901 et seq.], and chapters 21, 25, 31, and 33 of this title [44 U.S.C. §§ 2101 et seq., 2501 et seq., 3101 et seq., and 3301 et seq.]—

(10) the term "unauthenticated copies" means exact copies or reproductions of records or other materials that are not certified as such under seal and that need not be legally accepted as evidence;

Unauthorized Disclosure

Administrative Law


"Unauthorized disclosure" means a communication or physical transfer of classified information to an unauthorized recipient.

Executive Order 13,526, Classified National Security Information, § 6.1 (rr) (December 29, 2009)

For purposes of this order:

(rr) "Unauthorized disclosure" means a communication or physical transfer of classified information to an unauthorized recipient.

Uniformed Services

Statutory Law


(a) In general. The following definitions apply in this title:

(5) The term "uniformed services" means—

(A) the armed forces;

(B) the commissioned corps of the National Oceanic and Atmospheric Administration; and

(C) the commissioned corps of the Public Health Service.
Unit Cost

Administrative Law

28 CFR § 100.10 [28 CFR PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994]

[...]
Unit cost
means the directly associated cost of a single unit of a good or service which is included in a cost element.

United States

Statutory Law

(a) As used in this Act—
(38) The term "United States," except as otherwise specifically herein provided, when used in a geographical sense, means the continental United States, Alaska, Hawaii, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

(a) In general. The following definitions apply in this title:
(1) The term "United States", in a geographic sense, means the States and the District of Columbia.

As used in this chapter [18 U.S.C. §§ 2340 et seq.]—
(3) "United States" means the several States of the United States, the District of Columbia, and the commonwealths, territories, and possessions of the United States.

As used in this chapter [18 U.S.C. §§ 3071 et seq.], the term—
(4) "United States", when used in a geographical sense, includes Puerto Rico and all territories and possessions of the United States;

As used in this subchapter:
[...]
(28) The term “United States”, when used in a geographic sense, means all places and waters, continental or insular, subject to the jurisdiction of the United States.


As used in and for the purposes of this Act—

(m) The term "United States", when used in a geographical sense, includes the several States, the District of Columbia, the Territories, the Canal Zone, the insular possessions, [including the Philippine Islands,] and all other places now or hereafter subject to the civil or military jurisdiction of the United States;


(a) For purposes of this title—

(7) "United States" means, when used in a geographic sense, the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.


In this division:

(12) United states. The term "United States" means the fifty States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the territories and possessions of the United States.


For purposes of this chapter [28 U.S.C. §§ 1602 et seq.]—

(c) The "United States" includes all territory and waters, continental or insular, subject to the jurisdiction of the United States.


For the purposes of this title [50 U.S.C. §§ 421 et seq.]:

(9) The term "United States", when used in a geographic sense, means all areas under the territorial sovereignty of the United States and the Trust Territory of the Pacific Islands.


“United States,” when used in a geographic sense, means all areas under the territorial sovereignty of the United States and the Trust Territory of the Pacific Islands.
The words "United States," as used herein, shall be deemed to mean all land and water, continental or insular, in any way within the jurisdiction of the United States or occupied by the military or naval forces thereof.

**Administrative Law**

*Executive Order 13549, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities, § 5 (m) (August 18, 2010)*

For purposes of this order:

(m) “United States” when used in a geographic sense, means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, any possession of the United States and any waters within the territorial jurisdiction of the United States.


When used to describe a place, the term shall include the territories under the sovereignty of the United States.

*The Attorney General’s Guidelines for Domestic FBI Operations § VII (T) (Sept. 29, 2008)*

When used in a geographic sense, means all areas under the territorial sovereignty of the United States.

**United States Assistance**

*Statutory Law*


(e) Definitions. For purposes of this chapter and other provisions of this Act relating specifically to international narcotics matters—

(4) the term "United States assistance" means—

(A) any assistance under this Act (including programs under title IV of chapter 2 [22 U.S.C. §§ 2191 et seq.], relating to the Overseas Private Investment Corporation), other than—

(i) assistance under this chapter,

(ii) any other narcotics-related assistance under this part [22 U.S.C. §§ 2151 et seq.] (including chapter 4 of part II [22 U.S.C. §§ 2346 et seq.]), but any such
assistance provided under this clause shall be subject to the prior notification procedures applicable to reprogrammings pursuant to section 634A of this Act [22 U.S.C. § 2394-1],

(iii) disaster relief assistance, including any assistance under chapter 9 of this part [22 U.S.C. §§ 2292 et seq.],

(iv) assistance which involves the provision of food (including monetization of food) or medicine, and

(v) assistance for refugees;

(B) sales, or financing on any terms, under the Arms Export Control Act;

(C) the provision of agricultural commodities, other than food, under the Food for Peace Act [7 U.S.C. §§ 1691 et seq.]; and

(D) financing under the Export-Import Bank Act of 1945;

United States Entity

Administrative Law

Executive Order 13,526, Classified National Security Information, § 6.1 (ss) (December 29, 2009)

For purposes of this order:

(1) State, local, or tribal governments;

(2) State, local, and tribal law enforcement and firefighting entities;

(3) public health and medical entities;

(4) regional, state, local, and tribal emergency management entities, including State Adjutants General and other appropriate public safety entities; or

(5) private sector entities serving as part of the nation’s Critical Infrastructure/Key Resources.

United States Person

Statutory Law


As used in this chapter [18 U.S.C. §§ 3071 et seq.], the term—

(2) "United States person" means—

(A) a national of the United States as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

(B) an alien lawfully admitted for permanent residence in the United States as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20));
(C) any person within the United States;
(D) any employee or contractor of the United States Government, regardless of nationality, who is the victim or intended victim of an act of terrorism by virtue of that employment;
(E) a sole proprietorship, partnership, company, or association composed principally of nationals or permanent resident aliens of the United States; and
(F) a corporation organized under the laws of the United States, any State, the District of Columbia, or any territory or possession of the United States, and a foreign subsidiary of such corporation;


“United States person” means a citizen of the United States, an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act [8 U.S.C. § 1101(a)(20)]), an unincorporated association a substantial number of members of which are citizens of the United States or aliens lawfully admitted for permanent residence, or a corporation which is incorporated in the United States, but does not include a corporation or an association which is a foreign power, as defined in subsection (a)(1), (2), or (3).

Administrative Law

Executive Order 12333, United States Intelligence Activities, § 3.5(k) (2010)

United States person means a United States citizen, an alien known by the intelligence element concerned to be a permanent resident alien, an unincorporated association substantially composed of United States citizens or permanent resident aliens, or a corporation incorporated in the United States, except for a corporation directed and controlled by a foreign government or governments.


DL1.1.25.1. The term "United States person" means:
DL1.1.25.1.1. A United States citizen;
DL1.1.25.1.2. An alien known by the DoD intelligence component concerned to be a permanent resident alien;
DL1.1.25.1.3. An unincorporated association substantially composed of United States citizens or permanent resident aliens;
DL1.1.25.1.4. A corporation incorporated in the United States, except for a corporation directed and controlled by a foreign government or governments. A corporation or corporate subsidiary incorporated abroad,
even if partially or wholly owned by a corporation incorporated in the United States, is not a United States person.

DL1.1.25.2. A person or organization outside the United States shall be presumed not to be a United States person unless specific information to the contrary is obtained. An alien in the United States shall be presumed not to be a United States person unless specific information to the contrary is obtained.

DL1.1.25.3. A permanent resident alien is a foreign national lawfully admitted into the United States for permanent residence.

Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.3.2.4 (Dec. 1982): SIGINT Guidelines for Determining whether a person is a “United States Person.”

For purposes of signals intelligence activities only, the following guidelines will apply in determining whether a person is a United States person:

C5.3.2.4.1. Person Known to be Currently in the United States
A person known to be currently in the United States will be treated as a United States person unless the nature of the person's communications or other available information concerning the person gives rise to a reasonable belief that such person is not a United States citizen or permanent resident alien.

C5.3.2.4.2. Person Known to be Currently Outside the United States
A person known to be currently outside the United States, or whose location is not known, will not be treated as a United States person unless the nature of the person's communications or other available information concerning the person give rise to a reasonable belief that such person is a United States citizen or permanent resident alien.

C5.3.2.4.3. Circumstances in which a Person Known to be an Alien Admitted for Permanent Residence may be assumed to have lost status as a United States Person
A person known to be an alien admitted for permanent residence may be assumed to have lost status as a United States person if the person leaves the United States and it is known that the person is not in compliance with the administrative formalities provided by law that enable such persons to reenter the United States without regard to the provisions of law that would otherwise restrict an alien's entry into the United States. The failure to follow the statutory procedures provides a reasonable basis to conclude that such alien has abandoned any intention of maintaining status as a permanent resident alien.

C5.3.2.4.4. Unincorporated Association whose Headquarters are located outside the United States
An unincorporated association whose headquarters are located outside the United States may be presumed not to be a United States person unless the collecting agency has information indicating that a substantial number of members are citizens of the United States or aliens lawfully admitted for permanent residence.

_The Attorney General’s Guidelines for Domestic FBI Operations § VII (U) (Sept. 29, 2008)_

Any of the following, but not including any association or corporation that is a foreign power as defined in Subpart G.1..3.:

1. an individual who is a United States citizen or an alien lawfully admitted for permanent residence;
2. an unincorporated association substantially composed of individuals who are United States persons; or
3. a corporation incorporated in the United States.

In applying paragraph 2., if a group or organization in the United States that is affiliated with a foreign-based international organization operates directly under the control of the international organization and has no independent program or activities in the United States, the membership of the entire international organization shall be considered in determining whether it is substantially composed of United States persons. If, however, the U.S.-based group or organization has programs or activities separate from, or in addition to, those directed by the international organization, only its membership in the United States shall be considered in determining whether it is substantially composed of United States persons. A classified directive provides further guidance concerning the determination of United States person status.

_United States Property_

**Statutory Law**


As used in this chapter [18 U.S.C. §§ 3071 et seq.], the term—

(3) "United States property" means any real or personal property which is within the United States or, if outside the United States, the actual or beneficial ownership of which rests in a United States person or any Federal or State governmental entity of the United States;
United States Signals Intelligence System

Administrative Law

*Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.3.2.5 (Dec. 1982): “United States Signals Intelligence System”*

United States Signals Intelligence System means the unified organization for signals intelligence activities under the direction of the Director, National Security Agency/Chief, Central Security Service, comprised of the National Security Agency, the Central Security Service, the components of the Military Services authorized to conduct signals intelligence and such other entities (other than the Federal Bureau of Investigation) as are authorized by the National Security Council or the Secretary of Defense to conduct signals intelligence. FBI activities are governed by procedures promulgated by the Attorney General.

Unlawful Debt

Statutory Law


As used in this chapter [18 U.S.C. §§ 1961 et seq.]=

(6) "unlawful debt" means a debt (A) incurred or contracted in gambling activity which was in violation of the law of the United States, a State or political subdivision thereof, or which is unenforceable under State or Federal law in whole or in part as to principal or interest because of the laws relating to usury, and (B) which was incurred in connection with the business of gambling in violation of the law of the United States, a State or political subdivision thereof, or the business of lending money or a thing of value at a rate usurious under State or Federal law, where the usurious rate is at least twice the enforceable rate;

Unmarried

Statutory Law


(a) As used in this Act—

(39) The term "unmarried," when used in reference to any individual as of any time, means an individual who at such time is not married, whether or not previously married.
Unprivileged Enemy Belligerent

Statutory Law

10 U.S.C. § 948a(7) (Title 10—Chapter 47A: Military Commissions)

In this chapter [10 U.S.C. §§ 948a et seq.]:

(7) Unprivileged enemy belligerent. The term "unprivileged enemy belligerent" means an individual (other than a privileged belligerent) who—

(A) has engaged in hostilities against the United States or its coalition partners;

(B) has purposefully and materially supported hostilities against the United States or its coalition partners; or

(C) was a part of al Qaeda at the time of the alleged offense under this chapter [10 U.S.C. §§ 948a et seq.].

NOTE: Compare with the definition of “privileged belligerent” codified at 10 U.S.C. § 948a(6) (Title 10—Chapter 47A: Military Commissions) (“In this chapter [10 U.S.C. §§ 948a et seq.]: (6) Privileged belligerent. The term "privileged belligerent" means an individual belonging to one of the eight categories enumerated in Article 4 of the Geneva Convention Relative to the Treatment of Prisoners of War.”).

Unscheduled Records

Administrative Law


(w) Unscheduled records means Federal records whose final disposition has not been approved by NARA. All records that fall under a NARA approved records control schedule are considered to be scheduled records.

UNSCOM

United Nations Special Commission
**USA**
United States Army

**USAF**
United States Air Force

**USCG**
United States Coast Guard

**USDI**
Undersecretary of Defense for Intelligence

**USMC**
United States Marine Corps

**USN**
United States Navy

**Use**

*Administrative Law*

*The Attorney General’s Guidelines for Domestic FBI Operations § VII (V) (Sept. 29, 2008)*

When used with respect to human sources, means obtaining information from, tasking, or otherwise operating such sources.
User

Statutory Law

18 U.S.C. § 2510(13) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]—

(13) "user" means any person or entity who—
(A) uses an electronic communication service; and
(B) is duly authorized by the provider of such service to engage in such use;

USSIS

Administrative Law

Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect U.S. Persons, § C5.3.2.5 (Dec. 1982): “United States Signals Intelligence System”

United States Signals Intelligence System [USSIS] means the unified organization for signals intelligence activities under the direction of the Director, National Security Agency/Chief, Central Security Service, comprised of the National Security Agency, the Central Security Service, the components of the Military Services authorized to conduct signals intelligence and such other entities (other than the Federal Bureau of Investigation) as are authorized by the National Security Council or the Secretary of Defense to conduct signals intelligence. FBI activities are governed by procedures promulgated by the Attorney General.

Validation of Information

Administrative Law

28 CFR § 23.3(b)(6) [28 CFR PART 23—CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES]

(b) As used in these policies:
[…]
(6) Validation of Information
means the procedures governing the periodic review of criminal intelligence information to assure its continuing compliance with system submission criteria established by regulation or program policy.
Value

Statutory Law


As used in this Act—
(m) "Value" means—
(1) with respect to an excess defense article, the actual value of the article plus the gross cost incurred by the United States Government in repairing, rehabilitating, or modifying the article, except that for purposes of section 632(d) [22 U.S.C. § 2392(d)] such actual value shall not be taken into account;
(2) with respect to a nonexcess defense article delivered from inventory to foreign countries or international organizations under this Act, the acquisition cost to the United States Government, adjusted as appropriate for condition and market value;
(3) with respect to a nonexcess defense article delivered from new procurement to foreign countries or international organizations under this Act, the contract or production costs of such article;
(4) with respect to a defense service, the cost to the United States Government of such service; and
(5) with respect to military education and training or services provided under chapter 8 of part II of this Act [22 U.S.C. §§ 2349aa et seq.], the additional costs that are incurred by the United States Government in furnishing such assistance.

Vehicles

Administrative Law

32 CFR § 1903.1 [32 CFR CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY: 32 CFR PART 1903—CONDUCT ON AGENCY INSTALLATIONS]

As used in this part:
Vehicles.
Any vehicle that is self-propelled or designed for self-propulsion, any motorized vehicle, and any vehicle drawn by or designed to be drawn by a motor vehicle, including any device in, upon, or by which any person or property is or can be transported or drawn upon a roadway, highway, hallway, or pathway; to include any device moved by human or animal power. Whether required to be licensed in any State or otherwise.
Victim of a Severe Form of Trafficking

Statutory Law


In this division:
(13) Victim of a severe form of trafficking. The term "victim of a severe form of trafficking" means a person subject to an act or practice described in paragraph (8).

Victims of Crime Act

Administrative Law

28 CFR § 22.2(k) [28 CFR PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION]

[...]

Victim of Trafficking

Statutory Law


In this division:
(14) Victim of trafficking. The term "victim of trafficking" means a person subject to an act or practice described in paragraph (8) or (9).

Vienna Convention on Diplomatic Relations

Statutory Law


As used in this Act—
(4) the term "Vienna Convention" means the Vienna Convention on Diplomatic Relations of April 18, 1961 (T.I.A.S. numbered 7502; 23 U.S.T. 3227), entered into force with respect to the United States on December 13, 1972.
VIN

Administrative Law


For purposes of this subpart B:

VIN

means the vehicle identification number;

Violation

Administrative Law


"Violation" means:

(1) any knowing, willful, or negligent action that could reasonably be expected to result in an unauthorized disclosure of classified information;

(2) any knowing, willful, or negligent action to classify or continue the classification of information contrary to the requirements of this order or its implementing directives; or

(3) any knowing, willful, or negligent action to create or continue a special access program contrary to the requirements of this order.

Executive Order 13,526, Classified National Security Information, § 6.1 (tt) (December 29, 2009)

For purposes of this order:

(tt) "Violation" means:

(1) any knowing, willful, or negligent action that could reasonably be expected to result in an unauthorized disclosure of classified information;

(2) any knowing, willful, or negligent action to classify or continue the classification of information contrary to the requirements of this order or its implementing directives; or

(3) any knowing, willful, or negligent action to create or continue a special access program contrary to the requirements of this order.
VoIP
Voice-over-Internet-Protocol

VRO

Administrative Law

28 CFR § 45.10: Procedures to promote compliance with crime victims' rights obligations [28 CFR PART 45—EMPLOYEE RESPONSIBILITIES]

(b)
The Attorney General shall designate an official within the Executive Office for United States Attorneys (EOUSA) to receive and investigate complaints alleging the failure of Department of Justice employees to provide rights to crime victims under 18 U.S.C. 3771. The official shall be called the Department of Justice Victims' Rights Ombudsman (VRO). The VRO shall then designate, in consultation with each office of the Department of Justice, an official in each office to serve as the initial point of contact (POC) for complainants.

Vulnerability Survey

Administrative Law

The term vulnerability survey refers to the acquisition of radio frequency propagation and its subsequent analysis to determine empirically the vulnerability of the transmission media to interception by foreign intelligence services.

War Material

Statutory Law

18 U.S.C. § 2151 (Title 18—Chapter 105: Sabotage)
As used in this chapter [18 U.S.C. §§ 2151 et seq.]:
The words "war material" include arms, armament, ammunition, livestock, forage, forest products and standing timber, stores of clothing, air, water, food, foodstuffs, fuel, supplies, munitions, and all articles, parts or ingredients,
intended for, adapted to, or suitable for the use of the United States or any associate nation, in connection with the conduct of war or defense activities.

War Premises

Statutory Law

18 U.S.C. § 2151 (Title 18—Chapter 105: Sabotage)

As used in this chapter [18 U.S.C. §§ 2151 et seq.]:
The words "war premises" include all buildings, grounds, mines, or other places wherein such war material is being produced, manufactured, repaired, stored, mined, extracted, distributed, loaded, unloaded, or transported, together with all machinery and appliances therein contained; and all forts, arsenals, navy yards, camps, prisons, or other installations of the Armed Forces of the United States, or any associate nation.

War Utilities

Statutory Law

18 U.S.C. § 2151 (Title 18—Chapter 105: Sabotage)

As used in this chapter [18 U.S.C. §§ 2151 et seq.]:
The words "war utilities" include all railroads, railways, electric lines, roads of whatever description, any railroad or railway fixture, canal, lock, dam, wharf, pier, dock, bridge, building, structure, engine, machine, mechanical contrivance, car, vehicle, boat, aircraft, airfields, air lanes, and fixtures or appurtenances thereof, or any other means of transportation whatsoever, whereon or whereby such war material or any troops of the United States, or of any associate nation, are being or may be transported either within the limits of the United States or upon the high seas or elsewhere; and all air-conditioning systems, dams, reservoirs, aqueducts, water and gas mains and pipes, structures and buildings, whereby or in connection with which air, water or gas is being furnished, or may be furnished, to any war premises or to the Armed Forces of the United States, or any associate nation, and all electric light and power, steam or pneumatic power, telephone and telegraph plants, poles, wires, and fixtures, and wireless stations, and the buildings connected with the maintenance and operation thereof used to supply air, water, light, heat, power, or facilities of communication to any war premises or to the Armed Forces of the United States, or any associate nation.
As used in this part:

**Weapons.**

Any firearms or any other loaded or unloaded pistol, rifle, shotgun, or other weapon which is designed to, or may be readily converted to expel a projectile by ignition of a propellant, by compressed gas, or which is spring-powered. Any bow and arrow, crossbow, blowgun, spear gun, hand-thrown spear, sling-shot, irritant gas device, explosive device, or any other implement designed to discharge missiles; or a weapon, device, instrument, material, or substance, animate or inanimate, that is used for or is readily capable of, causing death or serious bodily injury, including any weapon the possession of which is prohibited under the laws of the State in which the Agency installation or portion thereof is located; except that such term does not include a closing pocket knife with a blade of less than 2 1/2 inches in length.

**Weapons of Mass Destruction**

**Statutory Law**


“Weapon of mass destruction” means—(1) any explosive, incendiary, or poison gas device that is designed, intended, or has the capability to cause a mass casualty incident; (2) any weapon that is designed, intended, or has the capability to cause death or serious bodily injury to a significant number of persons through the release, dissemination, or impact of toxic or poisonous chemicals or their precursors; (3) any weapon involving a biological agent, toxin, or vector (as such terms are defined in section 178 of title 18, United States Code) that is designed, intended, or has the capability to cause death, illness, or serious bodily injury to a significant number of persons; or (4) any weapon that is designed, intended, or has the capability to release radiation or radioactivity causing death, illness, or serious bodily injury to a significant number of persons.


In this title:

(1) The term "weapon of mass destruction" means any weapon or device that is intended, or has the capability, to cause death or serious bodily injury to a significant number of people through the release, dissemination, or impact of—
(A) toxic or poisonous chemicals or their precursors;
(B) a disease organism; or
(C) radiation or radioactivity.


In this title:
(2) The terms "weapons of mass destruction" and "WMD" mean chemical, biological, and nuclear weapons, and chemical, biological, and nuclear materials used in the manufacture of such weapons.

Administrative Law

“Weapons of mass destruction” means chemical, biological, radiological, and nuclear weapons.

Executive Order 13,526, Classified National Security Information, § 6.1 (uu) (December 29, 2009)
For purposes of this order:
(uu) "Weapons of mass destruction" means any weapon of mass destruction as defined in 50 U.S.C. 1801(p).

Where Such Attorney Engages in that Attorney's Duties

Administrative Law

28 CFR § 77.2(j) [28 CFR PART 77—ETHICAL STANDARDS FOR ATTORNEYS FOR THE GOVERNMENT]

As used in this part, the following terms shall have the following meanings, unless the context indicates otherwise:
[...]
(j)
(1) The phrase “where such attorney engages in that attorney's duties” identifies which rules of ethical conduct a Department attorney should comply with, and means, with respect to particular conduct:
   (i) If there is a case pending, the rules of ethical conduct adopted by the local federal court or state court before which the case is pending; or
   (ii) If there is no case pending, the rules of ethical conduct that would be applied by the attorney's state of licensure.
(2) A Department attorney does not “engage in that attorney’s duties” in any states in which the attorney’s conduct is not substantial and continuous, such as a jurisdiction in which an attorney takes a deposition (related to a case pending in another court) or directs a contact to be made by an investigative agent, or responds to an inquiry by an investigative agent. Nor does the phrase include any jurisdiction that would not ordinarily apply its rules of ethical conduct to particular conduct or activity by the attorney.

Wire Communications

Statutory Law

18 U.S.C. § 2510(1) (Title 18—Chapter 119: Wire and Electronic Communications Interception and Interception of Oral Communications)

As used in this chapter [18 U.S.C. §§ 2510 et seq.]

(1) "wire communication" means any aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception (including the use of such connection in a switching station) furnished or operated by any person engaged in providing or operating such facilities for the transmission of interstate or foreign communications or communications affecting interstate or foreign commerce;


“Wire communication” means any communication while it is being carried by a wire, cable, or other like connection furnished or operated by any person engaged as a common carrier in providing or operating such facilities for the transmission of interstate or foreign communications.

WMD

[Weapons of mass destruction]

Statutory Law


“Weapon of mass destruction” means—(1) any explosive, incendiary, or poison gas device that is designed, intended, or has the capability to cause a mass casualty incident; (2) any weapon that is designed, intended, or has the capability
to cause death or serious bodily injury to a significant number of persons through the release, dissemination, or impact of toxic or poisonous chemicals or their precursors; (3) any weapon involving a biological agent, toxin, or vector (as such terms are defined in section 178 of title 18, United States Code) that is designed, intended, or has the capability to cause death, illness, or serious bodily injury to a significant number of persons; or (4) any weapon that is designed, intended, or has the capability to release radiation or radioactivity causing death, illness, or serious bodily injury to a significant number of persons.


In this title:
(1) The term "weapon of mass destruction" means any weapon or device that is intended, or has the capability, to cause death or serious bodily injury to a significant number of people through the release, dissemination, or impact of—
(A) toxic or poisonous chemicals or their precursors;
(B) a disease organism; or
(C) radiation or radioactivity.


In this title:
(2) The terms "weapons of mass destruction" and "WMD" mean chemical, biological, and nuclear weapons, and chemical, biological, and nuclear materials used in the manufacture of such weapons.

Administrative Law

“Weapons of mass destruction” means chemical, biological, radiological, and nuclear weapons.

Executive Order 13,526, Classified National Security Information, § 6.1 (uu) (December 29, 2009)
For purposes of this order:
(uu) "Weapons of mass destruction" means any weapon of mass destruction as defined in 50 U.S.C. 1801(p).
World Communism

Statutory Law


(a) As used in this Act—

(40) The term "world communism" means a revolutionary movement, the purpose of which is to establish eventually a Communist totalitarian dictatorship in any or all the countries of the world through the medium of an internationally coordinated Communist political movement.