

(July 26, 1947, ch. 343, title I, §103F, as added Pub. L. 108-458, title I, §1011(a), Dec. 17, 2004, 118 Stat. 3660; amended Pub. L. 115-31, div. N, title IV, §401(e)(1), May 5, 2017, 131 Stat. 819.)

Editorial Notes

REFERENCES IN TEXT

The Counterintelligence Enhancement Act of 2002, referred to in subsec. (b), is title IX of Pub. L. 107-306, Nov. 27, 2002, 116 Stat. 2432. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 403-3f of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

Pub. L. 115-31, §401(e)(1)(A), substituted “Director of the National Counterintelligence and Security Center” for “National Counterintelligence Executive” in section catchline.

Subsec. (a). Pub. L. 115-31, §401(e)(1)(B), substituted “Director of the National Counterintelligence and Security Center” for “National Counterintelligence Executive” in heading and “Director of the National Counterintelligence and Security Center appointed under section 902 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3382)” for “National Counterintelligence Executive under section 902 of the Counterintelligence Enhancement Act of 2002” in text.

Subsec. (b). Pub. L. 115-31, §401(e)(1)(C), substituted “Director of the National Counterintelligence and Security Center” for “National Counterintelligence Executive”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

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

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

§ 3032. Chief Information Officer

(a) Chief Information Officer

To assist the Director of National Intelligence in carrying out the responsibilities of the Director under this chapter and other applicable provisions of law, there shall be within the Office of the Director of National Intelligence a Chief Information Officer of the Intelligence Community who shall be appointed by the Director. The Chief Information Officer shall report directly to the Director of National Intelligence.

(b) Duties and responsibilities

Subject to the direction of the Director of National Intelligence, the Chief Information Officer of the Intelligence Community shall—

(1) manage activities relating to the information technology infrastructure and enterprise architecture requirements of the intelligence community;

(2) have procurement approval authority over all information technology items related to the enterprise architectures of all intelligence community components;

(3) direct and manage all information technology-related procurement for the intelligence community; and

(4) ensure that all expenditures for information technology and research and development activities are consistent with the intelligence community enterprise architecture and the strategy of the Director for such architecture.

(c) Prohibition on simultaneous service as other chief information officer

An individual serving in the position of Chief Information Officer of the Intelligence Community may not, while so serving, serve as the chief information officer of any other department or agency, or component thereof, of the United States Government.

(d) Prohibition on simultaneous service as Chief Data Officer and Chief Information Officer

An individual serving in the position of Chief Information Officer of the Intelligence Community or chief information officer of any other element of the intelligence community shall not concurrently serve as the Intelligence Community Chief Data Officer under section 3034b of this title and as the chief data officer of any other element of the intelligence community.

(July 26, 1947, ch. 343, title I, §103G, as added Pub. L. 108-487, title III, §303(a)(1), Dec. 23, 2004, 118 Stat. 3944; amended Pub. L. 111-259, title IV, §404, Oct. 7, 2010, 124 Stat. 2709; Pub. L. 116-92, div. E, title LXIII, §6304, title LXIV, §6405, Dec. 20, 2019, 133 Stat. 2188, 2196; Pub. L. 118-31, div. G, title III, §7310(a), Dec. 22, 2023, 137 Stat. 1028.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act”, meaning act July 26, 1947, ch. 343, 61 Stat. 495, known as the National Security Act of 1947, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 403-3g of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2023—Subsec. (d). Pub. L. 118-31 added subsec. (d).

2019—Subsec. (a). Pub. L. 116-92, §6405, inserted at end “The Chief Information Officer shall report directly to the Director of National Intelligence.”

Pub. L. 116-92, §6304, substituted “by the Director” for “by the President”.

2010—Subsec. (a). Pub. L. 111-259, §404(1), inserted “of the Intelligence Community” after “Chief Information Officer” and substituted “President.” for “President, by and with the advice and consent of the Senate.”

Subsecs. (b) to (d). Pub. L. 111-259, §404(2)-(4), redesignated subsecs. (c) and (d) as (b) and (c), respectively, inserted “of the Intelligence Community” after “Chief Information Officer” in two places, and struck out former subsec. (b). Text of former subsec. (b) read as follows: “The Chief Information Officer shall serve as the chief information officer of the intelligence community.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 108-487, title III, §303(b), Dec. 23, 2004, 118 Stat. 3944, provided that: “The amendments made by

this section [enacting this section] shall take effect on the effective date of the National Security Intelligence Reform Act of 2004 [see section 1097 of Pub. L. 108-458, set out in an Effective Date of 2004 Amendment; Transfer, Termination, and Transition Provisions note under section 3001 of this title], as provided in section 801 of this Act [set out in an Effective Date of 2004 Amendments note under section 2656f of Title 22, Foreign Relations and Intercourse].”

§ 3033. Inspector General of the Intelligence Community

(a) Office of Inspector General of the Intelligence Community

There is within the Office of the Director of National Intelligence an Office of the Inspector General of the Intelligence Community.

(b) Purpose

The purpose of the Office of the Inspector General of the Intelligence Community is—

(1) to create an objective and effective office, appropriately accountable to Congress, to initiate and conduct independent investigations, inspections, audits, and reviews on programs and activities within the responsibility and authority of the Director of National Intelligence;

(2) to provide leadership and coordination and recommend policies for activities designed—

(A) to promote economy, efficiency, and effectiveness in the administration and implementation of such programs and activities; and

(B) to prevent and detect fraud and abuse in such programs and activities;

(3) to provide a means for keeping the Director of National Intelligence fully and currently informed about—

(A) problems and deficiencies relating to the administration of programs and activities within the responsibility and authority of the Director of National Intelligence; and

(B) the necessity for, and the progress of, corrective actions; and

(4) in the manner prescribed by this section, to ensure that the congressional intelligence committees are kept similarly informed of—

(A) significant problems and deficiencies relating to programs and activities within the responsibility and authority of the Director of National Intelligence; and

(B) the necessity for, and the progress of, corrective actions.

(c) Inspector General of the Intelligence Community

(1) There is an Inspector General of the Intelligence Community, who shall be the head of the Office of the Inspector General of the Intelligence Community, who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) The nomination of an individual for appointment as Inspector General shall be made—

(A) without regard to political affiliation;

(B) on the basis of integrity, compliance with security standards of the intelligence community, and prior experience in the field of intelligence or national security; and

(C) on the basis of demonstrated ability in accounting, financial analysis, law, management analysis, public administration, or investigations.

(3) The Inspector General shall report directly to and be under the general supervision of the Director of National Intelligence.

(4)(A) The Inspector General may be removed from office only by the President. The President shall communicate in writing to the congressional intelligence committees the substantive rationale, including detailed and case-specific reasons, for the removal not later than 30 days prior to the effective date of such removal. Nothing in this paragraph shall be construed to prohibit a personnel action otherwise authorized by law, other than transfer or removal.

(B) If there is an open or completed inquiry into the Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under that subparagraph shall—

(i) identify each entity that is conducting, or that conducted, the inquiry; and

(ii) in the case of a completed inquiry, contain the findings made during the inquiry.

(5)(A) Subject to the other provisions of this paragraph, only the President may place the Inspector General on nonduty status.

(B) If the President places the Inspector General on nonduty status, the President shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to the congressional intelligence committees not later than 15 days before the date on which the change in status takes effect, except that the President may submit that communication not later than the date on which the change in status takes effect if—

(i) the President has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5; and

(ii) in the communication, the President includes a report on the determination described in clause (i), which shall include—

(I) a specification of which clause of section 6329b(b)(2)(A) of title 5 the President has determined applies under clause (i);

(II) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

(III) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

(IV) in the case of an inquiry described in subclause (III) that is completed, the findings made during that inquiry.

(C) The President may not place the Inspector General on nonduty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (4)(A) unless the President—

(i) has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5; and