

Subsec. (j)(4)(B). Pub. L. 114–113, §303(2), inserted “from a department, agency, or element of the Federal Government” before “under subparagraph (A)”.

2014—Subsec. (g)(3)(A). Pub. L. 113–126, §304, substituted “undertaken, and this provision shall qualify as a withholding statute pursuant to subsection (b)(3) of section 552 of title 5 (commonly known as the ‘Freedom of Information Act’);” for “undertaken;”.

Subsec. (k)(5)(I). Pub. L. 113–126, §603(c), added subpar. (I).

2013—Subsec. (k)(1)(A). Pub. L. 112–277 substituted “October 31 and April 30” for “January 31 and July 31” and “September 30 and March 31,” for “December 31 (of the preceding year) and June 30,”.

2012—Subsec. (o). Pub. L. 112–87 added subsec. (o).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by section 5203(b) of Pub. L. 117–263 effective Dec. 23, 2022, except that such amendment to take effect 30 days after Dec. 23, 2022, with respect to an individual performing the functions and duties of an Inspector General temporarily in an acting capacity, see section 5203(e) of Pub. L. 117–263, set out as a note under section 403 of Title 5, Government Organization and Employees.

CONSTRUCTION

Pub. L. 111–259, title IV, §405(c), Oct. 7, 2010, 124 Stat. 2719, provided that: “Nothing in the amendment made by subsection (a)(1) [enacting this section] shall be construed to alter the duties and responsibilities of the General Counsel of the Office of the Director of National Intelligence.”

OVERSIGHT BY INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY OVER INTELLIGENCE COMMUNITY WHISTLEBLOWER MATTERS

Pub. L. 116–92, div. E, title LIII, §5334, Dec. 20, 2019, 133 Stat. 2141, as amended by Pub. L. 118–31, div. G, title III, §7327(a), Dec. 22, 2023, 137 Stat. 1044, provided that:

“(a) SYSTEM FOR NOTIFICATION OF INFORMATION RELATING TO COMPLAINTS BY WHISTLEBLOWERS WITHIN THE INTELLIGENCE COMMUNITY.—Subject to subsection (b), not later than 1 year after the date of the enactment of this Act [Dec. 20, 2019], the Inspector General of the Intelligence Community, in consultation with the Intelligence Community Inspectors General Forum, shall establish a system whereby the Inspector General of the Intelligence Community is notified monthly of the following:

“(1) Submission of complaints by whistleblowers to inspectors general of elements of the intelligence community relating to the programs and activities under the jurisdiction of the Director of National Intelligence, and information related to such complaints.

“(2) Actions taken by an inspector general of an element of the Intelligence Community relating to such complaints.

“(b) POLICIES FOR IMPLEMENTATION.—

“(1) IN GENERAL.—The system established under subsection (a) may not be implemented until the Inspector General of the Intelligence Community, in consultation with the Intelligence Community Inspectors General Forum, has developed and released to each of the inspectors general of the elements of the intelligence community written policies regarding the implementation of such subsection.

“(2) REQUIREMENTS.—The policies required by paragraph (1) shall—

“(A) protect the privacy of whistleblowers, including by preventing dissemination without the consent of the whistleblower, of any information submitted previously by a whistleblower to an inspector general of an element of the intelligence community; and

“(B) ensure compliance with the requirements of subsection (a), while—

“(i) ensuring that the Inspector General of the Intelligence Community can oversee whistleblower policies and practices and identify matters that, in the judgment of the Inspector General of the Intelligence Community, may be the subject of an investigation, inspection, audit, or review by the Inspector General of the Intelligence Community; and

“(ii) avoiding the imposition of inappropriate resource burdens on inspectors general of elements of the intelligence community.”

[For definition of “whistleblower” as used in section 5334 of Pub. L. 116–92, set out above, see section 5331 of Pub. L. 116–92, set out below.]

[For definition of “intelligence community” as used in section 5334 of Pub. L. 116–92, set out above, see section 5003 of div. E of Pub. L. 116–92, set out as a note under section 3003 of this title.]

DEFINITIONS

Pub. L. 116–92, div. E, title LIII, §5331, Dec. 20, 2019, 133 Stat. 2137, provided that: “In this subtitle [subtitle C (§§5331–5335) of title LIII of div. E of Pub. L. 116–92, enacting section 3236 of this title and provisions set out as a note above]:

“(1) WHISTLEBLOWER.—The term ‘whistleblower’ means a person who makes a whistleblower disclosure.

“(2) WHISTLEBLOWER DISCLOSURE.—The term ‘whistleblower disclosure’ means a disclosure that is protected under section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) or section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)).”

§ 3034. Chief Financial Officer of the Intelligence Community

(a) Chief Financial Officer of the Intelligence Community

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 is within the Office of the Director of National Intelligence a Chief Financial Officer of the Intelligence Community who shall be appointed by the Director. The Chief Financial 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 Financial Officer of the Intelligence Community shall—

(1) serve as the principal advisor to the Director of National Intelligence and the Principal Deputy Director of National Intelligence on the management and allocation of intelligence community budgetary resources;

(2) participate in overseeing a comprehensive and integrated strategic process for resource management within the intelligence community;

(3) ensure that the strategic plan of the Director of National Intelligence—

(A) is based on budgetary constraints as specified in the Future Year Intelligence Plans and Long-term Budget Projections required under section 3103 of this title; and

(B) contains specific goals and objectives to support a performance-based budget;

(4) prior to the obligation or expenditure of funds for the acquisition of any major system pursuant to a Milestone A or Milestone B decision, receive verification from appropriate au-

thorities that the national requirements for meeting the strategic plan of the Director have been established, and that such requirements are prioritized based on budgetary constraints as specified in the Future Year Intelligence Plans and the Long-term Budget Projections for such major system required under section 3103 of this title;

(5) ensure that the collection architectures of the Director are based on budgetary constraints as specified in the Future Year Intelligence Plans and the Long-term Budget Projections required under section 3103 of this title;

(6) coordinate or approve representations made to Congress by the intelligence community regarding National Intelligence Program budgetary resources;

(7) participate in key mission requirements, acquisitions, or architectural boards formed within or by the Office of the Director of National Intelligence; and

(8) perform such other duties as may be prescribed by the Director of National Intelligence.

(c) Other law

The Chief Financial Officer of the Intelligence Community shall serve as the Chief Financial Officer of the intelligence community and, to the extent applicable, shall have the duties, responsibilities, and authorities specified in chapter 9 of title 31.

(d) Prohibition on simultaneous service as other Chief Financial Officer

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

(e) Definitions

In this section:

(1) The term “major system” has the meaning given that term in section 3097(e) of this title.

(2) The term “Milestone A” has the meaning given that term in section 3103(f)¹ of this title.

(3) The term “Milestone B” has the meaning given that term in section 3099(e) of this title.

(July 26, 1947, ch. 343, title I, §103I, as added Pub. L. 111-259, title IV, §406(a), Oct. 7, 2010, 124 Stat. 2720; amended Pub. L. 116-92, div. E, title LXIV, §6404, Dec. 20, 2019, 133 Stat. 2196.)

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 403-31 of this title prior to editorial reclassification and renumbering as this section.

¹ So in original. Section 3103 of this title does not contain a subsec. (f).

AMENDMENTS

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

§ 3034a. Functional Managers for the intelligence community

(a) Functional Managers authorized

The Director of National Intelligence may establish within the intelligence community one or more positions of manager of an intelligence function. Any position so established may be known as the “Functional Manager” of the intelligence function concerned.

(b) Personnel

The Director shall designate individuals to serve as manager of intelligence functions established under subsection (a) from among officers and employees of elements of the intelligence community.

(c) Duties

Each manager of an intelligence function established under subsection (a) shall have the duties as follows:

(1) To act as principal advisor to the Director on the intelligence function.

(2) To carry out such other responsibilities with respect to the intelligence function as the Director may specify for purposes of this section.

(July 26, 1947, ch. 343, title I, §103J, as added Pub. L. 113-126, title III, §305(a), July 7, 2014, 128 Stat. 1395.)

§ 3034b. Intelligence Community Chief Data Officer

(a) Intelligence Community Chief Data Officer

There is an Intelligence Community Chief Data Officer within the Office of the Director of National Intelligence who shall be appointed by the Director of National Intelligence.

(b) Requirement relating to appointment

An individual appointed as the Intelligence Community Chief Data Officer shall have a professional background and experience appropriate for the duties of the Intelligence Community Chief Data Officer. In making such appointment, the Director of National Intelligence may give preference to an individual with experience outside of the United States Government.

(c) Duties

The Intelligence Community Chief Data Officer shall—

(1) act as the chief representative of the Director of National Intelligence for data issues within the intelligence community;

(2) coordinate, to the extent practicable and advisable, with the Chief Data Officer of the Department of Defense to ensure consistent data policies, standards, and procedures between the intelligence community and the Department of Defense;

(3) assist the Director of National Intelligence regarding data elements of the budget of the Office of the Director of National Intelligence; and

(4) perform other such duties relating to data as may be prescribed by the Director of National Intelligence or specified in law.