

(July 26, 1947, ch. 343, title I, §103K, as added Pub. L. 117-263, div. F, title LXVII, §6704, Dec. 23, 2022, 136 Stat. 3562; amended Pub. L. 118-31, div. G, title III, §7310(b)(1), Dec. 22, 2023, 137 Stat. 1028.)

### Editorial Notes

#### AMENDMENTS

2023—Subsec. (c)(4). Pub. L. 118-31 inserted “relating to data” after “duties”.

### Statutory Notes and Related Subsidiaries

#### REMOVAL OF UNRELATED DUTIES AND FUNCTIONS

Pub. L. 118-31, div. G, title III, §7310(b)(2), Dec. 22, 2023, 137 Stat. 1028, provided that: “Not later than 90 days after the date of the enactment of this Act [Dec. 22, 2023], consistent with section 103K(c) of the National Security Act of 1947 (50 U.S.C. 3034b(c)), as amended by paragraph (1), the Director of National Intelligence shall complete such internal reorganization of the Office of the Director of National Intelligence as the Director determines necessary to ensure that the duties of the Intelligence Community Chief Data Officer appointed under such section do not include any other duty that does not relate to an issue involving data.”

### § 3034c. Intelligence Community Innovation Unit

#### (a) Definitions

In this section:

##### (1) Emerging technology

the term “emerging technology” has the meaning given that term in section 6701 of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117-263; 50 U.S.C. 3024 note).

##### (2) Unit

The term “Unit” means the Intelligence Community Innovation Unit.

#### (b) Plan for implementation of Intelligence Community Innovation Unit

##### (1) Plan required

Not later than 180 days after December 22, 2023, the Director of National Intelligence shall develop a plan for how to implement the Intelligence Community Innovation Unit within the intelligence community.

##### (2) Matters covered

The plan developed pursuant to paragraph (1) shall cover how the Unit will—

(A) benefit heads of the elements of the intelligence community in identifying commercial emerging technologies and associated capabilities to address critical mission needs of elements of the intelligence community;

(B) provide to the heads of the elements of the intelligence community seeking to field commercial emerging technologies technical expertise with respect to such technologies.<sup>1</sup>

(C) facilitate the transition of potential prototypes and solutions to critical mission needs of the intelligence community from research and prototype projects to production; and

(D) serve as a liaison between the intelligence community and the private sector,

in which capacity such liaison shall focus on small- and medium-sized companies and other organizations that do not have significant experience engaging with the intelligence community.

#### (3) Requirements

The plan developed pursuant to paragraph (1) shall—

(A) plan for not more than 50 full-time equivalent personnel; and

(B) include an assessment as to how the establishment of the Unit would benefit the identification and evaluation of commercial emerging technologies for prototyping and potential adoption by the intelligence community to fulfill critical mission needs.

#### (4) Submission to Congress

Upon completing development of the plan pursuant to paragraph (1), the Director shall—

(A) submit to the congressional intelligence committees, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives a copy of the plan; and

(B) provide such committees and subcommittees a briefing on the plan.

#### (c) Establishment

To the extent and in such amounts as specifically provided in advance in appropriations Acts for the purposes detailed in this section, not later than 180 days after the date on which the Director of National Intelligence submits the plan pursuant to subsection (b)(4)(A), the Director of National Intelligence shall establish the Unit within the Office of the Director of National Intelligence.

#### (d) Limitation

The Unit shall not abrogate or otherwise constrain any element of the intelligence community from conducting authorized activities.

#### (e) Director of the Intelligence Community Innovation Unit

##### (1) Appointment; reporting

The head of the Unit is the Director of the Intelligence Community Innovation Unit, who shall be appointed by the Director of National Intelligence and shall report directly to the Director of National Intelligence.

##### (2) Qualifications

In selecting an individual for appointment as the Director of the Intelligence Community Innovation Unit, the Director of National Intelligence shall give preference to individuals who the Director of National Intelligence determines have—

(A) significant relevant experience involving commercial emerging technology within the private sector; and

(B) a demonstrated history of fostering the adoption of commercial emerging technologies by the United States Government or the private sector.

#### (f) Staff

##### (1) In general

In addition to the Director of the Intelligence Community Innovation Unit, the Unit

<sup>1</sup> So in original. The period probably should be a semicolon.

shall be composed of not more than 50 full-time equivalent positions.

**(2) Staff with certain expertise**

The Director of National Intelligence shall ensure that there is a sufficient number of staff of the Unit, as determined by the Director, with expertise in—

- (A) other transaction authorities and non-traditional and rapid acquisition pathways for emerging technology;
- (B) engaging and evaluating small- and medium-sized emerging technology companies;
- (C) the mission needs of the intelligence community; and
- (D) such other skills or experiences as the Director determines necessary.

**(g) Authority relating to detailees**

Upon request of the Unit, each head of an element of the intelligence community may detail to the Unit any of the personnel of that element to assist in carrying out the duties under subsection (b) on a reimbursable or a nonreimbursable basis.

**(h) Ensuring transition from prototyping to production**

The Director of the Intelligence Community Innovation Unit shall transition research and prototype projects to products in a production stage upon identifying a demonstrated critical mission need of one or more elements of the intelligence community and a potential mission partner likely to field and further fund upon maturation, including by designating projects as Emerging Technology Transition Projects under the pilot program required by section 6713 of the Intelligence Authorization Act for Fiscal Year 2023 (Public Law 117–263; 50 U.S.C. 3024 note).

**(i) Encouragement of use by elements**

The Director of National Intelligence shall take such steps as may be necessary to encourage the use of the Unit by the heads of the other elements of the intelligence community.

**(j) Rules of construction**

**(1) No preferential treatment for private sector**

Nothing in this section shall be construed to require any element of the intelligence community to provide preferential treatment for any private sector entity with regard to procurement of technology construed as restricting or preempting any activities of the intelligence community.

**(2) No additional authority**

The Unit established pursuant to subsection (c) will be limited to the existing authorities possessed by the Director of National Intelligence.

**(k) Sunset**

The authorities and requirements of this section shall terminate on the date that is 5 years after the date of the establishment of the Unit.

(July 26, 1947, ch. 343, title I, §103L, as added Pub. L. 118–31, div. G, title V, §7502, Dec. 22, 2023, 137 Stat. 1079.)

**§ 3034d. National Intelligence Management Council**

**(a) Establishment**

There is within the Office of the Director of National Intelligence a National Intelligence Management Council.

**(b) Composition**

(1) The National Intelligence Management Council shall be composed of senior officials within the intelligence community and substantive experts from the public or private sector, who shall be appointed by, report to, and serve at the pleasure of, the Director of National Intelligence.

(2) The Director shall prescribe appropriate security requirements for personnel appointed from the private sector as a condition of service on the National Intelligence Management Council, or as contractors of the Council or employees of such contractors, to ensure the protection of intelligence sources and methods while avoiding, wherever possible, unduly intrusive requirements which the Director considers to be unnecessary for this purpose.

**(c) Duties and responsibilities**

Members of the National Intelligence Management Council shall work with each other and with other elements of the intelligence community to ensure proper coordination and to minimize duplication of effort, in addition to the following duties and responsibilities:

(1) Provide integrated mission input to support the processes and activities of the intelligence community, including with respect to intelligence planning, programming, budgeting, and evaluation processes.

(2) Identify and pursue opportunities to integrate or coordinate collection and counterintelligence efforts.

(3) In concert with the responsibilities of the National Intelligence Council, ensure the integration and coordination of analytic and collection efforts.

(4) Develop and coordinate intelligence strategies in support of budget planning and programming activities.

(5) Advise the Director of National Intelligence on the development of the National Intelligence Priorities Framework of the Office of the Director of National Intelligence (or any successor mechanism established for the prioritization of programs and activities).

(6) In concert with the responsibilities of the National Intelligence Council, support the role of the Director of National Intelligence as principal advisor to the President on intelligence matters.

(7) Inform the elements of the intelligence community of the activities and decisions related to missions assigned to the National Intelligence Management Council.

(8) Maintain awareness, across various functions and disciplines, of the mission-related activities and budget planning of the intelligence community.

(9) Evaluate, with respect to assigned mission objectives, requirements, and unmet requirements, the implementation of the budget of each element of the intelligence community.