

on Banking, Housing, and Urban Affairs of the Senate.

(July 26, 1947, ch. 343, title I, § 118, as added Pub. L. 107-306, title III, § 342(a)(1), Nov. 27, 2002, 116 Stat. 2398; amended Pub. L. 111-259, title III, § 347(d), Oct. 7, 2010, 124 Stat. 2698; Pub. L. 117-263, div. F, title LXVIII, § 6824(a)(3), Dec. 23, 2022, 136 Stat. 3615.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 404m of this title prior to editorial reclassification and renumbering as this section.

##### AMENDMENTS

2022—Subsec. (a). Pub. L. 117-263 substituted “an annual” for “a annual” in introductory provisions.

2010—Pub. L. 111-259, § 347(d)(1), substituted “Annual” for “Semiannual” in section catchline.

Subsec. (a). Pub. L. 111-259, § 347(d)(2)(A), (B), in heading, substituted “Annual” for “Semiannual” and, in introductory provisions, substituted “annual basis” for “semiannual basis” and “preceding one-year period” for “preceding six-month period”.

Subsec. (a)(2) to (4). Pub. L. 111-259, § 347(d)(2)(C), (D), redesignated pars. (3) and (4) as (2) and (3), respectively, and struck out former par. (2) which read as follows: “the total number of applications for asset seizure and designations of individuals or entities suspected of having engaged in financial support of terrorist activities that were granted, modified, or denied;”.

Subsec. (d)(1), (2). Pub. L. 111-259, § 347(d)(3), inserted “the Committee on Armed Services,” after “the Committee on Appropriations,”.

### § 3056. National Counterterrorism Center

#### (a) Establishment of Center

There is within the Office of the Director of National Intelligence a National Counterterrorism Center.

#### (b) Director of National Counterterrorism Center

(1) There is a Director of the National Counterterrorism Center, who shall be the head of the National Counterterrorism Center, and who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) The Director of the National Counterterrorism Center may not simultaneously serve in any other capacity in the executive branch.

#### (c) Reporting

(1) The Director of the National Counterterrorism Center shall report to the Director of National Intelligence with respect to matters described in paragraph (2) and the President with respect to matters described in paragraph (3).

(2) The matters described in this paragraph are as follows:

(A) The budget and programs of the National Counterterrorism Center.

(B) The activities of the Directorate of Intelligence of the National Counterterrorism Center under subsection (i).

(C) The conduct of intelligence operations implemented by other elements of the intelligence community; and

(3) The matters described in this paragraph are the planning and progress of joint

counterterrorism operations (other than intelligence operations).

#### (d) Primary missions

The primary missions of the National Counterterrorism Center shall be as follows:

(1) To serve as the primary organization in the United States Government for analyzing and integrating all intelligence possessed or acquired by the United States Government pertaining to terrorism and counterterrorism, excepting intelligence pertaining exclusively to domestic terrorists and domestic counterterrorism.

(2) To conduct strategic operational planning for counterterrorism activities, integrating all instruments of national power, including diplomatic, financial, military, intelligence, homeland security, and law enforcement activities within and among agencies.

(3) To assign roles and responsibilities as part of its strategic operational planning duties to lead Departments or agencies, as appropriate, for counterterrorism activities that are consistent with applicable law and that support counterterrorism strategic operational plans, but shall not direct the execution of any resulting operations.

(4) To ensure that agencies, as appropriate, have access to and receive all-source intelligence support needed to execute their counterterrorism plans or perform independent, alternative analysis.

(5) To ensure that such agencies have access to and receive intelligence needed to accomplish their assigned activities.

(6) To serve as the central and shared knowledge bank on known and suspected terrorists and international terror groups, as well as their goals, strategies, capabilities, and networks of contacts and support.

#### (e) Domestic counterterrorism intelligence

(1) The Center may, consistent with applicable law, the direction of the President, and the guidelines referred to in section 3024(b) of this title, receive intelligence pertaining exclusively to domestic counterterrorism from any Federal, State, or local government or other source necessary to fulfill its responsibilities and retain and disseminate such intelligence.

(2) Any agency authorized to conduct counterterrorism activities may request information from the Center to assist it in its responsibilities, consistent with applicable law and the guidelines referred to in section 3024(b) of this title.

#### (f) Duties and responsibilities of Director

(1) The Director of the National Counterterrorism Center shall—

(A) serve as the principal adviser to the Director of National Intelligence on intelligence operations relating to counterterrorism;

(B) provide strategic operational plans for the civilian and military counterterrorism efforts of the United States Government and for the effective integration of counterterrorism intelligence and operations across agency boundaries, both inside and outside the United States;

(C) advise the Director of National Intelligence on the extent to which the

counterterrorism program recommendations and budget proposals of the departments, agencies, and elements of the United States Government conform to the priorities established by the President;

(D) disseminate terrorism information, including current terrorism threat analysis, to the President, the Vice President, the Secretaries of State, Defense, and Homeland Security, the Attorney General, the Director of the Central Intelligence Agency, and other officials of the executive branch as appropriate, and to the appropriate committees of Congress;

(E) support the Department of Justice and the Department of Homeland Security, and other appropriate agencies, in fulfillment of their responsibilities to disseminate terrorism information, consistent with applicable law, guidelines referred to in section 3024(b) of this title, Executive orders and other Presidential guidance, to State and local government officials, and other entities, and coordinate dissemination of terrorism information to foreign governments as approved by the Director of National Intelligence;

(F) develop a strategy for combining terrorist travel intelligence operations and law enforcement planning and operations into a cohesive effort to intercept terrorists, find terrorist travel facilitators, and constrain terrorist mobility;

(G) have primary responsibility within the United States Government for conducting net assessments of terrorist threats;

(H) consistent with priorities approved by the President, assist the Director of National Intelligence in establishing requirements for the intelligence community for the collection of terrorism information; and

(I) perform such other duties as the Director of National Intelligence may prescribe or are prescribed by law.

(2) Nothing in paragraph (1)(G) shall limit the authority of the departments and agencies of the United States to conduct net assessments.

**(g) Limitation**

The Director of the National Counterterrorism Center may not direct the execution of counterterrorism operations.

**(h) Resolution of disputes**

The Director of National Intelligence shall resolve disagreements between the National Counterterrorism Center and the head of a department, agency, or element of the United States Government on designations, assignments, plans, or responsibilities under this section. The head of such a department, agency, or element may appeal the resolution of the disagreement by the Director of National Intelligence to the President.

**(i) Directorate of Intelligence**

The Director of the National Counterterrorism Center shall establish and maintain within the National Counterterrorism Center a Directorate of Intelligence which shall have primary responsibility within the United States Government for analysis of terrorism and terrorist organizations (except for purely domestic terrorism and

domestic terrorist organizations) from all sources of intelligence, whether collected inside or outside the United States.

**(j) Directorate of Strategic Operational Planning**

(1) The Director of the National Counterterrorism Center shall establish and maintain within the National Counterterrorism Center a Directorate of Strategic Operational Planning which shall provide strategic operational plans for counterterrorism operations conducted by the United States Government.

(2) Strategic operational planning shall include the mission, objectives to be achieved, tasks to be performed, interagency coordination of operational activities, and the assignment of roles and responsibilities.

(3) The Director of the National Counterterrorism Center shall monitor the implementation of strategic operational plans, and shall obtain information from each element of the intelligence community, and from each other department, agency, or element of the United States Government relevant for monitoring the progress of such entity in implementing such plans.

(July 26, 1947, ch. 343, title I, § 119, as added Pub. L. 108-458, title I, § 1021, Dec. 17, 2004, 118 Stat. 3672; amended Pub. L. 111-259, title VIII, § 804(5), Oct. 7, 2010, 124 Stat. 2747.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 4040 of this title prior to editorial reclassification and renumbering as this section.

**AMENDMENTS**

2010—Subsec. (c)(2)(B). Pub. L. 111-259 substituted “subsection (i)” for “subsection (h)”.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

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.

**STRATEGY FOR COUNTERTERRORIST TRAVEL INTELLIGENCE**

Pub. L. 108-458, title VII, § 7201(b), Dec. 17, 2004, 118 Stat. 3809, directed the Director of the National Counterterrorism Center, not later than 1 year after Dec. 17, 2004, to submit to Congress unclassified and classified versions of a strategy, to be developed in coordination with all relevant Federal agencies, for combining terrorist travel intelligence, operations, and law enforcement into a cohesive effort to intercept terrorists, find terrorist travel facilitators, and constrain terrorist mobility domestically and internationally.

**Executive Documents**

**EXECUTIVE ORDER NO. 13354**

Ex. Ord. No. 13354, Aug. 27, 2004, 69 F.R. 53589, which established a National Counterterrorism Center, was revoked by Ex. Ord. No. 12333, § 3.6, Dec. 4, 1981, 46 F.R. 59954, as amended by Ex. Ord. No. 13470, § 4(j), July 30, 2008, 73 F.R. 45341, set out as a note under section 3001 of this title.

**§ 3057. National Counterproliferation and Biosecurity Center**

**(a) Establishment**

(1) The President shall establish a National Counterproliferation and Biosecurity Center, taking into account all appropriate government tools to—

(A) prevent and halt the proliferation of weapons of mass destruction, their delivery systems, and related materials and technologies; and

(B) lead integration and mission management of all intelligence activities pertaining to biosecurity and foreign biological threats.

(2) The head of the National Counterproliferation and Biosecurity Center shall be the Director of the National Counterproliferation and Biosecurity Center, who shall be appointed by the Director of National Intelligence.

(3) The National Counterproliferation and Biosecurity Center shall be located within the Office of the Director of National Intelligence.

(4) The Director of the National Counterproliferation and Biosecurity Center shall serve as the principal coordinator for the intelligence community, and as the principal advisor to the Director of National Intelligence, with respect to biosecurity and foreign biological threats.

**(b) Missions and objectives**

**(1) Counterproliferation**

In establishing the National Counterproliferation and Biosecurity Center, the President shall address the following missions and objectives to prevent and halt the proliferation of weapons of mass destruction, their delivery systems, and related materials and technologies:

(A) Establishing a primary organization within the United States Government for analyzing and integrating all intelligence possessed or acquired by the United States pertaining to proliferation.

(B) Ensuring that appropriate agencies have full access to and receive all-source intelligence support needed to execute their counterproliferation plans or activities, and perform independent, alternative analyses.

(C) Establishing a central repository on known and suspected proliferation activities, including the goals, strategies, capabilities, networks, and any individuals, groups, or entities engaged in proliferation.

(D) Disseminating proliferation information, including proliferation threats and analyses, to the President, to the appropriate departments and agencies, and to the appropriate committees of Congress.

(E) Conducting net assessments and warnings about the proliferation of weapons of mass destruction, their delivery systems, and related materials and technologies.

(F) Coordinating counterproliferation plans and activities of the various departments and agencies of the United States Government to prevent and halt the proliferation of weapons of mass destruction, their delivery systems, and related materials and technologies.

(G) Conducting strategic operational counterproliferation planning for the United States Government to prevent and halt the proliferation of weapons of mass destruction, their delivery systems, and related materials and technologies.

**(2) Biosecurity**

In establishing the National Counterproliferation and Biosecurity Center, the President shall address the following missions and objectives to ensure that the Center serves as the lead for the intelligence community for the integration, mission management, and coordination of intelligence activities pertaining to biosecurity and foreign biological threats, regardless of origin:

(A) Ensuring that the elements of the intelligence community provide timely and effective warnings to the President and the Director of National Intelligence regarding emerging foreign biological threats, including diseases with pandemic potential.

(B) Overseeing and coordinating the collection and analysis of intelligence on biosecurity and foreign biological threats in support of the intelligence needs of the Federal departments and agencies responsible for public health, including by conveying collection priorities to elements of the intelligence community.

(C) Coordinating intelligence support to the Federal departments and agencies responsible for public health, including by ensuring that intelligence pertaining to biosecurity and foreign biological threats is disseminated among appropriately cleared personnel of such departments and agencies.

(D) Coordinating with the Federal departments and agencies responsible for public health to encourage information sharing with the intelligence community.

(E) Identifying gaps in the capabilities of the intelligence community regarding biosecurity and countering foreign biological threats and providing to the Director of National Intelligence recommended solutions for such gaps, including by encouraging research and development of new capabilities to counter foreign biological threats.

**(c) National security waiver**

The President may waive the requirements of this section, and any parts thereof, if the President determines that such requirements do not materially improve the ability of the United States Government to prevent and halt the proliferation of weapons of mass destruction, their delivery systems, and related materials and technologies. Such waiver shall be made in writing to Congress and shall include a description of how the missions and objectives in subsection (b) are being met.

**(d) Report to Congress**

(1) Not later than nine months after the implementation of this chapter, the President shall submit to Congress, in classified form if necessary, the findings and recommendations of the President's Commission on Weapons of Mass Destruction established by Executive Order in February 2004, together with the views of the Presi-