

**Editorial Notes**

## CODIFICATION

Section was formerly classified to section 4040-2 of this title prior to editorial reclassification and renumbering as this section.

**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.

**§ 3059. Foreign Malign Influence Center****(a) Establishment**

There is within the Office of the Director of National Intelligence a Foreign Malign Influence Center (in this section referred to as the “Center”).

**(b) Functions and composition**

The Center shall—

(1) be comprised of analysts from all elements of the intelligence community, including elements with diplomatic and law enforcement functions;

(2) have access to all intelligence and other reporting possessed or acquired by the United States Government pertaining to foreign malign influence;

(3) 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 foreign malign influence; and

(4) provide to employees and officers of the Federal Government in policy-making positions and Congress comprehensive assessments, and indications and warnings, of foreign malign influence.

**(c) Director****(1) Appointment**

There is a Director of the Center, who shall be the head of the Center, and who shall be appointed by the Director of National Intelligence.

**(2) Role**

The Director of the Center shall—

(A) report directly to the Director of National Intelligence;

(B) carry out the functions under subsection (b); and

(C) at the request of the President or the Director of National Intelligence, develop and provide recommendations for potential responses by the United States to foreign malign influence.

**(d) Annual reports****(1) In general**

In addition to the matters submitted pursuant to subsection (b)(4), at the direction of the Director of National Intelligence, but not less

than once each year, the Director of the Center shall submit to the congressional intelligence committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on foreign malign influence.

**(2) Matters included**

Each report under paragraph (1) shall include, with respect to the period covered by the report, a discussion of the following:

(A) The most significant activities of the Center.

(B) Any recommendations the Director determines necessary for legislative or other actions to improve the ability of the Center to carry out its functions, including recommendations regarding the protection of privacy and civil liberties.

**(e) Termination**

After December 31, 2028, the Director of National Intelligence may terminate the Center, but only if the Director of National Intelligence submits 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 determination that the termination of the Center is appropriate, which includes—

(1) a detailed description that other offices or entities within the intelligence community—

(A) have the capabilities to perform the functions of the Center; and

(B) will exercise the functions of the Center upon the termination of the Center; and

(2) a detailed description of—

(A) the actions the Director of National Intelligence will take to conduct an orderly wind-down of the activities of the Center; and

(B) the proposed timeline for such actions.

**(f) Definitions**

In this section:

**(1) Covered foreign country**

The term “covered foreign country” means the following:

(A) The Russian Federation.

(B) The Islamic Republic of Iran.

(C) The Democratic People’s Republic of Korea.

(D) The People’s Republic of China.

(E) Any other foreign country that the Director of the Center determines appropriate for purposes of this section.

**(2) Foreign malign influence**

The term “foreign malign influence” means any hostile effort undertaken by, at the direction of, or on behalf of or with the substantial support of, the government of a covered foreign country with the objective of influencing, through overt or covert means—

(A) the political, military, economic, or other policies or activities of the United States Government or State or local governments, including any election within the United States; or

(B) the public opinion within the United States.

(July 26, 1947, ch. 343, title I, § 119C, as added Pub. L. 116–92, div. E, title LIII, § 5322(a), Dec. 20, 2019, 133 Stat. 2129; amended Pub. L. 117–263, div. F, title LXIII, § 6307(a)(1), (b), Dec. 23, 2022, 136 Stat. 3504, 3505.)

#### Editorial Notes

##### AMENDMENTS

2022—Pub. L. 117–263, § 6307(a)(1)(A), struck out “Response” after “Influence” in section catchline.

Subsec. (a). Pub. L. 117–263, § 6307(a)(1)(B), struck out “Response” after “Influence”.

Subsecs. (e), (f). Pub. L. 117–263, § 6307(b), added subsec. (e) and redesignated former subsec. (e) as (f).

#### Statutory Notes and Related Subsidiaries

##### REFERENCE TO FOREIGN MALIGN INFLUENCE RESPONSE CENTER

Pub. L. 117–263, div. F, title LXIII, § 6307(a)(4), Dec. 23, 2022, 136 Stat. 3505, provided that: “Any reference in law, regulation, map, document, paper, or other record of the United States to the ‘Foreign Malign Influence Response Center’ shall be deemed to be a reference to the Foreign Malign Influence Center.”

### § 3060. Climate Security Advisory Council

#### (a) Establishment

The Director of National Intelligence shall establish a Climate Security Advisory Council for the purpose of—

- (1) assisting intelligence analysts of various elements of the intelligence community with respect to analysis of climate security and its impact on the areas of focus of such analysts;
- (2) facilitating coordination between the elements of the intelligence community and elements of the Federal Government that are not elements of the intelligence community in collecting data on, and conducting analysis of, climate change and climate security; and
- (3) ensuring that the intelligence community is adequately prioritizing climate change in carrying out its activities.

#### (b) Composition of Council

##### (1) Members

The Council shall be composed of the following individuals appointed by the Director of National Intelligence:

- (A) An appropriate official from the National Intelligence Council, who shall chair the Council.
- (B) The lead official with respect to climate and environmental security analysis from—
  - (i) the Central Intelligence Agency;
  - (ii) the Bureau of Intelligence and Research of the Department of State;
  - (iii) the National Geospatial-Intelligence Agency;
  - (iv) the Office of Intelligence and Counterintelligence of the Department of Energy;
  - (v) the Office of the Under Secretary of Defense for Intelligence and Security; and
  - (vi) the Defense Intelligence Agency.
- (C) Three appropriate officials from elements of the Federal Government that are

not elements of the intelligence community that are responsible for—

- (i) providing decision makers with a predictive understanding of the climate;
- (ii) making observations of our Earth system that can be used by the public, policymakers, and to support strategic decisions; or
- (iii) coordinating Federal research and investments in understanding the forces shaping the global environment, both human and natural, and their impacts on society.

(D) Any other officials as the Director of National Intelligence or the chair of the Council may determine appropriate.

#### (2) Responsibilities of chair

The chair of the Council shall have responsibility for—

- (A) identifying agencies to supply individuals from elements of the Federal Government that are not elements of the intelligence community;
- (B) securing the permission of the relevant agency heads for the participation of such individuals on the Council; and
- (C) any other duties that the Director of National Intelligence may direct.

#### (c) Duties and responsibilities of Council

The Council shall carry out the following duties and responsibilities:

- (1) To meet at least quarterly to—
  - (A) exchange appropriate data between elements of the intelligence community and elements of the Federal Government that are not elements of the intelligence community;
  - (B) discuss processes for the routine exchange of such data and implementation of such processes; and
  - (C) prepare summaries of the business conducted at each meeting.
- (2) To assess and determine best practices with respect to the analysis of climate security, including identifying publicly available information and intelligence acquired through clandestine means that enables such analysis.
- (3) To assess and identify best practices with respect to prior efforts of the intelligence community to analyze climate security.
- (4) To assess and describe best practices for identifying and disseminating climate intelligence indications and warnings.
- (5) To recommend methods of incorporating analysis of climate security and the best practices identified under paragraphs (2) through (4) into existing analytic training programs.
- (6) To consult, as appropriate, with other elements of the intelligence community that conduct analysis of climate change or climate security and elements of the Federal Government that are not elements of the intelligence community that conduct analysis of climate change or climate security, for the purpose of sharing information about ongoing efforts and avoiding duplication of existing efforts.
- (7) To work with elements of the intelligence community that conduct analysis of climate change or climate security and elements of