

ances processed for Federal employees and contractor employees sponsored by each such element.

(2) Each report submitted under paragraph (1)(A) shall include, for each element of the intelligence community for the fiscal year covered by the report, the following:

(A) The total number of initial security clearance background investigations sponsored for new applicants.

(B) The total number of security clearance periodic reinvestigations sponsored for existing employees.

(C) The total number of initial security clearance background investigations for new applicants that were adjudicated with notice of a determination provided to the prospective applicant, including—

(i) the total number of such adjudications that were adjudicated favorably and granted access to classified information; and

(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

(D) The total number of security clearance periodic background investigations that were adjudicated with notice of a determination provided to the existing employee, including—

(i) the total number of such adjudications that were adjudicated favorably; and

(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

(E) The total number of pending security clearance background investigations, including initial applicant investigations and periodic reinvestigations, that were not adjudicated as of the last day of such year and that remained pending, categorized as follows:

(i) For 180 days or shorter.

(ii) For longer than 180 days, but shorter than 12 months.

(iii) For 12 months or longer, but shorter than 18 months.

(iv) For 18 months or longer, but shorter than 24 months.

(v) For 24 months or longer.

(F) For any security clearance determinations completed or pending during the year preceding the year for which the report is submitted that have taken longer than 12 months to complete—

(i) an explanation of the causes for the delays incurred during the period covered by the report; and

(ii) the number of such delays involving a polygraph requirement.

(G) The percentage of security clearance investigations, including initial and periodic reinvestigations, that resulted in a denial or revocation of a security clearance.

(H) The percentage of security clearance investigations that resulted in incomplete information.

(I) The percentage of security clearance investigations that did not result in enough information to make a decision on potentially adverse information.

(3) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.

**(c) Form**

The reports required under subsections (a)(1) and (b) shall be submitted in unclassified form, but may include a classified annex.

(July 26, 1947, ch. 343, title V, §506H, as added Pub. L. 111-259, title III, §367(a)(1)(A), Oct. 7, 2010, 124 Stat. 2703; amended Pub. L. 114-113, div. M, title VII, §701(a), Dec. 18, 2015, 129 Stat. 2929; Pub. L. 116-92, div. E, title LXVI, §6609(b), Dec. 20, 2019, 133 Stat. 2217.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 415a-10 of this title prior to editorial reclassification and renumbering as this section.

**AMENDMENTS**

2019—Subsec. (a)(1)(C). Pub. L. 116-92, §6609(b)(1), struck out subpar. (C) which related to security clearance investigations and determinations for each element of the intelligence community.

Subsec. (b). Pub. L. 116-92, §6609(b)(3), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 116-92, §6609(b)(2), (4), redesignated subsec. (b) as (c) and substituted “subsections (a)(1) and (b)” for “subsection (a)(1)”.

2015—Subsec. (a). Pub. L. 114-113, §701(a)(1), (2), redesignated subsec. (b) as (a) and struck out former subsec. (a) which related to quadrennial audit of position requirements.

Subsecs. (b), (c). Pub. L. 114-113, §701(a)(2), (3), redesignated subsec. (c) as (b) and substituted “The reports required under subsection (a)(1)” for “The results required under subsection (a)(2) and the reports required under subsection (b)(1)”. Former subsec. (b) redesignated (a).

**Statutory Notes and Related Subsidiaries**

**CHANGE OF NAME**

Committee on Oversight and Reform of House of Representatives changed to Committee on Oversight and Accountability of House of Representatives by House Resolution No. 5, One Hundred Eighteenth Congress, Jan. 9, 2023.

**INITIAL AUDIT**

Pub. L. 111-259, title III, §367(a)(1)(B), Oct. 7, 2010, 124 Stat. 2704, provided that: “The first audit required to be conducted under section 506H(a)(1) of the National Security Act of 1947 [50 U.S.C. 3104(a)(1)], as added by subparagraph (A) of this paragraph, shall be completed not later than February 1, 2011.”

**§ 3105. Summary of intelligence relating to terrorist recidivism of detainees held at United States Naval Station, Guantanamo Bay, Cuba**

**(a) In general**

The Director of National Intelligence, in consultation with the Director of the Central Intelligence Agency and the Director of the Defense Intelligence Agency, shall make publicly available an unclassified summary of—

(1) intelligence relating to recidivism of detainees currently or formerly held at the Naval Detention Facility at Guantanamo Bay, Cuba, by the Department of Defense; and

(2) an assessment of the likelihood that such detainees will engage in terrorism or communicate with persons in terrorist organizations.

**(b) Updates**

Not less frequently than annually, the Director of National Intelligence, in consultation with the Director of the Central Intelligence Agency and the Secretary of Defense, shall update and make publicly available an unclassified summary consisting of the information required by subsection (a) and the number of individuals formerly detained at Naval Station, Guantanamo Bay, Cuba, who are confirmed or suspected of returning to terrorist activities after release or transfer from such Naval Station.

(July 26, 1947, ch. 343, title V, §506I, as added Pub. L. 112-87, title III, §307(a)(1), Jan. 3, 2012, 125 Stat. 1882; amended Pub. L. 116-92, div. E, title LVII, §5701(a)(1), Dec. 20, 2019, 133 Stat. 2159.)

**Editorial Notes**

## CODIFICATION

Section was formerly classified to section 415a-11 of this title prior to editorial reclassification and renumbering as this section.

## AMENDMENTS

2019—Subsec. (b). Pub. L. 116-92 substituted “annually” for “once every 6 months”.

**Statutory Notes and Related Subsidiaries**

## INITIAL UPDATE

Pub. L. 112-87, title III, §307(a)(2), Jan. 3, 2012, 125 Stat. 1883, provided that: “The initial update required by section 506I(b) of such Act [act July 26, 1947, ch. 343; 50 U.S.C. 3105(b)], as added by paragraph (1) of this subsection, shall be made publicly available not later than 10 days after the date the first report following the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2012 [Jan. 3, 2012] is submitted to members and committees of Congress pursuant to section 319 of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 10 U.S.C. 801 note).”

**§ 3105a. Classified intelligence budget justification materials****(a) Definitions**

In this section:

**(1) Budget**

The term “budget” has the meaning given the term “budget of the President” in section 3097 of this title.

**(2) Classified intelligence budget justification materials**

The term “classified intelligence budget justification materials” means, with respect to a fiscal year, the materials submitted to Congress by the Director of National Intelligence in support of the budget for that fiscal year that are classified or otherwise protected from public disclosure.

**(b) Timely submission**

Not later than 5 days after the date on which the President submits to Congress the budget for each fiscal year pursuant to section 1105(a) of title 31, the Director of National Intelligence shall submit to the congressional intelligence committees the classified intelligence budget justification materials for the element for that budget.

(July 26, 1947, ch. 343, title V, §506J, as added Pub. L. 117-263, div. F, title LXIII, §6305, Dec. 23, 2022, 136 Stat. 3504.)

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 3105a, act July 26, 1947, ch. 343, title V, §506J, as added Pub. L. 113-126, title III, §306(a), July 7, 2014, 128 Stat. 1395, required annual assessments of intelligence community performance by function, prior to repeal by Pub. L. 116-92, div. E, title LVII, §5701(c), Dec. 20, 2019, 133 Stat. 2160.

**§ 3106. Dates for submittal of various annual and semiannual reports to the congressional intelligence committees****(a) Annual reports**

The date for the submittal to the congressional intelligence committees of the following annual reports shall be the date each year provided in subsection (c)(1):

(1) The annual report of the Inspectors General of the intelligence community on proposed resources and activities of their offices required by section 416(h) of title 5.

(2) The annual report on certifications for immunity in interdiction of aircraft engaged in illicit drug trafficking required by section 2291-4(c)(2) of title 22.

(3) The annual report on activities under the David L. Boren National Security Education Act of 1991 (title VIII of Public Law 102-183; 50 U.S.C. 1901 et seq.) required by section 806(a) of that Act (50 U.S.C. 1906(a)).

(4) The annual report on hiring and retention of minority employees in the intelligence community required by section 3050(a) of this title.

(5) The annual report on financial intelligence on terrorist assets required by section 3055 of this title.

(6) An annual report submitted under section 3059(d)(1) of this title.

**(b) Semiannual reports**

The dates for the submittal to the congressional intelligence committees of the following semiannual reports shall be the dates each year provided in subsection (c)(2):

(1) The semiannual reports on decisions not to prosecute certain violations of law under the Classified Information Procedures Act (18 U.S.C. App.) as required by section 13 of that Act.

(2) The semiannual reports on the disclosure of information and consumer reports to the Federal Bureau of Investigation for counterintelligence purposes required by section 1681u(h)(2) of title 15.<sup>1</sup>

(3) The semiannual provision of information on requests for financial information for foreign counterintelligence purposes required by section 3414(a)(5)(C) of title 12.

**(c) Submittal dates for reports**

(1) Except as provided in subsection (d), each annual report listed in subsection (a) shall be submitted not later than February 1.

(2) Except as provided in subsection (d), each semiannual report listed in subsection (b) shall

<sup>1</sup> See References in Text note below.