

tion from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters, the General Counsel of each element of the intelligence community shall notify the congressional intelligence committees, in writing, of any significant legal interpretation of the United States Constitution or Federal law affecting intelligence activities conducted by such element by not later than 30 days after the date of the commencement of any intelligence activity pursuant to such interpretation.

(b) Content

Each notification under subsection (a) shall provide a summary of the significant legal interpretation and the intelligence activity or activities conducted pursuant to such interpretation.

(c) Exceptions

A notification under subsection (a) shall not be required for a significant legal interpretation if—

- (1) notice of the significant legal interpretation was previously provided to the congressional intelligence committees under subsection (a); or
- (2) the significant legal interpretation was made before July 7, 2014.

(d) Limited access for covert action

If the President determines that it is essential to limit access to a covert action finding under section 3093(c)(2) of this title, the President may limit access to information concerning such finding that is subject to notification under this section to those members of Congress who have been granted access to the relevant finding under section 3093(c)(2) of this title.

(July 26, 1947, ch. 343, title V, § 510, as added Pub. L. 113-126, title III, § 321(a), July 7, 2014, 128 Stat. 1399.)

§ 3110. Annual report on violations of law or executive order

(a) Annual reports required

The Director of National Intelligence shall annually submit to the congressional intelligence committees a report on violations of law or executive order relating to intelligence activities by personnel of an element of the intelligence community that were identified during the previous calendar year.

(b) Elements

Each report submitted under subsection (a) shall, consistent with the need to preserve ongoing criminal investigations, include a description of, and any action taken in response to, any violation of law or executive order (including Executive Order No. 12333 (50 U.S.C. 3001 note)) relating to intelligence activities committed by personnel of an element of the intelligence community in the course of the employment of such personnel that, during the previous calendar year, was—

- (1) determined by the director, head, or general counsel of any element of the intelligence community to have occurred;
- (2) referred to the Department of Justice for possible criminal prosecution; or

(3) substantiated by the inspector general of any element of the intelligence community.

(July 26, 1947, ch. 343, title V, § 511, as added Pub. L. 113-293, title III, § 323(a), Dec. 19, 2014, 128 Stat. 4003.)

Statutory Notes and Related Subsidiaries

CONSTRUCTION

Pub. L. 113-293, title III, § 323(e), Dec. 19, 2014, 128 Stat. 4004, provided that: “Nothing in this section [enacting this section and provisions set out as notes under this section] or the amendments made by this section shall be construed to alter any requirement existing on the date of the enactment of this Act [Dec. 19, 2014] to submit a report under any provision of law.”

INITIAL REPORT

Pub. L. 113-293, title III, § 323(b), Dec. 19, 2014, 128 Stat. 4004, provided that: “The first report required under section 511 of the National Security Act of 1947 [50 U.S.C. 3110], as added by subsection (a), shall be submitted not later than one year after the date of the enactment of this Act [Dec. 19, 2014].”

GUIDELINES

Pub. L. 113-293, title III, § 323(c), Dec. 19, 2014, 128 Stat. 4004, provided that: “Not later than 180 days after the date of the enactment of this Act [Dec. 19, 2014], the Director of National Intelligence, in consultation with the head of each element of the intelligence community, shall—

- “(1) issue guidelines to carry out section 511 of the National Security Act of 1947 [50 U.S.C. 3110], as added by subsection (a); and
- “(2) submit such guidelines to the congressional intelligence committees.”

[For definitions of terms used in section 323(c) of Pub. L. 113-293, set out above, see section 2 of Pub. L. 113-293, set out as a note under section 3003 of this title.]

§ 3111. Briefings and notifications on counterintelligence activities of the Federal Bureau of Investigation

(a) Quarterly briefings

In addition to, and without any derogation of, the requirement under section 3091 of this title to keep the congressional intelligence committees fully and currently informed of the intelligence and counterintelligence activities of the United States, not less frequently than once each quarter, or more frequently if requested by the congressional intelligence committees, the Director of the Federal Bureau of Investigation shall provide to the congressional intelligence committees a briefing on the counterintelligence activities of the Federal Bureau of Investigation. Such briefings shall include, at a minimum, an overview and update of—

- (1) the counterintelligence posture of the Bureau;
- (2) counterintelligence investigations; and
- (3) any other information relating to the counterintelligence activities of the Bureau that the Director determines necessary.

(b) Notifications

In addition to the quarterly briefings under subsection (a), the Director of the Federal Bureau of Investigation shall promptly notify the congressional intelligence committees of any counterintelligence investigation carried out by the Bureau with respect to any counterintel-