

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-

ligence risk or threat that is related to an election or campaign for Federal office.

**(c) Guidelines**

**(1) Development and consultation**

The Director shall develop guidelines governing the scope of the briefings provided under subsection (a), the notifications provided under subsection (b), and the information required by section 3371(a)(2) of this title. The Director shall consult the congressional intelligence committees during such development.

**(2) Submission**

The Director shall submit to the congressional intelligence committees—

(A) the guidelines under paragraph (1) upon issuance; and

(B) any updates to such guidelines by not later than 15 days after making such update.

(July 26, 1947, ch. 343, title V, § 512, as added Pub. L. 116-92, div. E, title LIII, § 5304(b)(1), Dec. 20, 2019, 133 Stat. 2120.)

**§ 3112. Annual reports on the domestic activities of the intelligence community**

**(a) Reports**

Not later than January 31 of each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report—

(1) identifying all domestic activities undertaken by each element of the intelligence community during the prior fiscal year; and

(2) for each activity identified under paragraph (1), a statement of the legal authority authorizing such activity to be undertaken.

**(b) Form**

Each report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(July 26, 1947, ch. 343, title V, § 513, as added Pub. L. 117-103, div. X, title V, § 505(b), Mar. 15, 2022, 136 Stat. 989.)

**Statutory Notes and Related Subsidiaries**

**FIRST REPORT; APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED**

Pub. L. 117-103, div. X, title V, § 505(c), (d), Mar. 15, 2022, 136 Stat. 989, provided that:

“(c) **FIRST REPORT.**—Not later than 90 days after the date of the enactment of this Act [Mar. 15, 2022], the Director of National Intelligence shall submit to the appropriate congressional committees the first report required under section 513 of the National Security Act of 1947 [50 U.S.C. 3112], as added by subsection (a).

“(d) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term ‘appropriate congressional committees’ means—

“(1) the congressional intelligence committees; and

“(2) the Subcommittees on Commerce, Justice, Science, and Related Agencies and the Subcommittees on Homeland Security of the Committees on Appropriations of the House of Representatives and the Senate.”

[For definition of “congressional intelligence committees” as used in section 505(d) of div. X of Pub. L. 117-103, set out above, see section 2 of div. X of Pub. L. 117-103, set out as a note under section 3003 of this title.]

**§ 3113. Unfunded priorities of the intelligence community: annual report**

**(a) Annual report**

Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, the head of each element of the intelligence community shall prepare and submit to the Director of National Intelligence, 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 report on the unfunded priorities of the programs under the jurisdiction of such head.

**(b) Elements**

**(1) In general**

Each report under subsection (a) shall specify, for each unfunded priority covered by such report, the following:

(A) A summary description of such priority, including the objectives to be achieved if such priority is funded (whether in whole or in part).

(B) Whether such priority will satisfy a covert action or support collection against requirements identified in 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), including a description of such requirements and the related prioritization level.

(C) The additional amount of funds recommended in connection with the objectives under subparagraph (A).

(D) Budget information with respect to the unfunded priority, including—

(i) the appropriation account;

(ii) the expenditure center; and

(iii) the project and, if applicable, subproject.

**(2) Prioritization of priorities**

Each report shall present the unfunded priorities covered by such report in overall order of urgency of priority among unfunded priorities.

**(c) Unfunded priority defined**

In this section, the term “unfunded priority”, in the case of a fiscal year, means a program, activity, or mission requirement of an element of the intelligence community that—

(1) is not funded in the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31;

(2) is necessary to fulfill a covert action or to satisfy an information requirement associated with the collection, analysis, or dissemination of intelligence that has been documented within the National Intelligence Priorities Framework; and

(3) would have been recommended for funding by the head of the element of the intelligence community if—

(A) additional resources had been available for the budget to fund the program, activity, or mission requirement; or