

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

(B) the program, activity, or mission requirement has emerged since the budget was formulated.

(July 26, 1947, ch. 343, title V, § 514, as added Pub. L. 117-263, div. F, title LXIII, § 6315, Dec. 23, 2022, 136 Stat. 3512; amended Pub. L. 118-31, div. G, title III, § 7312, Dec. 22, 2023, 137 Stat. 1030.)

Editorial Notes

AMENDMENTS

2023—Subsec. (a). Pub. L. 118-31 inserted “prepare and” after “each element of the intelligence community shall”.

§ 3114. Submission of covered documents and classified annexes

(a) Covered document defined

In this section, the term “covered document” means any executive order, memorandum, or policy directive issued by the President, including national security Presidential memoranda and Presidential policy directives, or such successor memoranda and directives.

(b) Requirement

Not later than 7 days after the date on which the President issues or amends a covered document, the President, acting through the Director of National Intelligence, shall submit 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 the covered document and any classified annex accompanying that document if such covered document or annex contains a direction to, establishes a requirement for, or includes a restriction on any element of the intelligence community.

(July 26, 1947, ch. 343, title V, § 515, as added Pub. L. 117-263, div. F, title LXIII, § 6316(a), Dec. 23, 2022, 136 Stat. 3513.)

Statutory Notes and Related Subsidiaries

INITIAL SUBMISSION

Pub. L. 117-263, div. F, title LXIII, § 6316(b), Dec. 23, 2022, 136 Stat. 3513, provided that: “Not later than 60 days after the date of the enactment of this Act [Dec. 23, 2022], the Director of National Intelligence shall submit 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 each covered document and classified annex required under section 515 of the National Security Act of 1947 [50 U.S.C. 3114], as added by subsection (a), in effect as of the date of enactment of this Act.”

[For definition of “congressional intelligence committees” as used in section 6316(b) of Pub. L. 117-263, set out above, see section 6002 of Pub. L. 117-263, set out as a note under section 3003 of this title.]

§ 3115. Submission of legislative proposals

Not later than 45 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 Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives any legislative provisions that are proposed by the Director to be enacted as part of the annual intelligence authorization bill for that fiscal year.

(July 26, 1947, ch. 343, title V, § 516, as added Pub. L. 118-31, div. G, title III, § 7313, Dec. 22, 2023, 137 Stat. 1030.)

SUBCHAPTER IV—PROTECTION OF CERTAIN NATIONAL SECURITY INFORMATION

§ 3121. Protection of identities of certain United States undercover intelligence officers, agents, informants, and sources

(a) Disclosure of information by persons having or having had access to classified information that identifies covert agent

Whoever, having or having had authorized access to classified information that identifies a covert agent, intentionally discloses any information identifying such covert agent to any individual not authorized to receive classified information, knowing that the information disclosed so identifies such covert agent and that the United States is taking affirmative measures to conceal such covert agent's intelligence relationship to the United States, shall be fined under title 18 or imprisoned not more than 15 years, or both.

(b) Disclosure of information by persons who learn identity of covert agents as result of having access to classified information

Whoever, as a result of having authorized access to classified information, learns the identity of a covert agent and intentionally discloses any information identifying such covert agent to any individual not authorized to receive classified information, knowing that the information disclosed so identifies such covert agent and that the United States is taking affirmative measures to conceal such covert agent's intelligence relationship to the United States, shall be fined under title 18 or imprisoned not more than 10 years, or both.

(c) Disclosure of information by persons in course of pattern of activities intended to identify and expose covert agents

Whoever, in the course of a pattern of activities intended to identify and expose covert agents and with reason to believe that such activities would impair or impede the foreign intelligence activities of the United States, discloses any information that identifies an individual as a covert agent to any individual not authorized to receive classified information, knowing that the information disclosed so identifies such individual and that the United States is taking affirmative measures to conceal such individual's classified intelligence relationship to the United States, shall be fined under title 18 or imprisoned not more than three years, or both.

(d) Imposition of consecutive sentences

A term of imprisonment imposed under this section shall be consecutive to any other sentence of imprisonment.