

“(D) section 7532 of title 5, United States Code, if the head of the agency determines that the termination is in the interest of the United States; and “(2) not later than 30 days after such termination, the head of the agency that employed the affected employee notifies the congressional intelligence committees of the termination.”

[For definition of “congressional intelligence committees” as used in section 604 of Pub. L. 113-126, set out above, see section 2 of Pub. L. 113-126, set out as a note under section 3003 of this title.]

§ 3235. Semiannual reports on investigations of unauthorized disclosures of classified information

(a) Definitions

In this section:

(1) Covered official

The term “covered official” means—

(A) the heads of each element of the intelligence community; and

(B) the inspectors general with oversight responsibility for an element of the intelligence community.

(2) Investigation

The term “investigation” means any inquiry, whether formal or informal, into the existence of an unauthorized public disclosure of classified information.

(3) Unauthorized disclosure of classified information

The term “unauthorized disclosure of classified information” means any unauthorized disclosure of classified information to any recipient.

(4) Unauthorized public disclosure of classified information

The term “unauthorized public disclosure of classified information” means the unauthorized disclosure of classified information to a journalist or media organization.

(b) Intelligence community reporting

(1) In general

Not less frequently than once every 6 months, each covered official shall submit to the congressional intelligence committees a report on investigations of unauthorized public disclosures of classified information.

(2) Elements

Each report submitted under paragraph (1) shall include, with respect to the preceding 6-month period, the following:

(A) The number of investigations opened by the covered official regarding an unauthorized public disclosure of classified information.

(B) The number of investigations completed by the covered official regarding an unauthorized public disclosure of classified information.

(C) Of the number of such completed investigations identified under subparagraph (B), the number referred to the Attorney General for criminal investigation.

(c) Department of Justice reporting

(1) In general

Not less frequently than once every 6 months, the Assistant Attorney General for

National Security of the Department of Justice, in consultation with the Director of the Federal Bureau of Investigation, shall submit to the congressional intelligence committees, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives a report on the status of each referral made to the Department of Justice from any element of the intelligence community regarding an unauthorized disclosure of classified information made during the most recent 365-day period or any referral that has not yet been closed, regardless of the date the referral was made.

(2) Contents

Each report submitted under paragraph (1) shall include, for each referral covered by the report, at a minimum, the following:

(A) The date the referral was received.

(B) A statement indicating whether the alleged unauthorized disclosure described in the referral was substantiated by the Department of Justice.

(C) A statement indicating the highest level of classification of the information that was revealed in the unauthorized disclosure.

(D) A statement indicating whether an open criminal investigation related to the referral is active.

(E) A statement indicating whether any criminal charges have been filed related to the referral.

(F) A statement indicating whether the Department of Justice has been able to attribute the unauthorized disclosure to a particular entity or individual.

(d) Form of reports

Each report submitted under this section shall be submitted in unclassified form, but may have a classified annex.

(July 26, 1947, ch. 343, title XI, §1105, as added Pub. L. 116-92, div. E, title LXVII, §6718(a), Dec. 20, 2019, 133 Stat. 2228.)

§ 3235a. Notice and damage assessment with respect to significant unauthorized disclosure or compromise of classified national intelligence

(a) Notification and damage assessment requirements

(1) Requirements

If the Director of National Intelligence becomes aware of an actual or potential significant unauthorized disclosure or compromise of classified national intelligence—

(A) as soon as practicable, but not later than 7 days after the date on which the Director becomes so aware, the Director shall notify the congressional intelligence committees of such actual or potential disclosure or compromise; and

(B) in the case of an actual disclosure or compromise, not later than 7 days after the date on which the Director becomes so aware, the Director or the head of any element of the intelligence community from which the significant unauthorized disclo-