

Statutory Notes and Related Subsidiaries

DEFINITION

For definition of “intelligence community”, see section 2 of Pub. L. 111-259, set out as a note under section 3003 of this title.

§ 3308a. Provision of certain information to Government Accountability Office by National Reconnaissance Office**(a) In general**

The Director of the National Reconnaissance Office shall provide to the Comptroller General of the United States, in a timely manner, access to the cost, schedule, and performance information the Comptroller General requires to conduct assessments, as required by any of the appropriate congressional committees, of programs of the National Reconnaissance Office.

(b) Appropriate congressional committees defined

In this section, the term “appropriate congressional committees” means—

- (1) the congressional defense committees; and
- (2) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(Pub. L. 114-328, div. A, title XVI, §1620, Dec. 23, 2016, 130 Stat. 2596.)

Statutory Notes and Related Subsidiaries

“CONGRESSIONAL DEFENSE COMMITTEES” DEFINED

Congressional defense committees means the Committees on Armed Services and Appropriations of the Senate and the House of Representatives, see section 3 of Pub. L. 114-328, 130 Stat. 2025. See note under section 101 of Title 10, Armed Forces.

§ 3309. Notification of establishment of advisory committee

The Director of National Intelligence and the Director of the Central Intelligence Agency shall each notify the congressional intelligence committees each time each such Director creates an advisory committee. Each notification shall include—

- (1) a description of such advisory committee, including the subject matter of such committee;
- (2) a list of members of such advisory committee; and
- (3) in the case of an advisory committee created by the Director of National Intelligence, the reasons for a determination by the Director under section 1003(b)(3) of title 5 that an advisory committee cannot comply with the requirements of chapter 10 of title 5.

(Pub. L. 111-259, title IV, §410(b), Oct. 7, 2010, 124 Stat. 2725; Pub. L. 113-126, title III, §329(b)(1), July 7, 2014, 128 Stat. 1406; Pub. L. 117-286, §4(a)(319), Dec. 27, 2022, 136 Stat. 4341.)

Editorial Notes

CODIFICATION

Section was formerly classified as a note under section 405 of this title prior to editorial reclassification as this section.

AMENDMENTS

2022—Par. (3). Pub. L. 117-286 substituted “section 1003(b)(3) of title 5 that an advisory committee cannot comply with the requirements of chapter 10 of title 5.” for “section 4(b)(3) of the Federal Advisory Committee Act (5 U.S.C. App.) that an advisory committee cannot comply with the requirements of such Act.”

2014—Pub. L. 113-126 amended section generally. Prior to amendment, section related to annual report on advisory committees created by Director of National Intelligence and Director of the Central Intelligence Agency, contents of report, and inclusion of reasons for ODNI exclusion of advisory committee from Federal Advisory Committee Act.

Statutory Notes and Related Subsidiaries

DEFINITION

For definition of “congressional intelligence committees” as used in this section, see section 2 of Pub. L. 111-259, set out as a note under section 3003 of this title.

§ 3310. Annual report on United States security arrangements and commitments with other nations**(a) Report requirements**

The President shall submit to the congressional committees specified in subsection (d) each year a report (in both classified and unclassified form) on United States security arrangements with, and commitments to, other nations.

(b) Matters to be included

The President shall include in each such report the following:

(1) A description of—

- (A) each security arrangement with, or commitment to, other nations, whether based upon (i) a formal document (including a mutual defense treaty, a pre-positioning arrangement or agreement, or an access agreement), or (ii) an expressed policy; and
- (B) the historical origins of each such arrangement or commitment.

(2) An evaluation of the ability of the United States to meet its commitments based on the projected reductions in the defense structure of the United States.

(3) A plan for meeting each of those commitments with the force structure projected for the future.

(4) An assessment of the need to continue, modify, or discontinue each of those arrangements and commitments in view of the changing international security situation.

(c) Deadline for report

The President shall submit the report required by subsection (a) not later than February 1 of each year.

(d) Specified congressional committees

The congressional committees referred to in subsection (a) are the following:

- (1) The Committee on Armed Services and the Committee on Foreign Relations of the Senate.
- (2) The Committee on Armed Services and the Committee on International Relations of the House of Representatives.

(Pub. L. 101-510, div. A, title XIV, §1457, Nov. 5, 1990, 104 Stat. 1696; Pub. L. 104-106, div. A, title

XV, §1502(c)(4)(C), Feb. 10, 1996, 110 Stat. 507; Pub. L. 106-65, div. A, title X, §1067(10), Oct. 5, 1999, 113 Stat. 774.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 404c of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1999—Subsec. (d)(2). Pub. L. 106-65 substituted “Committee on Armed Services” for “Committee on National Security”.

1996—Subsec. (a). Pub. L. 104-106, §1502(c)(4)(C)(i), substituted “shall submit to the congressional committees specified in subsection (d) each year” for “shall submit to the Committees on Armed Services and on Foreign Affairs of the House of Representatives and the Committees on Armed Services and Foreign Relations of the Senate each year”.

Subsec. (c). Pub. L. 104-106, §1502(c)(4)(C)(ii), substituted “The President” for “(1) Except as provided in paragraph (2), the President” and struck out par. (2) which read as follows: “In the case of the report required to be submitted in 1991, the evaluation, plan, and assessment referred to in paragraphs (2), (3), and (4) of subsection (b) may be submitted not later than May 1, 1991.”

Subsec. (d). Pub. L. 104-106, §1502(c)(4)(C)(iii), added subsec. (d).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 3311. Submittal to Congress by heads of elements of intelligence community of plans for orderly shutdown in event of absence of appropriations

(a) In general

Whenever the head of an applicable agency submits a plan to the Director of the Office of Management and Budget in accordance with section 124 of Office of Management and Budget Circular A-11, pertaining to agency operations in the absence of appropriations, or any successor circular of the Office that requires the head of an applicable agency to submit to the Director a plan for an orderly shutdown in the event of the absence of appropriations, such head shall submit a copy of such plan to the following:

- (1) The congressional intelligence committees.
- (2) The Subcommittee on Defense of the Committee on Appropriations of the Senate.
- (3) The Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(4) In the case of a plan for an element of the intelligence community that is within the Department of Defense, to—

- (A) the Committee on Armed Services of the Senate; and
- (B) the Committee on Armed Services of the House of Representatives.

(b) Head of an applicable agency defined

In this section, the term “head of an applicable agency” includes the following:

- (1) The Director of National Intelligence.
- (2) The Director of the Central Intelligence Agency.
- (3) Each head of each element of the intelligence community that is within the Department of Defense.

(Pub. L. 113-126, title III, §323, July 7, 2014, 128 Stat. 1401.)

Statutory Notes and Related Subsidiaries

DEFINITION

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

§ 3312. Repealed. Pub. L. 117-263, div. F, title LXIII, § 6316(c), Dec. 23, 2022, 136 Stat. 3513

Section, Pub. L. 115-31, div. N, title III, §310, May 5, 2017, 131 Stat. 815, provided for congressional oversight of policy directives and guidance.

§ 3313. Notification of memoranda of understanding

(a) In general

Each year, concurrent with the annual budget request submitted by the President to Congress under section 1105 of title 31, each head of an element of the intelligence community shall submit to the congressional intelligence committees a report that lists each memorandum of understanding or other agreement regarding significant operational activities or policy entered into during the most recently completed fiscal year between or among such element and any other entity of the United States Government.

(b) Provision of documents

Each head of an element of an intelligence community who receives a request from the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives for a copy of a memorandum of understanding or other document listed in a report submitted by the head under subsection (a) shall submit to such committee the requested copy as soon as practicable after receiving such request.

(c) Administrative memorandum or agreement

Nothing in this section may be construed to require an element of the intelligence community to submit to the congressional intelligence committees any memorandum or agreement that is solely administrative in nature, including a memorandum or agreement regarding joint duty or other routine personnel assignments.

(Pub. L. 115-31, div. N, title III, §311, May 5, 2017, 131 Stat. 815; Pub. L. 116-92, div. E, title LXVII, §6723, Dec. 20, 2019, 133 Stat. 2234.)

Editorial Notes

AMENDMENTS

2019—Pub. L. 116-92 added subsecs. (a) and (b), redesignated former subsec. (b) as (c) and struck out former subsec. (a). Text read as follows: “The head of each element of the intelligence community shall submit to the congressional intelligence committees a copy of each memorandum of understanding or other agree-