

(1) the congressional intelligence committees; and

(2) the Committees on Armed Services of the House of Representatives and the Senate.

(Pub. L. 117–103, div. X, title III, § 309, Mar. 15, 2022, 136 Stat. 971.)

Statutory Notes and Related Subsidiaries

REQUIREMENT TO DEVELOP LEXICON FOR TERMS RELATING TO GRAY ZONE ACTIVITIES

Pub. L. 117–103, div. X, title VIII, § 825(b)(5), (c), Mar. 15, 2022, 136 Stat. 1028, 1029, provided that:

[(“b) NATIONAL INTELLIGENCE ESTIMATE.—]

“(5) DEFINITIONS.—In this subsection [pars. (1) to (4) not classified to the Code]:

“(A) GRAY ZONE ACTIVITY.—The term ‘gray zone activity’ means an activity to advance the national interests of a State that—

“(i) falls between ordinary statecraft and open warfare;

“(ii) is carried out with an intent to maximize the advancement of interests of the state without provoking a kinetic military response by the United States; and

“(iii) falls on a spectrum that ranges from covert adversary operations, to detectible covert adversary operations, to unattributable adversary operations, to deniable adversary operations, to open adversary operations.

“(B) COVERT ADVERSARY OPERATION.—The term ‘covert adversary operation’ means an operation by an adversary that—

“(i) the adversary intends to remain below the threshold at which the United States detects the operation; and

“(ii) does stay below such threshold.

“(C) DETECTIBLE COVERT ADVERSARY OPERATION.—The term ‘detectible covert adversary operation’ means an operation by an adversary that—

“(i) the adversary intends to remain below the threshold at which the United States detects the operation; but

“(ii) is ultimately detected by the United States at a level below the level at which the United States will publicly attribute the operation to the adversary.

“(D) UNATTRIBUTABLE ADVERSARY OPERATION.—The term ‘unattributable adversary operation’ means an operation by an adversary that the adversary intends to be detected by the United States, but remains below the threshold at which the United States will publicly attribute the operation to the adversary.

“(E) DENIABLE ADVERSARY OPERATION.—The term ‘deniable adversary operation’ means an operation by an adversary that—

“(i) the adversary intends to be detected and publicly or privately attributed by the United States; and

“(ii) the adversary intends to deny, to limit the response by the United States, and any allies of the United States.

“(F) OPEN ADVERSARY OPERATION.—The term ‘open adversary operation’ means an operation by an adversary that the adversary openly acknowledges as attributable to the adversary.

“(c) REQUIREMENT TO DEVELOP LEXICON.—

“(1) REQUIREMENT.—The Director of National Intelligence, acting through the National Intelligence Council, shall develop a lexicon of common terms (and corresponding definitions for such terms) for concepts associated with gray zone activities.

“(2) CONSIDERATIONS.—In developing the lexicon under paragraph (1), the National Intelligence Council shall include in the lexicon each term (and the corresponding definition for each term) specified in subsection (b)(5), unless the National Intelligence

Council determines that an alternative term (or alternative definition)—

“(A) more accurately describes a concept associated with gray zone activities; or

“(B) is preferable for any other reason.

“(3) REPORT.—

“(A) PUBLICATION.—The Director of National Intelligence shall publish a report containing the lexicon developed under paragraph (1).

“(B) FORM.—The report under subparagraph (A) shall be published in unclassified form.”

DEFINITIONS

For definitions of “congressional intelligence committees” and “intelligence community” as used in this section, see section 2 of div. X of Pub. L. 117–103, set out as a note under section 3003 of this title.

SUBCHAPTER II—PERSONNEL AND ADMINISTRATIVE AUTHORITIES

§ 3321. National Intelligence Reserve Corps

(a) Establishment

The Director of National Intelligence may provide for the establishment and training of a National Intelligence Reserve Corps (in this section referred to as “National Intelligence Reserve Corps”) for the temporary reemployment on a voluntary basis of former employees of elements of the intelligence community during periods of emergency, as determined by the Director.

(b) Eligible individuals

An individual may participate in the National Intelligence Reserve Corps only if the individual previously served as a full time employee of an element of the intelligence community.

(c) Terms of participation

The Director of National Intelligence shall prescribe the terms and conditions under which eligible individuals may participate in the National Intelligence Reserve Corps.

(d) Expenses

The Director of National Intelligence may provide members of the National Intelligence Reserve Corps transportation and per diem in lieu of subsistence for purposes of participating in any training that relates to service as a member of the Reserve Corps.

(e) Treatment of annuities

(1) If an annuitant receiving an annuity from the Civil Service Retirement and Disability Fund becomes temporarily reemployed pursuant to this section, such annuity shall not be discontinued thereby.

(2) An annuitant so reemployed shall not be considered an employee for the purposes of chapter 83 or 84 of title 5.

(f) Treatment under Office of Director of National Intelligence personnel ceiling

A member of the National Intelligence Reserve Corps who is reemployed on a temporary basis pursuant to this section shall not count against any personnel ceiling applicable to the Office of the Director of National Intelligence.

(Pub. L. 108–458, title I, § 1053, Dec. 17, 2004, 118 Stat. 3683.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 403-1c of this title prior to editorial reclassification and renumbering as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

For Determination by President that section take effect on Apr. 21, 2005, see Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 23925, set out as a note under section 3001 of this title.

Section effective not later than six months after Dec. 17, 2004, except as otherwise expressly provided, see section 1097(a) of Pub. L. 108-458, set out in an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of this title.

§ 3322. Additional education and training requirements**(a) Findings**

Congress makes the following findings:

(1) Foreign language education is essential for the development of a highly-skilled workforce for the intelligence community.

(2) Since September 11, 2001, the need for language proficiency levels to meet required national security functions has been raised, and the ability to comprehend and articulate technical and scientific information in foreign languages has become critical.

(b) Linguistic requirements

(1) The Director of National Intelligence shall—

(A) identify the linguistic requirements for the Office of the Director of National Intelligence;

(B) identify specific requirements for the range of linguistic skills necessary for the intelligence community, including proficiency in scientific and technical vocabularies of critical foreign languages; and

(C) develop a comprehensive plan for the Office to meet such requirements through the education, recruitment, and training of linguists.

(2) In carrying out activities under paragraph (1), the Director shall take into account education grant programs of the Department of Defense and the Department of Education that are in existence as of December 17, 2004.

(c) Professional intelligence training

The Director of National Intelligence shall require the head of each element and component within the Office of the Director of National Intelligence who has responsibility for professional intelligence training to periodically review and revise the curriculum for the professional intelligence training of the senior and intermediate level personnel of such element or component in order to—

(1) strengthen the focus of such curriculum on the integration of intelligence collection and analysis throughout the Office; and

(2) prepare such personnel for duty with other departments, agencies, and elements of the intelligence community.

(Pub. L. 108-458, title I, §1041, Dec. 17, 2004, 118 Stat. 3678; Pub. L. 112-87, title III, §311(a), Jan. 3, 2012, 125 Stat. 1886.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 403-1b of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2012—Subsec. (b)(3), (4). Pub. L. 112-87 struck out pars. (3) and (4) which read as follows:

“(3) Not later than one year after December 17, 2004, and annually thereafter, the Director shall submit to Congress a report on the requirements identified under paragraph (1), including the success of the Office of the Director of National Intelligence in meeting such requirements. Each report shall notify Congress of any additional resources determined by the Director to be required to meet such requirements.

“(4) Each report under paragraph (3) shall be in unclassified form, but may include a classified annex.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

For Determination by President that section take effect on Apr. 21, 2005, see Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 23925, set out as a note under section 3001 of this title.

Section effective not later than six months after Dec. 17, 2004, except as otherwise expressly provided, see section 1097(a) of Pub. L. 108-458, set out in an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of this title.

PILOT PROJECT ON CIVILIAN LINGUIST RESERVE CORPS

Pub. L. 109-364, div. A, title IX, §944(a)(1), Oct. 17, 2006, 120 Stat. 2366, transferred administration of pilot project on establishment of Civilian Linguist Reserve Corps required by section 613 of the Intelligence Authorization Act for Fiscal Year 2005 [Pub. L. 108-487, formerly set out as a note below] from Director of National Intelligence to Secretary of Defense.

Pub. L. 109-163, div. A, title XI, §1124, Jan. 6, 2006, 119 Stat. 3454, authorized Secretary of Defense to support implementation of Civilian Linguist Reserve Corps pilot project authorized by section 613 of the Intelligence Authorization Act for Fiscal Year 2005 [Pub. L. 108-487, formerly set out as a note below], subject to availability of appropriated funds.

Pub. L. 108-487, title VI, §613, Dec. 23, 2004, 118 Stat. 3959, as amended by Pub. L. 109-364, div. A, title IX, §944(a)(2), (b)-(e), Oct. 17, 2006, 120 Stat. 2366, provided that Secretary of Defense, in coordination with Director of National Intelligence, shall conduct five-year pilot project to assess feasibility and advisability of establishing Civilian Linguist Reserve Corps comprised of United States citizens with advanced levels of proficiency in foreign languages who would be available upon the call of the Secretary to perform such service or duties with respect to such foreign languages in the intelligence community as the Secretary may specify and provided that the Secretary shall submit final report on project to Congress six months after completion of project.

§ 3323. Eligibility for incentive awards**(a) Scope of authority with respect to Federal employees and members of Armed Forces**

The Director of Central Intelligence may exercise the authority granted in section 4503 of title 5, with respect to Federal employees and members of the Armed Forces detailed or assigned to the Central Intelligence Agency or to the Intelligence Community Staff, in the same manner as such authority may be exercised with respect to the personnel of the Central Intelligence Agency and the Intelligence Community Staff.