

(f) Definitions

In this section:

(1) Cleared intelligence contractor

The term “cleared intelligence contractor” means a private entity granted clearance by the Director of National Intelligence or the head of an element of the intelligence community to access, receive, or store classified information for the purpose of bidding for a contract or conducting activities in support of any program of an element of the intelligence community.

(2) Covered network

The term “covered network” means a network or information system of a cleared intelligence contractor that contains or processes information created by or for an element of the intelligence community with respect to which such contractor is required to apply enhanced protection.

(g) Savings clauses

Nothing in this section shall be construed to alter or limit any otherwise authorized access by government personnel to networks or information systems owned or operated by a contractor that processes or stores government data.

(Pub. L. 113–126, title III, §325, July 7, 2014, 128 Stat. 1402.)

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of “intelligence community” and “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.

§ 3331. Management of intelligence community personnel**(a) Multi-sector workforce initiative****(1) Requirement**

Beginning on October 1, 2018, the Director of National Intelligence shall improve management of the workforce of the intelligence community by enabling elements of the intelligence community to build and maintain an appropriate mix between employees of the United States Government and core contractors.

(2) Briefing to Congress

Not later than July 1, 2017, and each 120 days thereafter until July 1, 2018, the Director of National Intelligence shall brief the congressional intelligence committees on the initiative required by paragraph (1).

(b) Management based on workload requirements and authorized funding**(1) In general**

Beginning on October 1, 2018, the personnel levels of the intelligence community shall be managed each fiscal year on the basis of—

(A) the workload required to carry out the functions and activities of the intelligence community; and

(B) the funds made available to the intelligence community in accordance with section 3094 of this title.

(2) Prohibition on constraints or limitations

Beginning on October 1, 2018, the management of such personnel in the intelligence community in any fiscal year shall not be subject to an externally imposed constraint or limitation expressed in terms of man years, end strength, full-time equivalent positions, or maximum number of employees.

(c) Briefing and report to Congress

Not later than 180 days after May 5, 2017, the Director of National Intelligence shall issue a written report and provide a briefing to the congressional intelligence committees on—

(1) the methodology used to calculate the number of civilian and contractor full-time equivalent positions in the intelligence community;

(2) the cost analysis tool used to calculate personnel costs in the intelligence community; and

(3) the plans of the Director of National Intelligence and the head of each element of the intelligence community to implement a multi-sector workforce as required by subsections (a) and (b).

(d) Report

Not later than 240 days after May 5, 2017, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a written report on the accuracy of intelligence community data for the numbers and costs associated with the civilian and contractor workforce in each element of the intelligence community.

(Pub. L. 115–31, div. N, title III, §306, May 5, 2017, 131 Stat. 812.)

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of “intelligence community” and “congressional intelligence committees” as used in this section, see section 2 of div. N of Pub. L. 115–31, set out as a note under section 3003 of this title.

§ 3332. Guidance and reporting requirement regarding the interactions between the intelligence community and entertainment industry**(a) Definitions**

In this section:

(1) Engagement

The term “engagement”—

(A) means any significant interaction between an element of the intelligence community and an entertainment industry entity for the purposes of contributing to an entertainment product intended to be heard, read, viewed, or otherwise experienced by the public; and

(B) does not include routine inquiries made by the press or news media to the public affairs office of an intelligence community.

(2) Entertainment industry entity

The term “entertainment industry entity” means an entity that creates, produces, pro-

motes, or distributes a work of entertainment intended to be heard, read, viewed, or otherwise experienced by an audience, including—

(A) theater productions, motion pictures, radio broadcasts, television broadcasts, podcasts, webcasts, other sound or visual recording, music, or dance;

(B) books and other published material; and

(C) such other entertainment activity, as determined by the Director of National Intelligence.

(b) Director of National Intelligence guidance

(1) In general

Not later than 180 days after May 5, 2017, the Director of National Intelligence shall issue, and release to the public, guidance regarding engagements by elements of the intelligence community with entertainment industry entities.

(2) Criteria

The guidance required by paragraph (1) shall permit an element of the intelligence community to conduct engagements, if the head of the element, or a designee of such head, provides prior approval.

(c) Information on prior year engagements

At the written request of either of the congressional intelligence committees, the Director of National Intelligence shall submit to such committees information with respect to engagements occurring during the calendar year prior to the year during which such request is made. Such information may include—

(1) a description of the nature and duration of each such engagement;

(2) the cost incurred by the United States Government for each such engagement;

(3) a description of the benefits to the United States Government for each such engagement;

(4) a determination of whether any information was declassified, and whether any classified information was improperly disclosed, for each such engagement; and

(5) a description of the work produced through each such engagement.

(Pub. L. 115–31, div. N, title III, § 308, May 5, 2017, 131 Stat. 813; Pub. L. 116–92, div. E, title LVII, § 5701(d), Dec. 20, 2019, 133 Stat. 2160.)

Editorial Notes

AMENDMENTS

2019—Subsec. (b)(2). Pub. L. 116–92, § 5701(d)(1), struck out subpar. (A) designation before “permit an element”, substituted “shall” for “shall—” and “approval.” for “approval; and”, and struck out subpar. (B) which read as follows: “require an unclassified annual report to the congressional intelligence committees regarding engagements.”

Subsec. (c). Pub. L. 116–92, § 5701(d)(2), added subsec. (c) and struck out former subsec. (c) which related to the annual report to the congressional intelligence committees regarding engagements.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of “intelligence community” and “congressional intelligence committees” as used in

this section, see section 2 of div. N of Pub. L. 115–31, set out as a note under section 3003 of this title.

§ 3333. Joint facilities certification

(a) Findings

Congress finds the following:

(1) The Director of National Intelligence set a strategic goal to use joint facilities as a means to save costs by consolidating administrative and support functions across multiple elements of the intelligence community.

(2) The use of joint facilities provides more opportunities for operational collaboration and information sharing among elements of the intelligence community.

(b) Certification

Before an element of the intelligence community purchases, leases, or constructs a new facility that is 20,000 square feet or larger, the head of that element of the intelligence community shall submit to the Director of National Intelligence—

(1) a written certification that, to the best of the knowledge of the head of such element, all prospective joint facilities in the vicinity have been considered and the element is unable to identify a joint facility that meets the operational requirements of such element; and

(2) a written statement listing the reasons for not participating in the prospective joint facilities considered by the element.

(Pub. L. 115–31, div. N, title VI, § 604, May 5, 2017, 131 Stat. 830.)

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definition of “intelligence community” as used in this section, see section 2 of div. N of Pub. L. 115–31, set out as a note under section 3003 of this title.

§ 3334. Intelligence community public-private talent exchange

(a) Policies, processes, and procedures required

(1) In general

Not later than 270 days after December 20, 2019, the Director of National Intelligence shall develop policies, processes, and procedures to facilitate the rotation of personnel of the intelligence community to the private sector, and personnel from the private sector to the intelligence community.

(2) Focus areas

The Director shall ensure that the policies, processes, and procedures developed pursuant to paragraph (1) require exchanges under this section that relate to intelligence or counter-intelligence with a focus on rotations described in such paragraph with private-sector organizations in the following fields:

(A) Finance.

(B) Acquisition.

(C) Biotechnology.

(D) Computing.

(E) Artificial intelligence.

(F) Business process innovation and entrepreneurship.

(G) Cybersecurity.