

(2) limit, notwithstanding any other provision of law, in whole or in part, the disclosure of information relating to the basis for carrying out a covered procurement action.

(c) Determination and notification

The head of a covered agency may exercise the authority provided in subsection (b) only after—

(1) any appropriate consultation with procurement or other relevant officials of the covered agency;

(2) making a determination in writing, which may be in classified form, that—

(A) use of the authority in subsection (b)(1) is necessary to protect national security by reducing supply chain risk;

(B) less intrusive measures are not reasonably available to reduce such supply chain risk; and

(C) in a case where the head of the covered agency plans to limit disclosure of information under subsection (b)(2), the risk to national security due to the disclosure of such information outweighs the risk due to not disclosing such information;

(3) notifying the Director of National Intelligence that there is a significant supply chain risk to the covered system concerned, unless the head of the covered agency making the determination is the Director of National Intelligence; and

(4) providing a notice, which may be in classified form, of the determination made under paragraph (2) to the congressional intelligence committees that includes a summary of the basis for the determination, including a discussion of less intrusive measures that were considered and why they were not reasonably available to reduce supply chain risk.

(d) Delegation

The head of a covered agency may not delegate the authority provided in subsection (b) or the responsibility to make a determination under subsection (c) to an official below the level of the service acquisition executive for the agency concerned.

(e) Savings

The authority under this section is in addition to any other authority under any other provision of law. The authority under this section shall not be construed to alter or effect the exercise of any other provision of law.

(f) Effective date

The requirements of this section shall take effect on the date that is 180 days after January 3, 2012, and shall apply to contracts that are awarded on or after such date.

(Pub. L. 112-87, title III, § 309, Jan. 3, 2012, 125 Stat. 1883; Pub. L. 116-92, div. E, title LXIII, § 6309, Dec. 20, 2019, 133 Stat. 2190; Pub. L. 117-263, div. F, title LXVIII, § 6824(c), Dec. 23, 2022, 136 Stat. 3615.)

Editorial Notes

CODIFICATION

Section was formerly set out as a note under section 3329 of this title.

AMENDMENTS

2022—Subsec. (a)(5). Pub. L. 117-263 substituted “section 3552” for “section 3542(b)”.

2019—Subsec. (g). Pub. L. 116-92 struck out subsec. (g). Prior to amendment, text read as follows: “The authority provided in this section shall expire on the date that section 806 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 2304 note) expires.”

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. 112-87, set out as a note under section 3003 of this title.

§ 3334f. Congressional notification of designation of covered intelligence officer as persona non grata

(a) Covered intelligence officer defined

In this section, the term “covered intelligence officer” means—

(1) a United States intelligence officer serving in a post in a foreign country; or

(2) a known or suspected foreign intelligence officer serving in a United States post.

(b) Requirement for reports

Not later than 72 hours after a covered intelligence officer is designated as a persona non grata, the Director of National Intelligence, in consultation with the Secretary of State, shall submit to the congressional intelligence committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification of that designation. Each such notification shall include—

(1) the date of the designation;

(2) the basis for the designation; and

(3) a justification for the expulsion.

(Pub. L. 116-92, div. E, title LXVII, § 6719, Dec. 20, 2019, 133 Stat. 2229.)

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definition of “congressional intelligence committees” as used in this section, see section 5003 of div. E of Pub. L. 116-92, set out as a note under section 3003 of this title.

§ 3334g. Reports on intelligence community loan repayment and related programs

(a) Sense of Congress

It is the sense of Congress that—

(1) there should be established, through the issuing of an Intelligence Community Directive or otherwise, an intelligence-community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, for employees of the intelligence community;

(2) creating such a program would enhance the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions;

(3) such a program, including with respect to eligibility requirements, should be designed so