

2003—Subsec. (a)(2)(C). Pub. L. 108-136 substituted “National Geospatial-Intelligence Agency” for “National Imagery and Mapping Agency”.

Subsec. (b)(2)(E). Pub. L. 108-177 added subpar. (E).

2001—Subsec. (b)(2)(C), (D). Pub. L. 107-108 added subpars. (C) and (D) and struck out former subpar. (C) which read as follows: “The Director of the Office of Nonproliferation and National Security of the Department of Energy.”.

1996—Pub. L. 104-293 amended section generally, substituting provisions relating to appointment of individuals responsible for intelligence-related activities for provisions relating to administrative provisions pertaining to defense elements within the intelligence community.

1994—Subsec. (b). Pub. L. 103-359 substituted “Central Imagery Office” for “central imagery authority” in heading and text.

EFFECTIVE DATE OF 2004 AMENDMENT

For Determination by President that amendment by Pub. L. 108-458 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 401 of this title.

Amendment by Pub. L. 108-458 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 as an Effective Date of 2004 Amendment; Transition Provisions note under section 401 of this title.

§ 403-7. Prohibition on using journalists as agents or assets

(a) Policy

It is the policy of the United States that an element of the Intelligence Community may not use as an agent or asset for the purposes of collecting intelligence any individual who—

(1) is authorized by contract or by the issuance of press credentials to represent himself or herself, either in the United States or abroad, as a correspondent of a United States news media organization; or

(2) is officially recognized by a foreign government as a representative of a United States media organization.

(b) Waiver

Pursuant to such procedures as the President may prescribe, the President or the Director of Central Intelligence may waive subsection (a) of this section in the case of an individual if the President or the Director, as the case may be, makes a written determination that the waiver is necessary to address the overriding national security interest of the United States. The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate shall be notified of any waiver under this subsection.

(c) Voluntary cooperation

Subsection (a) of this section shall not be construed to prohibit the voluntary cooperation of any person who is aware that the cooperation is being provided to an element of the United States Intelligence Community.

(Pub. L. 104-293, title III, §309, Oct. 11, 1996, 110 Stat. 3467.)

CODIFICATION

Section was enacted as part of the Intelligence Authorization Act for Fiscal Year 1997, and not as part of

the National Security Act of 1947 which comprises this chapter.

CHANGE OF NAME

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 401 of this title.

§ 403-8. Reaffirmation of longstanding prohibition against drug trafficking by employees of the intelligence community

(a) Finding

Congress finds that longstanding statutes, regulations, and policies of the United States prohibit employees, agents, and assets of the elements of the intelligence community, and of every other Federal department and agency, from engaging in the illegal manufacture, purchase, sale, transport, and distribution of drugs.

(b) Obligation of employees of intelligence community

Any employee of the intelligence community having knowledge of a fact or circumstance that reasonably indicates that an employee, agent, or asset of an element of the intelligence community is involved in any activity that violates a statute, regulation, or policy described in subsection (a) of this section shall report such knowledge to an appropriate official.

(c) Intelligence community defined

In this section, the term “intelligence community” has the meaning given that term in section 401a(4) of this title.

(Pub. L. 106-120, title III, §313, Dec. 3, 1999, 113 Stat. 1615.)

CODIFICATION

Section was enacted as part of the Intelligence Authorization Act for Fiscal Year 2000, and not as part of the National Security Act of 1947 which comprises this chapter.

§ 403-9. Information access by the Comptroller General of the United States

(a) DNI directive governing access

(1) Requirement for directive

The Director of National Intelligence, in consultation with the Comptroller General of the United States, shall issue a written directive governing the access of the Comptroller General to information in the possession of an element of the intelligence community.

(2) Amendment to directive

The Director of National Intelligence, in consultation with the Comptroller General, may issue an amendment to the directive issued under paragraph (1) at any time the Director determines such an amendment is appropriate.

(3) Relationship to other laws

The directive issued under paragraph (1) and any amendment to such directive issued under