

**(3) Intelligence estimate**

The term “intelligence estimate” means an appraisal of available intelligence relating to a specific situation or condition with a view to determining the courses of action open to an enemy or potential enemy and the probable order of adoption of such courses of action.

(Pub. L. 110–181, div. A, title X, §1079, Jan. 28, 2008, 122 Stat. 334.)

## CODIFICATION

Section was formerly classified to section 413c of this title prior to editorial reclassification and renumbering as this section.

**§ 3308. 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 paragraph (2) shall be consistent with the provisions of—

- (A) chapter 7 of title 31; and
- (B) the National Security Act of 1947 (50 U.S.C. 401 et seq.).

**(b) Confidentiality of information****(1) Requirement for confidentiality**

The Comptroller General of the United States shall ensure that the level of confidentiality of information made available to the Comptroller General pursuant to the directive issued under subsection (a)(1) or an amendment to such directive issued under subsection (a)(2) is not less than the level of confidentiality of such information required of the head of the element of the intelligence community from which such information was obtained.

**(2) Penalties for unauthorized disclosure**

An officer or employee of the Government Accountability Office shall be subject to the same statutory penalties for unauthorized disclosure or use of such information as an officer or employee of the element of the intelligence community from which such information was obtained.

**(c) Submission to Congress****(1) Submission of directive**

The directive issued under subsection (a)(1) shall be submitted to Congress by the Director of National Intelligence, together with any comments of the Comptroller General of the United States, no later than May 1, 2011.

**(2) Submission of amendment**

Any amendment to such directive issued under subsection (a)(2) shall be submitted to Congress by the Director, together with any comments of the Comptroller General.

**(d) Effective date**

The directive issued under subsection (a)(1) and any amendment to such directive issued under subsection (a)(2) shall take effect 60 days after the date such directive or amendment is submitted to Congress under subsection (c), unless the Director determines that for reasons of national security the directive or amendment should take effect sooner.

(Pub. L. 111–259, title III, §348, Oct. 7, 2010, 124 Stat. 2700.)

## REFERENCES IN TEXT

The National Security Act of 1947, referred to in subsec. (a)(3)(B), is act July 26, 1947, ch. 343, 61 Stat. 495, which is classified principally to chapter 44 (§3001 et seq.) of this title. For complete classification of this Act to the Code, see Tables.

## CODIFICATION

Section was formerly classified to section 403–9 of this title prior to editorial reclassification and renumbering as this section.

## 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.

**§ 3309. Annual report on advisory committees****(1) In general**

The Director of National Intelligence and the Director of the Central Intelligence Agency shall each submit to the congressional intelligence committees an annual report on advisory committees created by each such Director. Each report shall include—

- (A) a description of each such advisory committee, including the subject matter of the committee; and
- (B) a list of members of each such advisory committee.

**(2) Report on reasons for ODNI exclusion of advisory committee from FACA**

Each report submitted by the Director of National Intelligence in accordance with paragraph (1) shall include the reasons for a determination by the Director under section 4(b)(3) of the Federal Advisory Committee Act (5 U.S.C. App.), as added by subsection (a) of this section, that an advisory committee cannot comply with the requirements of such Act.

(Pub. L. 111–259, title IV, §410(b), Oct. 7, 2010, 124 Stat. 2725.)

## REFERENCES IN TEXT

Section 4(b)(3) of the Federal Advisory Committee Act, referred to in par. (2), is section 4(b)(3) of Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, which is set out in the Appendix to Title 5, Government Organization and Employees.

## CODIFICATION

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