

CODIFICATION

Section was formerly classified to section 404n of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2004—Subsec. (a). Pub. L. 108-458 substituted “Director of National Intelligence” for “Director of Central Intelligence, acting as the head of the intelligence community,”.

Subsec. (c). Pub. L. 108-487, §304(a)(2), added subsec. (c). Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 108-487, §304(a)(1), (b), redesignated subsec. (c) as (d) and added par. (3). Former subsec. (d) redesignated (e).

Subsec. (e). Pub. L. 108-487, §304(a)(1), redesignated subsec. (d) as (e).

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 3001 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 in an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of this title.

§ 3362. Foreign Terrorist Asset Tracking Center**(a) Establishment**

The Director of National Intelligence shall establish within the Central Intelligence Agency an element responsible for conducting all-source intelligence analysis of information relating to the financial capabilities, practices, and activities of individuals, groups, and nations associated with international terrorism in their activities relating to international terrorism.

(b) Designation

The element established under subsection (a) of this section shall be known as the Foreign Terrorist Asset Tracking Center.

(c) Deadline for establishment

The element required by subsection (a) of this section shall be established as soon as practicable after November 27, 2002, but not later than 90 days after November 27, 2002.

(Pub. L. 107-306, title III, §341, Nov. 27, 2002, 116 Stat. 2398; Pub. L. 108-458, title I, §1071(g)(2)(C), Dec. 17, 2004, 118 Stat. 3691.)

CODIFICATION

Section was formerly classified to section 404n-1 of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2004—Subsec. (a). Pub. L. 108-458 substituted “Director of National Intelligence shall establish within the Central Intelligence Agency” for “Director of Central Intelligence, acting as the head of the intelligence community, shall establish in the Central Intelligence Agency”.

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 3001 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 in an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of this title.

§ 3363. Terrorist Identification Classification System**(a) Requirement**

(1) The Director of National Intelligence shall—

(A) establish and maintain a list of individuals who are known or suspected international terrorists, and of organizations that are known or suspected international terrorist organizations; and

(B) ensure that pertinent information on the list is shared with the departments, agencies, and organizations described by subsection (c) of this section.

(2) The list under paragraph (1), and the mechanisms for sharing information on the list, shall be known as the “Terrorist Identification Classification System”.

(b) Administration

(1) The Director shall prescribe requirements for the inclusion of an individual or organization on the list required by subsection (a) of this section, and for the deletion or omission from the list of an individual or organization currently on the list.

(2) The Director shall ensure that the information utilized to determine the inclusion, or deletion or omission, of an individual or organization on or from the list is derived from all-source intelligence.

(3) The Director shall ensure that the list is maintained in accordance with existing law and regulations governing the collection, storage, and dissemination of intelligence concerning United States persons.

(c) Information sharing

Subject to section 3024(i) of this title, relating to the protection of intelligence sources and methods, the Director shall provide for the sharing of the list, and information on the list, with such departments and agencies of the Federal Government, State and local government agencies, and entities of foreign governments and international organizations as the Director considers appropriate.

(d) Report on criteria for information sharing

(1) Not later than March 1, 2003, the Director shall submit to the congressional intelligence committees a report describing the criteria used to determine which types of information on the list required by subsection (a) of this section are to be shared, and which types of information are not to be shared, with various departments and agencies of the Federal Government, State and local government agencies, and entities of foreign governments and international organizations.

(2) The report shall include a description of the circumstances in which the Director has determined that sharing information on the list with the departments and agencies of the Federal Government, and of State and local govern-

ments, described by subsection (c) of this section would be inappropriate due to the concerns addressed by section 403-3(c)(7)¹ of this title, relating to the protection of sources and methods, and any instance in which the sharing of information on the list has been inappropriate in light of such concerns.

(e) System administration requirements

(1) The Director shall, to the maximum extent practicable, ensure the interoperability of the Terrorist Identification Classification System with relevant information systems of the departments and agencies of the Federal Government, and of State and local governments, described by subsection (c) of this section.

(2) The Director shall ensure that the System utilizes technologies that are effective in aiding the identification of individuals in the field.

(f) Report on status of System

(1) Not later than one year after November 27, 2002, the Director shall, in consultation with the Director of Homeland Security, submit to the congressional intelligence committees a report on the status of the Terrorist Identification Classification System. The report shall contain a certification on the following:

(A) Whether the System contains the intelligence information necessary to facilitate the contribution of the System to the domestic security of the United States.

(B) Whether the departments and agencies having access to the System have access in a manner that permits such departments and agencies to carry out appropriately their domestic security responsibilities.

(C) Whether the System is operating in a manner that maximizes its contribution to the domestic security of the United States.

(D) If a certification under subparagraph (A), (B), or (C) is in the negative, the modifications or enhancements of the System necessary to ensure a future certification in the positive.

(2) The report shall be submitted in unclassified form, but may include a classified annex.

(g) Congressional intelligence committees defined

In this section, the term “congressional intelligence committees” means—

(1) the Select Committee on Intelligence of the Senate; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives.

(Pub. L. 107-306, title III, § 343, Nov. 27, 2002, 116 Stat. 2399; Pub. L. 108-177, title III, § 377(d), Dec. 13, 2003, 117 Stat. 2631; Pub. L. 108-458, title I, §§ 1071(g)(2)(A)(ii), 1072(d)(1)(A), Dec. 17, 2004, 118 Stat. 3691, 3693; Pub. L. 111-259, title III, § 347(f), Oct. 7, 2010, 124 Stat. 2699.)

REFERENCES IN TEXT

Section 403-3 of this title, referred to in subsection (d)(2), was repealed and a new section 403-3 enacted by Pub. L. 108-458, title I, § 1011(a), Dec. 17, 2004, 118 Stat. 3643, without corresponding amendment to this section. Section 403-3 of this title was subsequently editorially reclassified as section 3025 of this title. The new section 3025 contains a subsection (c) relating to the composition of the Office of the Director of National Intelligence.

¹ See References in Text note below.

CODIFICATION

Section was formerly classified to section 404n-2 of this title prior to editorial reclassification and renumbering as this section. Some section numbers of this title referenced in amendment notes below reflect the classification of such sections prior to their editorial reclassification.

AMENDMENTS

Subsecs. (d) to (h), Pub. L. 111-259 redesignated subsecs. (e) to (h) as (d) to (g), respectively, and struck out former subsec. (d). Prior to amendment, text of subsec. (d) read as follows:

“(1) The Director shall review on an annual basis the information provided by various departments and agencies for purposes of the list under subsection (a) of this section in order to determine whether or not the information so provided is derived from the widest possible range of intelligence available to such departments and agencies.

“(2) The Director shall, as a result of each review under paragraph (1), certify whether or not the elements of the intelligence community responsible for the collection of intelligence related to the list have provided information for purposes of the list that is derived from the widest possible range of intelligence available to such department and agencies.”

2004—Subsec. (a)(1), Pub. L. 108-458, § 1071(g)(2)(A)(ii), which directed amendment of par. (1) by substituting “Director of National Intelligence” for “Director of Central Intelligence, acting as the head of the intelligence community,” was executed by making the substitution for “Director of Central Intelligence, acting as head of the Intelligence Community,” in introductory provisions to reflect the probable intent of Congress.

Subsec. (c), Pub. L. 108-458, § 1072(d)(1)(A), which directed amendment of subsec. (c) by substituting “section 403-1(i)” for “section 403-3(c)(6)”, was executed by making the substitution for “section 403-3(c)(7)” to reflect the probable intent of Congress and the amendment by Pub. L. 108-177. See 2003 Amendment note below.

2003—Subsecs. (c), (e)(2), Pub. L. 108-177, § 377(d), substituted “section 403-3(c)(7) of this title” for “section 403-3(c)(6) of this title”.

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 3001 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 in an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of this title.

§ 3364. Assignment of responsibilities relating to analytic integrity

(a) Assignment of responsibilities

For purposes of carrying out section 3024(h) of this title, the Director of National Intelligence shall, not later than 180 days after December 17, 2004, assign an individual or entity to be responsible for ensuring that finished intelligence products produced by any element or elements of the intelligence community are timely, objective, independent of political considerations, based upon all sources of available intelligence, and employ the standards of proper analytic tradecraft.

(b) Responsibilities

(1) The individual or entity assigned responsibility under subsection (a) of this section—