

- (I) 4 months or less;
- (II) between 4 months and 8 months;
- (III) between 8 months and one year; and
- (IV) more than one year;

(iv) the percentage of reviews during the preceding fiscal year that resulted in a denial or revocation of a security clearance;

(v) the percentage of investigations during the preceding fiscal year that resulted in incomplete information;

(vi) the percentage of investigations during the preceding fiscal year that did not result in enough information to make a decision on potentially adverse information; and

(vii) for security clearance determinations completed or pending during the preceding fiscal year that have taken longer than one year to complete—

(I) the number of security clearance determinations for positions as employees of the United States Government that required more than one year to complete;

(II) the number of security clearance determinations for contractors that required more than one year to complete;

(III) the agencies that investigated and adjudicated such determinations; and

(IV) the cause of significant delays in such determinations.

(2) For purposes of paragraph (1), the President may consider—

(A) security clearances at the level of confidential and secret as one security clearance level; and

(B) security clearances at the level of top secret or higher as one security clearance level.

(c) Form

The results required under subsection (a)(2) and the reports required under subsection (b)(1) shall be submitted in unclassified form, but may include a classified annex.

(July 26, 1947, ch. 343, title V, § 506H, as added Pub. L. 111–259, title III, § 367(a)(1)(A), Oct. 7, 2010, 124 Stat. 2703.)

CODIFICATION

Section was formerly classified to section 415a–10 of this title prior to editorial reclassification and renumbering as this section.

INITIAL AUDIT

Pub. L. 111–259, title III, § 367(a)(1)(B), Oct. 7, 2010, 124 Stat. 2704, provided that: “The first audit required to be conducted under section 506H(a)(1) of the National Security Act of 1947 [50 U.S.C. 3104(a)(1)], as added by subparagraph (A) of this paragraph, shall be completed not later than February 1, 2011.”

§ 3105. Summary of intelligence relating to terrorist recidivism of detainees held at United States Naval Station, Guantanamo Bay, Cuba

(a) In general

The Director of National Intelligence, in consultation with the Director of the Central Intelligence Agency and the Director of the Defense Intelligence Agency, shall make publicly available an unclassified summary of—

(1) intelligence relating to recidivism of detainees currently or formerly held at the

Naval Detention Facility at Guantanamo Bay, Cuba, by the Department of Defense; and

(2) an assessment of the likelihood that such detainees will engage in terrorism or communicate with persons in terrorist organizations.

(b) Updates

Not less frequently than once every 6 months, the Director of National Intelligence, in consultation with the Director of the Central Intelligence Agency and the Secretary of Defense, shall update and make publicly available an unclassified summary consisting of the information required by subsection (a) and the number of individuals formerly detained at Naval Station, Guantanamo Bay, Cuba, who are confirmed or suspected of returning to terrorist activities after release or transfer from such Naval Station.

(July 26, 1947, ch. 343, title V, § 506I, as added Pub. L. 112–87, title III, § 307(a)(1), Jan. 3, 2012, 125 Stat. 1882.)

CODIFICATION

Section was formerly classified to section 415a–11 of this title prior to editorial reclassification and renumbering as this section.

INITIAL UPDATE

Pub. L. 112–87, title III, § 307(a)(2), Jan. 3, 2012, 125 Stat. 1883, provided that: “The initial update required by section 506I(b) of such Act [act July 26, 1947, ch. 343; 50 U.S.C. 3105(b)], as added by paragraph (1) of this subsection, shall be made publicly available not later than 10 days after the date the first report following the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2012 [Jan. 3, 2012] is submitted to members and committees of Congress pursuant to section 319 of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 10 U.S.C. 801 note).”

§ 3105a. Annual assessment of intelligence community performance by function

(a) In general

Not later than April 1, 2016, and each year thereafter, the Director of National Intelligence shall, in consultation with the Functional Managers, submit to the congressional intelligence committees a report on covered intelligence functions during the preceding year.

(b) Elements

Each report under subsection (a) shall include for each covered intelligence function for the year covered by such report the following:

(1) An identification of the capabilities, programs, and activities of such intelligence function, regardless of the element of the intelligence community that carried out such capabilities, programs, and activities.

(2) A description of the investment and allocation of resources for such intelligence function, including an analysis of the allocation of resources within the context of the National Intelligence Strategy, priorities for recipients of resources, and areas of risk.

(3) A description and assessment of the performance of such intelligence function.

(4) An identification of any issues related to the application of technical interoperability standards in the capabilities, programs, and activities of such intelligence function.

(5) An identification of the operational overlap or need for de-confliction, if any, within such intelligence function.

(6) A description of any efforts to integrate such intelligence function with other intelligence disciplines as part of an integrated intelligence enterprise.

(7) A description of any efforts to establish consistency in tradecraft and training within such intelligence function.

(8) A description and assessment of developments in technology that bear on the future of such intelligence function.

(9) Such other matters relating to such intelligence function as the Director may specify for purposes of this section.

(c) Definitions

In this section:

(1) The term “covered intelligence functions” means each intelligence function for which a Functional Manager has been established under section 3034a of this title during the year covered by a report under this section.

(2) The term “Functional Manager” means the manager of an intelligence function established under section 3034a of this title.

(July 26, 1947, ch. 343, title V, §506J, as added Pub. L. 113-126, title III, §306(a), July 7, 2014, 128 Stat. 1395.)

§ 3106. Dates for submittal of various annual and semiannual reports to the congressional intelligence committees

(a) Annual reports

The date for the submittal to the congressional intelligence committees of the following annual reports shall be the date each year provided in subsection (c)(1):

(1) The annual report of the Inspectors General¹ of the intelligence community on proposed resources and activities of their offices required by section 8H(g) of the Inspector General Act of 1978.

(2) The annual report on certifications for immunity in interdiction of aircraft engaged in illicit drug trafficking required by section 2291-4(c)(2) of title 22.

(3) The annual report on activities under the David L. Boren National Security Education Act of 1991 (title VIII of Public Law 102-183; 50 U.S.C. 1901 et seq.) required by section 806(a) of that Act (50 U.S.C. 1906(a)).

(4) The annual report on hiring and retention of minority employees in the intelligence community required by section 3050(a) of this title.

(5) The annual report on outside employment of employees of elements of the intelligence community required by section 3024(u)(2) of this title.

(6) The annual report on financial intelligence on terrorist assets required by section 3055 of this title.

(b) Semiannual reports

The dates for the submittal to the congressional intelligence committees of the following

semiannual reports shall be the dates each year provided in subsection (c)(2) of this section:

(1) The semiannual reports on decisions not to prosecute certain violations of law under the Classified Information Procedures Act (18 U.S.C. App.) as required by section 13 of that Act.

(2) The semiannual reports on the disclosure of information and consumer reports to the Federal Bureau of Investigation for counterintelligence purposes required by section 1681u(h)(2) of title 15.²

(3) The semiannual provision of information on requests for financial information for foreign counterintelligence purposes required by section 3414(a)(5)(C) of title 12.

(c) Submittal dates for reports

(1) Except as provided in subsection (d) of this section, each annual report listed in subsection (a)(1) of this section shall be submitted not later than February 1.

(2) Except as provided in subsection (d) of this section, each semiannual report listed in subsection (b) of this section shall be submitted not later than February 1 and August 1.

(d) Postponement of submittal

(1) Subject to paragraph (3), the date for the submittal of—

(A) an annual report listed in subsection (a) of this section may be postponed until March 1; and

(B) a semiannual report listed in subsection (b) of this section may be postponed until March 1 or September 1, as the case may be,

if the official required to submit such report submits to the congressional intelligence committees a written notification of such postponement.

(2)(A) Notwithstanding any other provision of law and subject to paragraph (3), the date for the submittal to the congressional intelligence committees of any report described in subparagraph (B) may be postponed by not more than 30 days from the date otherwise specified in the provision of law for the submittal of such report if the official required to submit such report submits to the congressional intelligence committees a written notification of such postponement.

(B) A report described in this subparagraph is any report on intelligence or intelligence-related activities of the United States Government that is submitted under a provision of law requiring the submittal of only a single report.

(3)(A) The date for the submittal of a report whose submittal is postponed under paragraph (1) or (2) may be postponed beyond the time provided for the submittal of such report under such paragraph if the official required to submit such report submits to the congressional intelligence committees a written certification that preparation and submittal of such report at such time will impede the work of officers or employees of the intelligence community in a manner that will be detrimental to the national security of the United States.

(B) A certification with respect to a report under subparagraph (A) shall include a proposed

¹ So in original. Probably should be “General”.

² See References in Text note below.