

(3) substantiated by the inspector general of any element of the intelligence community.  
(July 26, 1947, ch. 343, title V, § 511, as added Pub. L. 113-293, title III, § 323(a), Dec. 19, 2014, 128 Stat. 4003.)

#### CONSTRUCTION

Pub. L. 113-293, title III, § 323(e), Dec. 19, 2014, 128 Stat. 4004, provided that: “Nothing in this section [enacting this section and provisions set out as notes under this section] or the amendments made by this section shall be construed to alter any requirement existing on the date of the enactment of this Act [Dec. 19, 2014] to submit a report under any provision of law.”

#### INITIAL REPORT

Pub. L. 113-293, title III, § 323(b), Dec. 19, 2014, 128 Stat. 4004, provided that: “The first report required under section 511 of the National Security Act of 1947 [50 U.S.C. 3110], as added by subsection (a), shall be submitted not later than one year after the date of the enactment of this Act [Dec. 19, 2014].”

#### GUIDELINES

Pub. L. 113-293, title III, § 323(c), Dec. 19, 2014, 128 Stat. 4004, provided that: “Not later than 180 days after the date of the enactment of this Act [Dec. 19, 2014], the Director of National Intelligence, in consultation with the head of each element of the intelligence community, shall—

“(1) issue guidelines to carry out section 511 of the National Security Act of 1947 [50 U.S.C. 3110], as added by subsection (a); and

“(2) submit such guidelines to the congressional intelligence committees.”

[For definitions of terms used in section 323(c) of Pub. L. 113-293, set out above, see section 2 of Pub. L. 113-293, set out as a note under section 3003 of this title.]

### SUBCHAPTER IV—PROTECTION OF CERTAIN NATIONAL SECURITY INFORMATION

#### § 3121. Protection of identities of certain United States undercover intelligence officers, agents, informants, and sources

##### (a) Disclosure of information by persons having or having had access to classified information that identifies covert agent

Whoever, having or having had authorized access to classified information that identifies a covert agent, intentionally discloses any information identifying such covert agent to any individual not authorized to receive classified information, knowing that the information disclosed so identifies such covert agent and that the United States is taking affirmative measures to conceal such covert agent’s intelligence relationship to the United States, shall be fined under title 18 or imprisoned not more than 15 years, or both.

##### (b) Disclosure of information by persons who learn identity of covert agents as result of having access to classified information

Whoever, as a result of having authorized access to classified information, learns the identity of a covert agent and intentionally discloses any information identifying such covert agent to any individual not authorized to receive classified information, knowing that the information disclosed so identifies such covert agent and that the United States is taking affirmative measures to conceal such covert agent’s intel-

ligence relationship to the United States, shall be fined under title 18 or imprisoned not more than 10 years, or both.

##### (c) Disclosure of information by persons in course of pattern of activities intended to identify and expose covert agents

Whoever, in the course of a pattern of activities intended to identify and expose covert agents and with reason to believe that such activities would impair or impede the foreign intelligence activities of the United States, discloses any information that identifies an individual as a covert agent to any individual not authorized to receive classified information, knowing that the information disclosed so identifies such individual and that the United States is taking affirmative measures to conceal such individual’s classified intelligence relationship to the United States, shall be fined under title 18 or imprisoned not more than three years, or both.

##### (d) Imposition of consecutive sentences

A term of imprisonment imposed under this section shall be consecutive to any other sentence of imprisonment.

(July 26, 1947, ch. 343, title VI, § 601, as added Pub. L. 97-200, § 2(a), June 23, 1982, 96 Stat. 122; amended Pub. L. 106-120, title III, § 304(b), Dec. 3, 1999, 113 Stat. 1611; Pub. L. 111-259, title III, § 363(a), Oct. 7, 2010, 124 Stat. 2701.)

#### CODIFICATION

Section was formerly classified to section 421 of this title prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

2010—Subsec. (a). Pub. L. 111-259, § 363(a)(1), substituted “15 years” for “ten years”.

Subsec. (b). Pub. L. 111-259, § 363(a)(2), substituted “10 years” for “five years”.

1999—Subsec. (a). Pub. L. 106-120, § 304(b)(2)(A), substituted “shall be fined under title 18” for “shall be fined not more than \$50,000”.

Subsec. (b). Pub. L. 106-120, § 304(b)(2)(B), substituted “shall be fined under title 18” for “shall be fined not more than \$25,000”.

Subsec. (c). Pub. L. 106-120, § 304(b)(2)(C), substituted “shall be fined under title 18” for “shall be fined not more than \$15,000”.

Subsec. (d). Pub. L. 106-120, § 304(b)(1), added subsec. (d).

#### § 3122. Defenses and exceptions

##### (a) Disclosure by United States of identity of covert agent

It is a defense to a prosecution under section 3121 of this title that before the commission of the offense with which the defendant is charged, the United States had publicly acknowledged or revealed the intelligence relationship to the United States of the individual the disclosure of whose intelligence relationship to the United States is the basis for the prosecution.

##### (b) Conspiracy, misprision of felony, aiding and abetting, etc.

(1) Subject to paragraph (2), no person other than a person committing an offense under section 3121 of this title shall be subject to prosecution under such section by virtue of section 2 or