

§ 3349. Notification regarding the authorized public disclosure of national intelligence

(a) Notification

In the event of an authorized disclosure of national intelligence or intelligence related to national security to the persons or entities described in subsection (b), the government official responsible for authorizing the disclosure shall submit to the congressional intelligence committees on a timely basis a notification of the disclosure if—

- (1) at the time of the disclosure—
 - (A) such intelligence is classified; or
 - (B) is declassified for the purpose of the disclosure; and

- (2) the disclosure will be made by an officer, employee, or contractor of the Executive branch.

(b) Persons or entities described

The persons or entities described in this subsection are as follows:

- (1) Media personnel.
- (2) Any person or entity, if the disclosure described in subsection (a) is made with the intent or knowledge that such information will be made publicly available.

(c) Content

Each notification required under subsection (a) shall—

- (1) provide the specific title and authority of the individual authorizing the disclosure;
- (2) if applicable, provide the specific title and authority of the individual who authorized the declassification of the intelligence disclosed; and
- (3) describe the intelligence disclosed, including the classification of the intelligence prior to its disclosure or declassification and the rationale for making the disclosure.

(d) Exception

The notification requirement in this section does not apply to a disclosure made—

- (1) pursuant to any statutory requirement, including to section 552 of title 5 (commonly referred to as the “Freedom of Information Act”);
- (2) in connection with a civil, criminal, or administrative proceeding;
- (3) as a result of a declassification review process under Executive Order 13526 (50 U.S.C. 435 note) [now 50 U.S.C. 3161 note] or any successor order; or
- (4) to any officer, employee, or contractor of the Federal government or member of an advisory committee to an element of the intelligence community who possesses an active security clearance and a need to know the specific national intelligence or intelligence related to national security, as defined in section 3003(5) of this title.

(Pub. L. 112-277, title V, § 504, Jan. 14, 2013, 126 Stat. 2477; Pub. L. 113-126, title III, § 328, July 7, 2014, 128 Stat. 1405.)

AMENDMENTS

2014—Subsec. (e). Pub. L. 113-126 struck out subsec. (e). Text read as follows: “The notification require-

ments of this section shall cease to be effective for any disclosure described in subsection (a) that occurs on or after the date that is one year after January 14, 2013.”

DEFINITIONS

Pub. L. 112-277, § 2, Jan. 14, 2013, 126 Stat. 2469, provided that: “In this Act [see Tables for classification]:

“(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ‘congressional intelligence committees’ means—

“(A) the Select Committee on Intelligence of the Senate; and

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

“(2) INTELLIGENCE COMMUNITY.—The term ‘intelligence community’ has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) [now 50 U.S.C. 3003(4)].”

SUBCHAPTER IV—COLLECTION, ANALYSIS, AND SHARING OF INTELLIGENCE

§ 3361. National Virtual Translation Center

(a) Establishment

The Director of National Intelligence shall establish in the intelligence community an element with the function of connecting the elements of the intelligence community engaged in the acquisition, storage, translation, or analysis of voice or data in digital form.

(b) Designation

The element established under subsection (a) of this section shall be known as the National Virtual Translation Center.

(c) Function

The element established under subsection (a) of this section shall provide for timely and accurate translations of foreign intelligence for all elements of the intelligence community through—

- (1) the integration of the translation capabilities of the intelligence community;
- (2) the use of remote-connection capabilities; and
- (3) the use of such other capabilities as the Director considers appropriate.

(d) Administrative matters

(1) The Director shall retain direct supervision and control over the element established under subsection (a) of this section.

(2) The element established under subsection (a) of this section shall connect elements of the intelligence community utilizing the most current available information technology that is applicable to the function of the element.

(3) Personnel of the element established under subsection (a) of this section may carry out the duties and functions of the element at any location that—

(A) has been certified as a secure facility by a department or agency of the United States Government; or

(B) the Director has otherwise determined to be appropriate for such duties and functions¹

(e) 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.

¹ So in original. Probably should be followed by a period.

(Pub. L. 107-306, title III, §313, Nov. 27, 2002, 116 Stat. 2391; Pub. L. 108-458, title I, §1071(g)(2)(A)(i), Dec. 17, 2004, 118 Stat. 3691; Pub. L. 108-487, title III, §304, Dec. 23, 2004, 118 Stat. 3944.)

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 than¹ 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

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