

facilities, was revoked by Ex. Ord. No. 12656, Nov. 18, 1988, 53 F.R. 47491, set out under section 5195 of Title 42, The Public Health and Welfare.

EXECUTIVE ORDER NO. 10438

Ex. Ord. No. 10438, Mar. 13, 1953, 18 F.R. 1491, which related to transfer of functions to Director of Defense Mobilization, was superseded by Ex. Ord. No. 11051, Sept. 27, 1962, 27 F.R. 9683, formerly set out under section 5195 of Title 42, The Public Health and Welfare.

§ 3043. Annual national security strategy report

(a) Transmittal to Congress

(1) The President shall transmit to Congress each year a comprehensive report on the national security strategy of the United States (hereinafter in this section referred to as a “national security strategy report”).

(2) The national security strategy report for any year shall be transmitted on the date on which the President submits to Congress the budget for the next fiscal year under section 1105 of title 31.

(3) Not later than 150 days after the date on which a new President takes office, the President shall transmit to Congress a national security strategy report under this section. That report shall be in addition to the report for that year transmitted at the time specified in paragraph (2).

(b) Contents

Each national security strategy report shall set forth the national security strategy of the United States and shall include a comprehensive description and discussion of the following:

(1) The worldwide interests, goals, and objectives of the United States that are vital to the national security of the United States.

(2) The foreign policy, worldwide commitments, and national defense capabilities of the United States necessary to deter aggression and to implement the national security strategy of the United States.

(3) The proposed short-term and long-term uses of the political, economic, military, and other elements of the national power of the United States to protect or promote the interests and achieve the goals and objectives referred to in paragraph (1).

(4) The adequacy of the capabilities of the United States to carry out the national security strategy of the United States, including an evaluation of the balance among the capabilities of all elements of the national power of the United States to support the implementation of the national security strategy.

(5) Such other information as may be necessary to help inform Congress on matters relating to the national security strategy of the United States.

(c) Classified and unclassified form

Each national security strategy report shall be transmitted to Congress in classified form, but may include an unclassified summary.

(July 26, 1947, ch. 343, title I, §108, formerly §104, as added Pub. L. 99-433, title VI, §603(a)(1), Oct. 1, 1986, 100 Stat. 1074; renumbered §108, Pub. L. 102-496, title VII, §705(a)(2), Oct. 24, 1992, 106 Stat. 3190; amended Pub. L. 106-65, div. A, title

IX, §901(b), Oct. 5, 1999, 113 Stat. 717; Pub. L. 114-328, div. A, title IX, §944, Dec. 23, 2016, 130 Stat. 2371.)

CODIFICATION

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

AMENDMENTS

2016—Subsec. (c). Pub. L. 114-328, which directed substitution of “to Congress in classified form, but may include an unclassified summary” for “in both a classified form and an unclassified form” was executed by making the substitution for “in both a classified and an unclassified form” to reflect the probable intent of Congress.

1999—Subsec. (a)(3). Pub. L. 106-65 added par. (3).

NATIONAL SECURITY PLANNING GUIDANCE TO DENY SAFE HAVENS TO AL-QAEDA AND ITS VIOLENT EXTREMIST AFFILIATES

Pub. L. 112-81, div. A, title X, §1032, Dec. 31, 2011, 125 Stat. 1571, as amended by Pub. L. 113-291, div. A, title XII, §1262, Dec. 19, 2014, 128 Stat. 3580, provided that:

“(a) PURPOSE.—The purpose of this section is to improve interagency strategic planning and execution to more effectively integrate efforts to deny safe havens and strengthen at-risk states to further the goals of the National Security Strategy related to the disruption, dismantlement, and defeat of al-Qaeda and its violent extremist affiliates.

“(b) NATIONAL SECURITY PLANNING GUIDANCE.—

“(1) GUIDANCE REQUIRED.—The President shall issue classified or unclassified national security planning guidance in support of objectives stated in the national security strategy report submitted to Congress by the President pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 404a) [now 50 U.S.C. 3043] to deny safe havens to al-Qaeda and its violent extremist affiliates and to strengthen at-risk states. Such guidance shall serve as the strategic plan that governs United States and coordinated international efforts to enhance the capacity of governmental and nongovernmental entities to work toward the goal of eliminating the ability of al-Qaeda and its violent extremist affiliates to establish or maintain safe havens.

“(2) CONTENTS OF GUIDANCE.—The guidance required under paragraph (1) shall include each of the following:

“(A) A prioritized list of specified geographic areas that the President determines are necessary to address and an explicit discussion and list of the criteria or rationale used to prioritize the areas on the list, including a discussion of the conditions that would hamper the ability of the United States to strengthen at-risk states or other entities in such areas.

“(B) For each specified geographic area, a description, analysis, and discussion of the core problems and contributing issues that allow or could allow al-Qaeda and its violent extremist affiliates to use the area as a safe haven from which to plan and launch attacks, engage in propaganda, or raise funds and other support, including any ongoing or potential radicalization of the population, or to use the area as a key transit route for personnel, weapons, funding, or other support.

“(C) For each specified geographic area, a description of the following:

“(i) The feasibility of conducting multilateral programs to train and equip the military forces of relevant countries in the area.

“(ii) The authority and funding that would be required to support such programs.

“(iii) How such programs would be implemented.

“(iv) How such programs would support the national security priorities and interests of the

United States and complement other efforts of the United States Government in the area and in other specified geographic areas.

“(D) A list of short-term, mid-term, and long-term goals for each specified geographic area, prioritized by importance.

“(E) A description of the role and mission of each Federal department and agency involved in executing the guidance, including the Departments of Defense, Justice, Treasury, and State and the Agency for International Development.

“(F) A description of gaps in United States capabilities to meet the goals listed pursuant to subparagraph (D), and the extent to which those gaps can be met through coordination with nongovernmental, international, or private sector organizations, entities, or companies.

“(3) REVIEW AND UPDATE OF GUIDANCE.—The President shall review and update the guidance required under paragraph (1) as necessary. Any such review shall address each of the following:

“(A) The overall progress made toward achieving the goals listed pursuant to paragraph (2)(D), including an overall assessment of the progress in denying a safe haven to al-Qaeda and its violent extremist affiliates.

“(B) The performance of each Federal department and agency involved in executing the guidance.

“(C) The performance of the unified country team and appropriate combatant command, or in the case of a cross-border effort, country teams in the area and the appropriate combatant command.

“(D) Any addition to, deletion from, or change in the order of the prioritized list maintained pursuant to paragraph (2)(A).

“(4) REPORT.—

“(A) IN GENERAL.—Not later than 180 days after the date of the enactment of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 [Dec. 19, 2014], the President shall submit to the appropriate congressional committees a report that contains a detailed summary of the national security planning guidance required under paragraph (1), including any updates thereto.

“(B) FORM.—The report may include a classified annex as determined to be necessary by the President.

“(C) DEFINITION.—In this paragraph, the term ‘appropriate congressional committees’ means—

“(i) the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives]; and

“(ii) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

“(5) SPECIFIED GEOGRAPHIC AREA DEFINED.—In this subsection, the term ‘specified geographic area’ means any country, subnational territory, or region—

“(A) that serves or may potentially serve as a safe haven for al-Qaeda or a violent extremist affiliate of al-Qaeda—

“(i) from which to plan and launch attacks, engage in propaganda, or raise funds and other support; or

“(ii) for use as a key transit route for personnel, weapons, funding, or other support; and

“(B) over which one or more governments or entities exert insufficient governmental or security control to deny al-Qaeda and its violent extremist affiliates the ability to establish a large scale presence.”

IMPLEMENTATION PLAN FOR WHOLE-OF-GOVERNMENT VISION PRESCRIBED IN THE NATIONAL SECURITY STRATEGY

Pub. L. 112-81, div. A, title X, §1072, Dec. 31, 2011, 125 Stat. 1592, as amended by Pub. L. 114-92, div. A, title X, §1076(d), Nov. 25, 2015, 129 Stat. 998, provided that:

“(a) IMPLEMENTATION PLAN.—Not later than 270 days after the date of the enactment of this Act [Dec. 31, 2011], the President shall submit to the appropriate congressional committees an implementation plan for achieving the whole-of-government integration vision prescribed in the President’s National Security Strategy of May 2010. The implementation plan shall include—

“(1) a description of ongoing and future actions planned to be taken by the President and the Executive agencies to implement organizational changes, programs, and any other efforts to achieve each component of the whole-of-government vision prescribed in the National Security Strategy;

“(2) a timeline for specific actions taken and planned to be taken by the President and the Executive agencies to implement each component of the whole-of-government vision prescribed in the National Security Strategy;

“(3) an outline of specific actions desired or required to be taken by Congress to achieve each component of the whole-of-government vision prescribed in the National Security Strategy, including suggested timing and sequencing of actions proposed for Congress and the Executive agencies;

“(4) any progress made and challenges or obstacles encountered since May 2010 in implementing each component of the whole-of-government vision prescribed in the National Security Strategy; and

“(5) such other information as the President determines is necessary to understand progress in implementing each component of the whole-of-government vision prescribed in the National Security Strategy.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives];

“(B) the Committee on Foreign Relations, Select Committee on Intelligence, Committee on Homeland Security and Government Affairs, Committee on the Budget, Committee on the Judiciary, and Committee on Appropriations in the Senate; and

“(C) the Committee on Foreign Affairs, Permanent Select Committee on Intelligence, Committee on Homeland Security, Committee on the Budget, Committee on the Judiciary, Committee on Oversight and Government Reform, and Committee on Appropriations in the House of Representatives.

“(2) The term ‘Executive agency’ has the meaning given that term by section 105 of title 5, United States Code.”

NATIONAL COMMISSION ON THE FUTURE ROLE OF UNITED STATES NUCLEAR WEAPONS, PROBLEMS OF COMMAND, CONTROL, AND SAFETY OF SOVIET NUCLEAR WEAPONS, AND REDUCTION OF NUCLEAR WEAPONS

Pub. L. 102-172, title VIII, §8132, Nov. 26, 1991, 105 Stat. 1208, provided for establishment of a National Commission which was to submit to Congress, not later than May 1, 1993, a final report containing an assessment and recommendations regarding role of, and requirements for, nuclear weapons in security strategy of United States as result of significant changes in former Warsaw Pact, former Soviet Union, and Third World, including possibilities for international cooperation with former Soviet Union regarding such problems, and safeguards to protect against accidental or unauthorized use of nuclear weapons, further directed Commission to obtain study from National Academy of Sciences on these matters, further authorized establishment of joint working group comprised of experts from governments of United States and former Soviet Union which was to meet on regular basis and provide recommendations regarding these matters, and further provided for composition of Commission as well as powers, procedures, personnel matters, appropriations, and termination of Commission upon submission of its final report.

§ 3043a. National intelligence strategy**(a) In general**

Beginning in 2017, and once every 4 years thereafter, the Director of National Intelligence shall develop a comprehensive national intelligence strategy to meet national security objectives for the following 4-year period, or a longer period, if appropriate.

(b) Requirements

Each national intelligence strategy required by subsection (a) shall—

(1) delineate a national intelligence strategy consistent with—

(A) the most recent national security strategy report submitted pursuant to section 3043 of this title;

(B) the strategic plans of other relevant departments and agencies of the United States; and

(C) other relevant national-level plans;

(2) address matters related to national and military intelligence, including counter-intelligence;

(3) identify the major national security missions that the intelligence community is currently pursuing and will pursue in the future to meet the anticipated security environment;

(4) describe how the intelligence community will utilize personnel, technology, partnerships, and other capabilities to pursue the major national security missions identified in paragraph (3);

(5) assess current, emerging, and future threats to the intelligence community, including threats from foreign intelligence and security services and insider threats;

(6) outline the organizational roles and missions of the elements of the intelligence community as part of an integrated enterprise to meet customer demands for intelligence products, services, and support;

(7) identify sources of strategic, institutional, programmatic, fiscal, and technological risk; and

(8) analyze factors that may affect the intelligence community's performance in pursuing the major national security missions identified in paragraph (3) during the following 10-year period.

(c) Submission to Congress

The Director of National Intelligence shall submit to the congressional intelligence committees a report on each national intelligence strategy required by subsection (a) not later than 45 days after the date of the completion of such strategy.

(July 26, 1947, ch. 343, title I, §108A, as added Pub. L. 113-293, title III, §303(a), Dec. 19, 2014, 128 Stat. 3994.)

§ 3044. Software licensing**(a) Requirement for inventories of software licenses**

The chief information officer of each element of the intelligence community, in consultation with the Chief Information Officer of the Intelligence Community, shall biennially—

(1) conduct an inventory of all existing software licenses of such element, including utilized and unutilized licenses;

(2) assess the actions that could be carried out by such element to achieve the greatest possible economies of scale and associated cost savings in software procurement and usage, including—

(A) increasing the centralization of the management of software licenses;

(B) increasing the regular tracking and maintaining of comprehensive inventories of software licenses using automated discovery and inventory tools and metrics;

(C) analyzing software license data to inform investment decisions; and

(D) providing appropriate personnel with sufficient software licenses management training; and

(3) submit to the Chief Information Officer of the Intelligence Community each inventory required by paragraph (1) and each assessment required by paragraph (2).

(b) Inventories by the Chief Information Officer of the Intelligence Community

The Chief Information Officer of the Intelligence Community, based on the inventories and assessments required by subsection (a), shall biennially—

(1) compile an inventory of all existing software licenses of the intelligence community, including utilized and unutilized licenses;

(2) assess the actions that could be carried out by the intelligence community to achieve the greatest possible economies of scale and associated cost savings in software procurement and usage, including—

(A) increasing the centralization of the management of software licenses;

(B) increasing the regular tracking and maintaining of comprehensive inventories of software licenses using automated discovery and inventory tools and metrics;

(C) analyzing software license data to inform investment decisions; and

(D) providing appropriate personnel with sufficient software licenses management training; and

(3) based on the assessment required under paragraph (2), make such recommendations with respect to software procurement and usage to the Director of National Intelligence as the Chief Information Officer considers appropriate.

(c) Reports to Congress

The Chief Information Officer of the Intelligence Community shall submit to the congressional intelligence committees a copy of each inventory compiled under subsection (b)(1).

(d) Implementation of recommendations

Not later than 180 days after the date on which the Director of National Intelligence receives recommendations from the Chief Information Officer of the Intelligence Community in accordance with subsection (b)(3), the Director of National Intelligence shall, to the extent practicable, issue guidelines for the intelligence community on software procurement and usage based on such recommendations.