

General to information in the possession of an element of the intelligence community.

(2) Amendment to directive

The Director of National Intelligence, in consultation with the Comptroller General, may issue an amendment to the directive issued under paragraph (1) at any time the Director determines such an amendment is appropriate.

(3) Relationship to other laws

The directive issued under paragraph (1) and any amendment to such directive issued under paragraph (2) shall be consistent with the provisions of—

- (A) chapter 7 of title 31; and
- (B) the National Security Act of 1947 (50 U.S.C. 401 et seq.).

(b) Confidentiality of information

(1) Requirement for confidentiality

The Comptroller General of the United States shall ensure that the level of confidentiality of information made available to the Comptroller General pursuant to the directive issued under subsection (a)(1) or an amendment to such directive issued under subsection (a)(2) is not less than the level of confidentiality of such information required of the head of the element of the intelligence community from which such information was obtained.

(2) Penalties for unauthorized disclosure

An officer or employee of the Government Accountability Office shall be subject to the same statutory penalties for unauthorized disclosure or use of such information as an officer or employee of the element of the intelligence community from which such information was obtained.

(c) Submission to Congress

(1) Submission of directive

The directive issued under subsection (a)(1) shall be submitted to Congress by the Director of National Intelligence, together with any comments of the Comptroller General of the United States, no later than May 1, 2011.

(2) Submission of amendment

Any amendment to such directive issued under subsection (a)(2) shall be submitted to Congress by the Director, together with any comments of the Comptroller General.

(d) Effective date

The directive issued under subsection (a)(1) and any amendment to such directive issued under subsection (a)(2) shall take effect 60 days after the date such directive or amendment is submitted to Congress under subsection (c), unless the Director determines that for reasons of national security the directive or amendment should take effect sooner.

(Pub. L. 111-259, title III, §348, Oct. 7, 2010, 124 Stat. 2700.)

REFERENCES IN TEXT

The National Security Act of 1947, referred to in subsec. (a)(3)(B), is act July 26, 1947, ch. 343, 61 Stat. 495, which is classified principally to chapter 44 (§3001 et seq.) of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 403-9 of this title prior to editorial reclassification and renumbering as this section.

DEFINITION

For definition of “intelligence community”, see section 2 of Pub. L. 111-259, set out as a note under section 3003 of this title.

§ 3308a. Provision of certain information to Government Accountability Office by National Reconnaissance Office

(a) In general

The Director of the National Reconnaissance Office shall provide to the Comptroller General of the United States, in a timely manner, access to the cost, schedule, and performance information the Comptroller General requires to conduct assessments, as required by any of the appropriate congressional committees, of programs of the National Reconnaissance Office.

(b) Appropriate congressional committees defined

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

- (1) the congressional defense committees; and
- (2) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(Pub. L. 114-328, div. A, title XVI, §1620, Dec. 23, 2016, 130 Stat. 2596.)

“CONGRESSIONAL DEFENSE COMMITTEES” DEFINED

Congressional defense committees means the Committees on Armed Services and Appropriations of the Senate and the House of Representatives, see section 3 of Pub. L. 114-328, 130 Stat. 2025. See note under section 101 of Title 10, Armed Forces.

§ 3309. Notification of establishment of advisory committee

The Director of National Intelligence and the Director of the Central Intelligence Agency shall each notify the congressional intelligence committees each time each such Director creates an advisory committee. Each notification shall include—

- (1) a description of such advisory committee, including the subject matter of such committee; and
- (2) a list of members of such advisory committee; and
- (3) in the case of an advisory committee created by the Director of National Intelligence, the reasons for a determination by the Director under section 4(b)(3) of the Federal Advisory Committee Act (5 U.S.C. App.) that an advisory committee cannot comply with the requirements of such Act.

(Pub. L. 111-259, title IV, §410(b), Oct. 7, 2010, 124 Stat. 2725; Pub. L. 113-126, title III, §329(b)(1), July 7, 2014, 128 Stat. 1406.)

REFERENCES IN TEXT

Section 4(b)(3) of the Federal Advisory Committee Act, referred to in par. (3), is section 4(b)(3) of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, which is set out in the

Appendix to Title 5, Government Organization and Employees.

CODIFICATION

Section was formerly classified as a note under section 405 of this title prior to editorial reclassification as this section.

AMENDMENTS

2014—Pub. L. 113-126 amended section generally. Prior to amendment, section related to annual report on advisory committees created by Director of National Intelligence and Director of the Central Intelligence Agency, contents of report, and inclusion of reasons for ODN exclusion of advisory committee from Federal Advisory Committee Act.

DEFINITION

For definition of “congressional intelligence committees” referred to in text, see section 2 of Pub. L. 111-259, set out as a note under section 3003 of this title.

§ 3310. Annual report on United States security arrangements and commitments with other nations

(a) Report requirements

The President shall submit to the congressional committees specified in subsection (d) each year a report (in both classified and unclassified form) on United States security arrangements with, and commitments to, other nations.

(b) Matters to be included

The President shall include in each such report the following:

- (1) A description of—
 - (A) each security arrangement with, or commitment to, other nations, whether based upon (i) a formal document (including a mutual defense treaty, a pre-positioning arrangement or agreement, or an access agreement), or (ii) an expressed policy; and
 - (B) the historical origins of each such arrangement or commitment.
- (2) An evaluation of the ability of the United States to meet its commitments based on the projected reductions in the defense structure of the United States.
- (3) A plan for meeting each of those commitments with the force structure projected for the future.
- (4) An assessment of the need to continue, modify, or discontinue each of those arrangements and commitments in view of the changing international security situation.

(c) Deadline for report

The President shall submit the report required by subsection (a) not later than February 1 of each year.

(d) Specified congressional committees

The congressional committees referred to in subsection (a) are the following:

- (1) The Committee on Armed Services and the Committee on Foreign Relations of the Senate.
- (2) The Committee on Armed Services and the Committee on International Relations of the House of Representatives.

(Pub. L. 101-510, div. A, title XIV, § 1457, Nov. 5, 1990, 104 Stat. 1696; Pub. L. 104-106, div. A, title

XV, § 1502(c)(4)(C), Feb. 10, 1996, 110 Stat. 507; Pub. L. 106-65, div. A, title X, § 1067(10), Oct. 5, 1999, 113 Stat. 774.)

CODIFICATION

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

AMENDMENTS

1999—Subsec. (d)(2). Pub. L. 106-65 substituted “Committee on Armed Services” for “Committee on National Security”.

1996—Subsec. (a). Pub. L. 104-106, § 1502(c)(4)(C)(i), substituted “shall submit to the congressional committees specified in subsection (d) each year” for “shall submit to the Committees on Armed Services and on Foreign Affairs of the House of Representatives and the Committees on Armed Services and Foreign Relations of the Senate each year”.

Subsec. (c). Pub. L. 104-106, § 1502(c)(4)(C)(ii), substituted “The President” for “(1) Except as provided in paragraph (2), the President” and struck out par. (2) which read as follows: “In the case of the report required to be submitted in 1991, the evaluation, plan, and assessment referred to in paragraphs (2), (3), and (4) of subsection (b) may be submitted not later than May 1, 1991.”

Subsec. (d). Pub. L. 104-106, § 1502(c)(4)(C)(iii), added subsec. (d).

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 3311. Submittal to Congress by heads of elements of intelligence community of plans for orderly shutdown in event of absence of appropriations

(a) In general

Whenever the head of an applicable agency submits a plan to the Director of the Office of Management and Budget in accordance with section 124 of Office of Management and Budget Circular A-11, pertaining to agency operations in the absence of appropriations, or any successor circular of the Office that requires the head of an applicable agency to submit to the Director a plan for an orderly shutdown in the event of the absence of appropriations, such head shall submit a copy of such plan to the following:

- (1) The congressional intelligence committees.
- (2) The Subcommittee on Defense of the Committee on Appropriations of the Senate.
- (3) The Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.
- (4) In the case of a plan for an element of the intelligence community that is within the Department of Defense, to—

- (A) the Committee on Armed Services of the Senate; and
- (B) the Committee on Armed Services of the House of Representatives.

(b) Head of an applicable agency defined

In this section, the term “head of an applicable agency” includes the following:

- (1) The Director of National Intelligence.
- (2) The Director of the Central Intelligence Agency.