

supersede all other existing Presidential directives and guidance on the organization or support of the NSC and the HSC, including National Security Presidential Memorandum-2 (January 28, 2017), which is hereby revoked. With regard to its application to economic matters, this document shall be interpreted in concert with any Executive Order governing the National Economic Council and with Presidential Memoranda signed hereafter that implement it or those Executive Orders.

The Secretary of Defense is hereby authorized and directed to publish this memorandum in the Federal Register.

DONALD J. TRUMP.

## § 3022. Joint Intelligence Community Council

### (a) Joint Intelligence Community Council

There is a Joint Intelligence Community Council.

### (b) Membership

The Joint Intelligence Community Council shall consist of the following:

- (1) The Director of National Intelligence, who shall chair the Council.
- (2) The Secretary of State.
- (3) The Secretary of the Treasury.
- (4) The Secretary of Defense.
- (5) The Attorney General.
- (6) The Secretary of Energy.
- (7) The Secretary of Homeland Security.
- (8) Such other officers of the United States Government as the President may designate from time to time.

### (c) Functions

The Joint Intelligence Community Council shall assist the Director of National Intelligence in developing and implementing a joint, unified national intelligence effort to protect national security by—

- (1) advising the Director on establishing requirements, developing budgets, financial management, and monitoring and evaluating the performance of the intelligence community, and on such other matters as the Director may request; and
- (2) ensuring the timely execution of programs, policies, and directives established or developed by the Director.

### (d) Meetings

The Director of National Intelligence shall convene meetings of the Joint Intelligence Community Council as the Director considers appropriate.

### (e) Advice and opinions of members other than Chairman

(1) A member of the Joint Intelligence Community Council (other than the Chairman) may submit to the Chairman advice or an opinion in disagreement with, or advice or an opinion in addition to, the advice presented by the Director of National Intelligence to the President or the National Security Council, in the role of the Chairman as Chairman of the Joint Intelligence Community Council. If a member submits such advice or opinion, the Chairman shall present the advice or opinion of such member at the same time the Chairman presents the advice of the Chairman to the President or the National Security Council, as the case may be.

(2) The Chairman shall establish procedures to ensure that the presentation of the advice of the

Chairman to the President or the National Security Council is not unduly delayed by reason of the submission of the individual advice or opinion of another member of the Council.

### (f) Recommendations to Congress

Any member of the Joint Intelligence Community Council may make such recommendations to Congress relating to the intelligence community as such member considers appropriate.

(July 26, 1947, ch. 343, title I, §101A, as added Pub. L. 108-458, title I, §1031, Dec. 17, 2004, 118 Stat. 3677; amended Pub. L. 116-92, div. E, title LXIII, §6311(a), Dec. 20, 2019, 133 Stat. 2191.)

#### CODIFICATION

Section was formerly classified to section 402-1 of this title prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

2019—Subsec. (d). Pub. L. 116-92 struck out “regular” before “meetings” and inserted “as the Director considers appropriate” after “Council”.

#### EFFECTIVE DATE

For Determination by President that section 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.

Section 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.

## § 3023. Director of National Intelligence

### (a) Director of National Intelligence

(1) There is a Director of National Intelligence who shall be appointed by the President, by and with the advice and consent of the Senate. Any individual nominated for appointment as Director of National Intelligence shall have extensive national security expertise.

(2) The Director of National Intelligence shall not be located within the Executive Office of the President.

### (b) Principal responsibility

Subject to the authority, direction, and control of the President, the Director of National Intelligence shall—

- (1) serve as head of the intelligence community;
- (2) act as the principal adviser to the President, to the National Security Council, and the Homeland Security Council for intelligence matters related to the national security; and
- (3) consistent with section 1018 of the National Security Intelligence Reform Act of 2004, oversee and direct the implementation of the National Intelligence Program.

### (c) Prohibition on dual service

The individual serving in the position of Director of National Intelligence shall not, while so serving, also serve as the Director of the Central Intelligence Agency or as the head of any other element of the intelligence community.

(July 26, 1947, ch. 343, title I, §102, as added Pub. L. 108-458, title I, §1011(a), Dec. 17, 2004, 118 Stat. 3644.)