

motes, or distributes a work of entertainment intended to be heard, read, viewed, or otherwise experienced by an audience, including—

(A) theater productions, motion pictures, radio broadcasts, television broadcasts, podcasts, webcasts, other sound or visual recording, music, or dance;

(B) books and other published material; and

(C) such other entertainment activity, as determined by the Director of National Intelligence.

**(b) Director of National Intelligence guidance**

**(1) In general**

Not later than 180 days after May 5, 2017, the Director of National Intelligence shall issue, and release to the public, guidance regarding engagements by elements of the intelligence community with entertainment industry entities.

**(2) Criteria**

The guidance required by paragraph (1) shall permit an element of the intelligence community to conduct engagements, if the head of the element, or a designee of such head, provides prior approval.

**(c) Information on prior year engagements**

At the written request of either of the congressional intelligence committees, the Director of National Intelligence shall submit to such committees information with respect to engagements occurring during the calendar year prior to the year during which such request is made. Such information may include—

(1) a description of the nature and duration of each such engagement;

(2) the cost incurred by the United States Government for each such engagement;

(3) a description of the benefits to the United States Government for each such engagement;

(4) a determination of whether any information was declassified, and whether any classified information was improperly disclosed, for each such engagement; and

(5) a description of the work produced through each such engagement.

(Pub. L. 115–31, div. N, title III, § 308, May 5, 2017, 131 Stat. 813; Pub. L. 116–92, div. E, title LVII, § 5701(d), Dec. 20, 2019, 133 Stat. 2160.)

AMENDMENTS

2019—Subsec. (b)(2). Pub. L. 116–92, § 5701(d)(1), struck out subpar. (A) designation before “permit an element”, substituted “shall” for “shall—” and “approval.” for “approval; and”, and struck out subpar. (B) which read as follows: “require an unclassified annual report to the congressional intelligence committees regarding engagements.”

Subsec. (c). Pub. L. 116–92, § 5701(d)(2), added subsec. (c) and struck out former subsec. (c) which related to the annual report to the congressional intelligence committees regarding engagements.

DEFINITIONS

For definitions of “intelligence community” and “congressional intelligence committees”, referred to in text, see section 2 of div. N of Pub. L. 115–31, set out as a note under section 3003 of this title.

**§ 3333. Joint facilities certification**

**(a) Findings**

Congress finds the following:

(1) The Director of National Intelligence set a strategic goal to use joint facilities as a means to save costs by consolidating administrative and support functions across multiple elements of the intelligence community.

(2) The use of joint facilities provides more opportunities for operational collaboration and information sharing among elements of the intelligence community.

**(b) Certification**

Before an element of the intelligence community purchases, leases, or constructs a new facility that is 20,000 square feet or larger, the head of that element of the intelligence community shall submit to the Director of National Intelligence—

(1) a written certification that, to the best of the knowledge of the head of such element, all prospective joint facilities in the vicinity have been considered and the element is unable to identify a joint facility that meets the operational requirements of such element; and

(2) a written statement listing the reasons for not participating in the prospective joint facilities considered by the element.

(Pub. L. 115–31, div. N, title VI, § 604, May 5, 2017, 131 Stat. 830.)

DEFINITIONS

For definition of “intelligence community”, referred to in text, see section 2 of div. N of Pub. L. 115–31, set out as a note under section 3003 of this title.

**§ 3334. Intelligence community public-private talent exchange**

**(a) Policies, processes, and procedures required**

Not later than 270 days after December 20, 2019, the Director of National Intelligence shall develop policies, processes, and procedures to facilitate the rotation of personnel of the intelligence community to the private sector, and personnel from the private sector to the intelligence community.

**(b) Detail authority**

Under policies developed by the Director pursuant to subsection (a), pursuant to a written agreement with a private-sector organization, and with the consent of the employee, a head of an element of the intelligence community may arrange for the temporary detail of an employee of such element to such private-sector organization, or from such private-sector organization to such element under this section.

**(c) Agreements**

**(1) In general**

A head of an element of the intelligence community exercising the authority of the head under subsection (a) shall provide for a written agreement among the element of the intelligence community, the private-sector organization, and the employee concerned regarding the terms and conditions of the employee’s detail under this section. The agreement—

(A) shall require that the employee of the element, upon completion of the detail, serve in the element, or elsewhere in the civil service if approved by the head of the