

carry out this section with respect to such element, which shall, to the extent practicable, be comparable to the regulations promulgated to carry out section 5305 of title 5.

(g) Reports

(1) Requirement for reports

Not later than 90 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019,² the head of each element of the intelligence community shall submit to the congressional intelligence committees a report on any rates of pay established for such element under this section.

(2) Contents

Each report required by paragraph (1) shall contain for each element of the intelligence community—

- (A) a description of any rates of pay established under subsection (a) or (b); and
- (B) the number of positions in such element that will be subject to such rates of pay.

(July 26, 1947, ch. 343, title I, § 113B, as added Pub. L. 115-31, div. N, title III, § 305(a), May 5, 2017, 131 Stat. 811; amended Pub. L. 116-92, div. E, title LXIII, § 6303, Dec. 20, 2019, 133 Stat. 2186.)

Editorial Notes

REFERENCES IN TEXT

The Fair Labor Standards Act of 1938, referred to in subsec. (b)(2)(A), is act June 25, 1938, ch. 676, 52 Stat. 1060, which is classified generally to chapter 8 (§ 201 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see section 201 of Title 29 and Tables.

Section 226 of the Homeland Security Act of 2002, referred to in subsec. (b)(4), which was formerly classified to section 147 of Title 6, Domestic Security, was renumbered section 2208 of the Act by Pub. L. 115-278, § 2(g)(2)(I), Nov. 16, 2018, 132 Stat. 4178, and transferred to section 658 of Title 6.

The date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019, referred to in subsec. (g)(1), probably means the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020, div. E of Pub. L. 116-92, which was approved Dec. 20, 2019.

AMENDMENTS

2019—Subsec. (a). Pub. L. 116-92, § 6303(1), amended subsec. (a) generally. Prior to amendment, text read as follows: “Notwithstanding part III of title 5, the head of each element of the intelligence community may establish higher minimum rates of pay for 1 or more categories of positions in such element that require expertise in science, technology, engineering, or mathematics (STEM).”

Subsec. (b). Pub. L. 116-92, § 6303(3), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 116-92, § 6303(2), (4), redesignated subsec. (b) as (c) and substituted “Except as provided in subsection (b), a minimum” for “A minimum”. Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 116-92, § 6303(2), (5), redesignated subsec. (c) as (d) and inserted “or (b)” after “by subsection (a)” in introductory provisions. Former subsec. (d) redesignated (e).

Subsecs. (e), (f). Pub. L. 116-92, § 6303(2), redesignated subsecs. (d) and (e) as (e) and (f), respectively. Former subsec. (f) redesignated (g).

Subsec. (g). Pub. L. 116-92, § 6303(2), redesignated subsec. (f) as (g).

Subsec. (g)(1). Pub. L. 116-92, § 6303(6)(A), substituted “Not later than 90 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019” for “Not later than 90 days after May 5, 2017”.

Subsec. (g)(2)(A). Pub. L. 116-92, § 6303(6)(B), inserted “or (b)” after “subsection (a)”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Under Secretary of Defense for Intelligence redesignated and references deemed to refer to Under Secretary of Defense for Intelligence and Security, see section 1621(a) of Pub. L. 116-92, set out as a note under section 137 of Title 10, Armed Forces.

§ 3050. Annual report on hiring and retention of minority employees

(a) In general

The Director of National Intelligence shall, on an annual basis, submit to Congress a report on the employment of covered persons within each element of the intelligence community for the preceding fiscal year and the preceding 5 fiscal years.

(b) Content

Each such report shall include data, disaggregated by category of covered person and by element of the intelligence community, on the following:

- (1) Of all individuals employed in the element during the fiscal year involved, the aggregate percentage of such individuals who are covered persons.
- (2) Of all individuals employed in the element during the fiscal year involved at the levels referred to in subparagraphs (A) and (B), the percentage of covered persons employed at such levels:

(A) Positions at levels 1 through 15 of the General Schedule.

(B) Positions at levels above GS-15.

- (3) Of all individuals hired by the element involved during the fiscal year involved, the percentage of such individuals who are covered persons.

(c) Form

Each such report shall be submitted in unclassified form, but may contain a classified annex.

(d) Construction

Nothing in this section shall be construed as providing for the substitution of any similar report required under another provision of law.

(e) “Covered persons” defined

In this section the term “covered persons” means—

- (1) racial and ethnic minorities;
- (2) women; and
- (3) individuals with disabilities.

(July 26, 1947, ch. 343, title I, § 114, as added Pub. L. 105-272, title III, § 307(a), Oct. 20, 1998, 112 Stat. 2401; amended Pub. L. 107-306, title III, §§ 324, 353(b)(6), title VIII, §§ 811(b)(1)(D), 821, 822, Nov. 27, 2002, 116 Stat. 2393, 2402, 2422, 2426, 2427; Pub. L. 108-177, title III, § 361(c), (d), Dec. 13, 2003, 117

Stat. 2625; Pub. L. 108-458, title I, §1071(a)(1)(N), (O), (3)(A), (7), Dec. 17, 2004, 118 Stat. 3689, 3690; Pub. L. 112-277, title III, §310(a)(2), Jan. 14, 2013, 126 Stat. 2474; Pub. L. 113-126, title III, §329(a)(1), (c)(2), July 7, 2014, 128 Stat. 1405, 1406; Pub. L. 116-92, div. E, title LVII, §5704(a), Dec. 20, 2019, 133 Stat. 2162.)

Editorial Notes

REFERENCES IN TEXT

The General Schedule, referred to in subsec. (b)(2), is set out under section 5332 of Title 5, Government Organization and Employees.

CODIFICATION

Section was formerly classified to section 404i of this title prior to editorial reclassification and renumbering as this section. Some section numbers of this title referenced in amendment notes below reflect the classification of such sections prior to their editorial reclassification.

AMENDMENTS

2019—Subsec. (a). Pub. L. 116-92, §5704(a)(1), inserted “and the preceding 5 fiscal years” after “fiscal year”.

Subsec. (b). Pub. L. 116-92, §5704(a)(2), substituted “data, disaggregated by category of covered person and by element of the intelligence community,” for “disaggregated data by category of covered person from each element of the intelligence community” in introductory provisions.

2014—Pub. L. 113-126, §329(c)(2)(A), substituted “Annual report on hiring and retention of minority employees” for “Additional annual reports from the Director of National Intelligence” in section catchline.

Subsec. (a). Pub. L. 113-126, §329(c)(2)(B), (C), struck out subsec. (a) designation and heading “Annual report on hiring and retention of minority employees” and redesignated par. (1) as subsec. (a). Former pars. (2) to (5) redesignated subsecs. (b) to (e), respectively.

Subsec. (b). Pub. L. 113-126, §329(c)(2)(C), (D), redesignated subsec. (a)(2) as (b), redesignated subpars. (A) to (C) of former subsec. (a)(2) as pars. (1) to (3), respectively, of subsec. (b), and in par. (2) as redesignated, substituted “subparagraphs (A) and (B)” for “clauses (i) and (ii)” in introductory provisions and redesignated cls. (i) and (ii) as subpars. (A) and (B), respectively.

Pub. L. 113-126, §329(a)(1), struck out subsec. (b) which related to annual report on threat of attack on the United States using weapons of mass destruction.

Subsec. (c). Pub. L. 113-126, §329(c)(2)(C), redesignated subsec. (a)(3) as (c).

Subsec. (d). Pub. L. 113-126, §329(c)(2)(C), (E), redesignated subsec. (a)(4) as (d) and substituted “section” for “subsection”.

Subsec. (e). Pub. L. 113-126, §329(c)(2)(C), (F), redesignated subsec. (a)(5) as (e), substituted “section” for “subsection,” in introductory provisions, and redesignated subpars. (A) to (C) of former subsec. (a)(5) as pars. (1) to (3), respectively, of subsec. (e).

2013—Pub. L. 112-277 redesignated subsecs. (b) and (c) as (a) and (b), respectively, struck out former subsec. (a) which required annual reports on the safety and security of Russian nuclear facilities and nuclear military forces, and struck out subsec. (d) which defined the term “congressional leadership”.

2004—Pub. L. 108-458, §1071(a)(7), substituted “Additional annual reports from the Director of National Intelligence” for “Additional annual reports from the Director of Central Intelligence” in section catchline.

Subsec. (a)(1). Pub. L. 108-458, §1071(a)(1)(N), substituted “Director of National Intelligence” for “Director of Central Intelligence”.

Subsec. (b)(1). Pub. L. 108-458, §1071(a)(1)(O), substituted “Director of National Intelligence” for “Director of Central Intelligence”.

Subsec. (c)(1). Pub. L. 108-458, §1071(a)(3)(A), substituted “Director of National Intelligence” for “Director”.

2003—Subsec. (a). Pub. L. 108-177, §361(c), redesignated subsec. (b) as (a) and struck out former subsec. (a), which related to annual reports on intelligence community cooperation with Federal law enforcement agencies.

Subsecs. (b), (c). Pub. L. 108-177, §361(c)(2), redesignated subsecs. (c) and (d) as (b) and (c), respectively. Former subsec. (b) redesignated (a).

Subsec. (d). Pub. L. 108-177, §361(d), redesignated subsec. (e) as (d) and struck out former subsec. (d), which related to annual reports on covert leases of the intelligence community.

Pub. L. 108-177, §361(c)(2), redesignated subsec. (e) as (d). Former subsec. (d) redesignated (c).

Subsec. (e). Pub. L. 108-177, §361(d)(2), redesignated subsec. (e) as (d).

Pub. L. 108-177, §361(c)(2), redesignated subsec. (f) as (e). Former subsec. (e) redesignated (d).

Subsec. (f). Pub. L. 108-177, §361(c)(2), redesignated subsec. (f) as (e).

2002—Subsec. (a)(1). Pub. L. 107-306, §811(b)(1)(D)(i)(I), struck out “the congressional intelligence committees and” before “the congressional leadership”.

Subsec. (a)(2) to (4). Pub. L. 107-306, §811(b)(1)(D)(i)(II), (III), added par. (2) and redesignated former pars. (2) and (3) as (3) and (4), respectively.

Subsec. (b)(1). Pub. L. 107-306, §811(b)(1)(D)(ii), substituted “submit to the congressional leadership on an annual basis, and to the congressional intelligence committees on the date each year provided in section 415b of this title,” for “, on an annual basis, submit to the congressional intelligence committees and the congressional leadership”.

Subsec. (c). Pub. L. 107-306, §324(2), added subsec. (c). Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 107-306, §821(2), added subsec. (d). Former subsec. (d) redesignated (e).

Pub. L. 107-306, §353(b)(6), added subsec. (d) and struck out heading and text of former subsec. (d). Text read as follows: “In this section:

“(1) The term ‘congressional intelligence committees’ means the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

“(2) The term ‘congressional leadership’ means the Speaker and the minority leader of the House of Representatives and the majority leader and the minority leader of the Senate.”

Pub. L. 107-306, §324(1), redesignated subsec. (c) as (d).

Subsec. (e). Pub. L. 107-306, §822(2), added subsec. (e). Former subsec. (e) redesignated (f).

Pub. L. 107-306, §821(1), redesignated subsec. (d) as (e).

Subsec. (f). Pub. L. 107-306, §822(1), redesignated subsec. (e) as (f).

Statutory Notes and Related Subsidiaries

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.

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.

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-177 effective Dec. 31, 2003, see section 361(n) of Pub. L. 108-177, set out as a note under section 1611 of Title 10, Armed Forces.

REPORT AND STRATEGIC PLAN ON BIOLOGICAL WEAPONS

Pub. L. 111-259, title III, § 335, Oct. 7, 2010, 124 Stat. 2688, provided that:

“(a) REQUIREMENT FOR REPORT.—Not later than 180 days after the date of the enactment of this Act [Oct. 7, 2010], the Director of National Intelligence shall submit to the congressional intelligence committees a report on—

“(1) the intelligence collection efforts of the United States dedicated to assessing the threat from biological weapons from state, nonstate, or rogue actors, either foreign or domestic; and

“(2) efforts to protect the biodefense knowledge and infrastructure of the United States.

“(b) CONTENT.—The report required by subsection (a) shall include—

“(1) an assessment of the intelligence collection efforts of the United States dedicated to detecting the development or use of biological weapons by state, nonstate, or rogue actors, either foreign or domestic;

“(2) information on fiscal, human, technical, open-source, and other intelligence collection resources of the United States dedicated for use to detect or protect against the threat of biological weapons;

“(3) an assessment of any problems that may reduce the overall effectiveness of United States intelligence collection and analysis to identify and protect biological weapons targets, including—

“(A) intelligence collection gaps or inefficiencies;

“(B) inadequate information sharing practices; or

“(C) inadequate cooperation among departments or agencies of the United States;

“(4) a strategic plan prepared by the Director of National Intelligence, in coordination with the Attorney General, the Secretary of Defense, and the Secretary of Homeland Security, that provides for actions for the appropriate elements of the intelligence community to close important intelligence gaps related to biological weapons;

“(5) a description of appropriate goals, schedules, milestones, or metrics to measure the long-term effectiveness of actions implemented to carry out the plan described in paragraph (4); and

“(6) any long-term resource and human capital issues related to the collection of intelligence regarding biological weapons, including any recommendations to address shortfalls of experienced and qualified staff possessing relevant scientific, language, and technical skills.

“(c) IMPLEMENTATION OF STRATEGIC PLAN.—Not later than 30 days after the date on which the Director of National Intelligence submits the report required by subsection (a), the Director shall begin implementation of the strategic plan referred to in subsection (b)(4).”

[For definitions of terms used in section 335 of Pub. L. 111-259, set out above, see section 2 of Pub. L. 111-259, set out as a Definitions note under section 3003 of this title.]

DATE FOR FIRST REPORT ON COOPERATION WITH CIVILIAN LAW ENFORCEMENT AGENCIES

Pub. L. 105-272, title III, § 307(c), Oct. 20, 1998, 112 Stat. 2402, provided that the first report under former subsec. (a) of this section was to be submitted not later than Dec. 31, 1999.

§ 3051. Repealed. Pub. L. 111-259, title III, § 347(c), Oct. 7, 2010, 124 Stat. 2698

Section, act July 26, 1947, ch. 343, title I, § 114A, as added Pub. L. 107-306, title VIII, § 823(a), Nov. 27, 2002, 116 Stat. 2427; amended Pub. L. 108-136, div. A, title IX, § 921(g), Nov. 24, 2003, 117 Stat. 1570; Pub. L. 108-458, title I, § 1071(a)(4), Dec. 17, 2004, 118 Stat. 3690, related to annual report on improvement of financial statements for auditing purposes.

Editorial Notes

CODIFICATION

Section was formerly classified to section 404i-1 of this title and repealed prior to editorial reclassification and renumbering as this section.

Statutory Notes and Related Subsidiaries

CORRECTING LONG-STANDING MATERIAL WEAKNESSES

Pub. L. 111-259, title III, § 368, Oct. 7, 2010, 124 Stat. 2705, which provided that senior intelligence management officials be designated to correct long-standing, correctable material weaknesses of certain intelligence elements, was repealed by Pub. L. 116-92, div. E, title LXVII, § 6726(a), Dec. 20, 2019, 133 Stat. 2236.

§ 3052. Limitation on establishment or operation of diplomatic intelligence support centers**(a) In general**

(1) A diplomatic intelligence support center may not be established, operated, or maintained without the prior approval of the Director of National Intelligence.

(2) The Director may only approve the establishment, operation, or maintenance of a diplomatic intelligence support center if the Director determines that the establishment, operation, or maintenance of such center is required to provide necessary intelligence support in furtherance of the national security interests of the United States.

(b) Prohibition of use of appropriations

Amounts appropriated pursuant to authorizations by law for intelligence and intelligence-related activities may not be obligated or expended for the establishment, operation, or maintenance of a diplomatic intelligence support center that is not approved by the Director of National Intelligence.

(c) Definitions

In this section:

(1) The term “diplomatic intelligence support center” means an entity to which employees of the various elements of the intelligence community (as defined in section 3003(4) of this title) are detailed for the purpose of providing analytical intelligence support that—

(A) consists of intelligence analyses on military or political matters and expertise to conduct limited assessments and dynamic taskings for a chief of mission; and

(B) is not intelligence support traditionally provided to a chief of mission by the Director of National Intelligence.

(2) The term “chief of mission” has the meaning given that term by section 3902(3) of title 22, and includes ambassadors at large and ministers of diplomatic missions of the United States, or persons appointed to lead United States offices abroad designated by the Secretary of State as diplomatic in nature.

(d) Termination

This section shall cease to be effective on October 1, 2000.

(July 26, 1947, ch. 343, title I, § 115, as added Pub. L. 106-120, title III, § 303(a), Dec. 3, 1999, 113 Stat. 1610; amended Pub. L. 108-458, title I, § 1071(a)(1)(P)–(R), Dec. 17, 2004, 118 Stat. 3689.)