

Editorial Notes

REFERENCES IN TEXT

The transfer date, referred to in text, is June 20, 2021.

§ 3227a. Degree-granting authority**(a) In general**

Beginning on the transfer date, under regulations prescribed by the Director of National Intelligence, the President of the National Intelligence University may, upon the recommendation of the faculty of the University, confer appropriate degrees upon graduates who meet the degree requirements.

(b) Limitation

A degree may not be conferred under this section unless—

(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

(2) the University is accredited by the appropriate academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

(c) Congressional notification requirements**(1) Actions on nonaccreditation**

Beginning on the transfer date, the Director shall promptly—

(A) notify the congressional intelligence committees of any action by the Middle States Commission on Higher Education, or other appropriate academic accrediting agency or organization, to not accredit the University to award any new or existing degree; and

(B) submit to such committees a report containing an explanation of any such action.

(2) Modification or redesignation of degree-granting authority

Beginning on the transfer date, upon any modification or redesignation of existing degree-granting authority, the Director shall submit to the congressional intelligence committees a report containing—

(A) the rationale for the proposed modification or redesignation; and

(B) any subsequent recommendation of the Secretary of Education with respect to the proposed modification or redesignation.

(July 26, 1947, ch. 343, title X, §1032, as added Pub. L. 116-260, div. W, title III, §305(a), Dec. 27, 2020, 134 Stat. 2366.)

§ 3227b. Reporting**(a) In general**

Not less frequently than once each year, the Director of National Intelligence shall submit to the congressional intelligence committees a plan for employing professors, instructors, and lecturers at the National Intelligence University.

(b) Elements

Each plan submitted under subsection (a) shall include the following:

(1) The total number of proposed personnel to be employed at the National Intelligence University.

(2) The total annual compensation to be provided the personnel described in paragraph (1).

(3) Such other matters as the Director considers appropriate.

(c) Form of submittal

Each plan submitted by the Director to the congressional intelligence committees under subsection (a) shall be submitted as part of another annual submission from the Director to the congressional intelligence committees.

(July 26, 1947, ch. 343, title X, §1033, as added Pub. L. 116-260, div. W, title III, §305(a), Dec. 27, 2020, 134 Stat. 2366.)

Statutory Notes and Related Subsidiaries

PLAN REGARDING PERSONNEL AT NATIONAL INTELLIGENCE UNIVERSITY

Pub. L. 116-260, div. W, title III, §305(b), Dec. 27, 2020, 134 Stat. 2367, provided that:

“(1) INITIAL SUBMISSION.—Not later than 180 days after the date of the enactment of this Act [Dec. 27, 2020], the Director of National Intelligence shall submit to the congressional intelligence committees [Select Committee on Intelligence and Committee on Appropriations of the Senate and Permanent Select Committee on Intelligence and Committee on Appropriations of the House of Representatives] the first submission required by section 1033(a) of the National Security Act of 1947 [50 U.S.C. 3227b(a)], as added by subsection (a).

“(2) CERTAIN REQUIREMENT NOT APPLICABLE.—Subsection (c) of section 1033 of the National Security Act of 1947 [50 U.S.C. 3227b(c)], as added by subsection (a), shall not apply to the submittal under paragraph (1) of this subsection.”

§ 3227c. Continued applicability of the Federal Advisory Committee Act to the Board of Visitors

The Federal Advisory Committee Act (5 U.S.C. App.) shall continue to apply to the Board of Visitors of the National Intelligence University on and after the transfer date.

(July 26, 1947, ch. 343, title X, §1034, as added Pub. L. 116-260, div. W, title III, §305(a), Dec. 27, 2020, 134 Stat. 2367.)

Editorial Notes

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in text, is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, which is set out in the Appendix to Title 5, Government Organization and Employees.

SUBCHAPTER IX—ADDITIONAL MISCELLANEOUS PROVISIONS

§ 3231. Applicability to United States intelligence activities of Federal laws implementing international treaties and agreements**(a) In general**

No Federal law enacted on or after December 27, 2000, that implements a treaty or other international agreement shall be construed as making unlawful an otherwise lawful and authorized intelligence activity of the United States Gov-

ernment or its employees, or any other person to the extent such other person is carrying out such activity on behalf of, and at the direction of, the United States, unless such Federal law specifically addresses such intelligence activity.

(b) Authorized intelligence activities

An intelligence activity shall be treated as authorized for purposes of subsection (a) if the intelligence activity is authorized by an appropriate official of the United States Government, acting within the scope of the official duties of that official and in compliance with Federal law and any applicable Presidential directive.

(July 26, 1947, ch. 343, title XI, §1101, formerly title X, §1001, as added Pub. L. 106-567, title III, §308(a), Dec. 27, 2000, 114 Stat. 2839; renumbered title XI, §1101, Pub. L. 107-306, title III, §331(a)(1), (2), Nov. 27, 2002, 116 Stat. 2394.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 442 of this title prior to editorial reclassification and renumbering as this section.

§ 3232. Counterintelligence initiatives

(a) Inspection process

In order to protect intelligence sources and methods from unauthorized disclosure, the Director of National Intelligence shall establish and implement an inspection process for all agencies and departments of the United States that handle classified information relating to the national security of the United States intended to assure that those agencies and departments maintain effective operational security practices and programs directed against counterintelligence activities.

(b) Annual review of dissemination lists

The Director of National Intelligence shall establish and implement a process for all elements of the intelligence community to review, on an annual basis, individuals included on distribution lists for access to classified information. Such process shall ensure that only individuals who have a particularized “need to know” (as determined by the Director) are continued on such distribution lists.

(c) Completion of financial disclosure statements required for access to certain classified information

The Director of National Intelligence shall establish and implement a process by which each head of an element of the intelligence community directs that all employees of that element, in order to be granted access to classified information referred to in subsection (a) of section 1.3 of Executive Order No. 12968 (August 2, 1995; 60 Fed. Reg. 40245; [former] 50 U.S.C. 435 note [now 50 U.S.C. 3161 note]), submit financial disclosure forms as required under subsection (b) of such section.

(d) Arrangements to handle sensitive information

The Director of National Intelligence shall establish, for all elements of the intelligence community, programs and procedures by which sen-

sitive classified information relating to human intelligence is safeguarded against unauthorized disclosure by employees of those elements.

(July 26, 1947, ch. 343, title XI, §1102, as added Pub. L. 108-177, title III, §341(a)(1), Dec. 13, 2003, 117 Stat. 2615; amended Pub. L. 108-458, title I, §1071(a)(1)(NN)-(QQ), Dec. 17, 2004, 118 Stat. 3689, 3690; Pub. L. 111-259, title III, §347(e), title IV, §409, Oct. 7, 2010, 124 Stat. 2699, 2724.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 442a of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2010—Subsec. (a). Pub. L. 111-259, §409(1), struck out par. (1) designation before “In” and par. (2) which read as follows: “The Director shall carry out the process through the Office of the National Counterintelligence Executive.”

Subsec. (b). Pub. L. 111-259, §347(e), struck out par. (1) designation before “The Director” and par. (2) which read as follows: “Not later than October 15 of each year, the Director shall certify to the congressional intelligence committees that the review required under paragraph (1) has been conducted in all elements of the intelligence community during the preceding fiscal year.”

Subsec. (c). Pub. L. 111-259, §409(2), struck out par. (1) designation before “The Director” and par. (2) which read as follows: “The Director shall carry out paragraph (1) through the Office of the National Counterintelligence Executive.”

2004—Subsec. (a)(1). Pub. L. 108-458, §1071(a)(1)(NN), substituted “Director of National Intelligence” for “Director of Central Intelligence”.

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

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

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

Statutory Notes and Related Subsidiaries

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.

§ 3233. Misuse of the Office of the Director of National Intelligence name, initials, or seal

(a) Prohibited acts

No person may, except with the written permission of the Director of National Intelligence, or a designee of the Director, knowingly use the words “Office of the Director of National Intelligence”, the initials “ODNI”, the seal of the Office of the Director of National Intelligence, or any colorable imitation of such words, initials, or seal in connection with any merchandise, im-