

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

For Determination by President that repeal 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.

Repeal 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.

§ 3047. Restrictions on intelligence sharing with United Nations**(a) Provision of intelligence information to United Nations**

(1) No United States intelligence information may be provided to the United Nations or any organization affiliated with the United Nations, or to any officials or employees thereof, unless the President certifies to the appropriate committees of Congress that the Director of National Intelligence, in consultation with the Secretary of State and the Secretary of Defense, has established and implemented procedures, and has worked with the United Nations to ensure implementation of procedures, for protecting from unauthorized disclosure United States intelligence sources and methods connected to such information.

(2) Paragraph (1) may be waived upon written certification by the President to the appropriate committees of Congress that providing such information to the United Nations or an organization affiliated with the United Nations, or to any officials or employees thereof, is in the national security interests of the United States.

(b) Delegation of duties

The President may not delegate or assign the duties of the President under this section.

(c) Relationship to existing law

Nothing in this section shall be construed to—

(1) impair or otherwise affect the authority of the Director of National Intelligence to protect intelligence sources and methods from unauthorized disclosure pursuant to section 3024(i) of this title; or

(2) supersede or otherwise affect the provisions of subchapter III of this chapter.

(d) “Appropriate committees of Congress” defined

As used in this section, the term “appropriate committees of Congress” means the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate and the Committee on Foreign Relations and the Permanent Select Committee on Intelligence of the House of Representatives.

(July 26, 1947, ch. 343, title I, § 112, formerly § 110, as added Pub. L. 104-293, title III, § 308(a), Oct. 11, 1996, 110 Stat. 3466; renumbered § 112, Pub. L. 105-107, title III, § 303(b), Nov. 20, 1997, 111 Stat. 2252; amended Pub. L. 107-306, title VIII, § 811(b)(1)(C), Nov. 27, 2002, 116 Stat. 2422; Pub. L. 108-177, title III, §§ 361(b), 377(a), Dec. 13, 2003, 117 Stat. 2625, 2630; Pub. L. 108-458, title I, §§ 1071(a)(1)(K), (L), 1072(a)(4), Dec. 17, 2004, 118 Stat. 3689, 3692; Pub. L. 111-259, title III, § 347(b),

Oct. 7, 2010, 124 Stat. 2698; Pub. L. 116-92, div. E, title LXVII, § 6742(b)(5), Dec. 20, 2019, 133 Stat. 2240.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 404g of this title prior to editorial reclassification and renumbering as this section, and to section 404d-1 of this title prior to renumbering by Pub. L. 105-107. 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. (c)(1). Pub. L. 116-92 substituted “section 3024(i)” for “section 3025(c)(7)”.

2010—Subsecs. (b) to (e). Pub. L. 111-259 redesignated subsecs. (c) to (e) as (b) to (d), respectively, and struck out former subsec. (b). Prior to amendment, text of subsec. (b) read as follows:

“(1) The President shall report annually to the appropriate committees of Congress on the types and volume of intelligence provided to the United Nations and the purposes for which it was provided during the period covered by the report. The President shall also report to the appropriate committees of Congress within 15 days after it has become known to the United States Government that there has been an unauthorized disclosure of intelligence provided by the United States to the United Nations.

“(2) The requirement for periodic reports under the first sentence of paragraph (1) shall not apply to the provision of intelligence that is provided only to, and for the use of, appropriately cleared United States Government personnel serving with the United Nations.

“(3) In the case of the annual reports required to be submitted under the first sentence of paragraph (1) to the congressional intelligence committees, the submittal dates for such reports shall be as provided in section 415b of this title.”

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

Subsec. (d)(1). Pub. L. 108-458, § 1072(a)(4), which directed amendment of par. (1) by substituting “section 403-1(i)” for “section 403-3(c)(6)”, could not be executed because the words “section 403-3(c)(6)” did not appear after the amendment by Pub. L. 108-177, § 377(a). See 2003 Amendment note below.

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

2003—Subsec. (b). Pub. L. 108-177, § 361(b)(1), substituted “Annual” for “Periodic” in heading.

Subsec. (b)(1). Pub. L. 108-177, § 361(b)(2), substituted “annually” for “semiannually”.

Subsec. (b)(3). Pub. L. 108-177, § 361(b)(3), substituted “the annual” for “periodic”.

Subsec. (d)(1). Pub. L. 108-177, § 377(a), substituted “section 403-3(c)(7)” for “section 403-3(c)(6)”.

2002—Subsec. (b)(3). Pub. L. 107-306 added par. (3).

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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 section 361(b) of 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.

§ 3048. Detail of intelligence community personnel—Intelligence Community Assignment Program

(a) Detail

(1) Notwithstanding any other provision of law, the head of a department with an element in the intelligence community or the head of an intelligence community agency or element may detail any employee within that department, agency, or element to serve in any position in the Intelligence Community Assignment Program on a reimbursable or a nonreimbursable basis.

(2) Nonreimbursable details may be for such periods as are agreed to between the heads of the parent and host agencies, up to a maximum of three years, except that such details may be extended for a period not to exceed one year when the heads of the parent and host agencies determine that such extension is in the public interest.

(b) Benefits, allowances, travel, incentives

(1) An employee detailed under subsection (a) may be authorized any benefit, allowance, travel, or incentive otherwise provided to enhance staffing by the organization from which the employee is detailed.

(2) The head of an agency of an employee detailed under subsection (a) may pay a lodging allowance for the employee subject to the following conditions:

(A) The allowance shall be the lesser of the cost of the lodging or a maximum amount payable for the lodging as established jointly by the Director of National Intelligence and—

(i) with respect to detailed employees of the Department of Defense, the Secretary of Defense; and

(ii) with respect to detailed employees of other agencies and departments, the head of such agency or department.

(B) The detailed employee maintains a primary residence for the employee's immediate family in the local commuting area of the parent agency duty station from which the employee regularly commuted to such duty station before the detail.

(C) The lodging is within a reasonable proximity of the host agency duty station.

(D) The distance between the detailed employee's parent agency duty station and the host agency duty station is greater than 20 miles.

(E) The distance between the detailed employee's primary residence and the host agency duty station is 10 miles greater than the distance between such primary residence and the employee's parent duty station.

(F) The rate of pay applicable to the detailed employee does not exceed the rate of basic pay for grade GS-15 of the General Schedule.

(July 26, 1947, ch. 343, title I, § 113, as added Pub. L. 105-107, title III, § 303(a), Nov. 20, 1997, 111

Stat. 2251; amended Pub. L. 107-108, title III, § 304, Dec. 28, 2001, 115 Stat. 1398; Pub. L. 107-306, title VIII, § 841(a), Nov. 27, 2002, 116 Stat. 2431; Pub. L. 108-458, title I, § 1071(a)(1)(M), Dec. 17, 2004, 118 Stat. 3689.)

Editorial Notes

REFERENCES IN TEXT

GS-15 of the General Schedule, referred to in subsec. (b)(2)(F), is set out under section 5332 of Title 5, Government Organization and Employees.

CODIFICATION

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

AMENDMENTS

2004—Subsec. (b)(2)(A). Pub. L. 108-458 substituted “Director of National Intelligence” for “Director of Central Intelligence” in introductory provisions.

2002—Subsec. (c). Pub. L. 107-306 struck out heading and text of subsec. (c). Text read as follows: “Not later than March 1, 1999, and annually thereafter, the Director of Central Intelligence shall submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate a report describing the detail of intelligence community personnel pursuant to subsection (a) during the 12-month period ending on the date of the report. The report shall set forth the number of personnel detailed, the identity of parent and host agencies or elements, and an analysis of the benefits of the details.”

2001—Subsec. (b). Pub. L. 107-108 designated existing provisions as par. (1) and added par. (2).

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EFFECTIVE DATE

Pub. L. 105-107, title III, § 303(d), Nov. 20, 1997, 111 Stat. 2252, provided that: “The amendment made by subsection (a) [enacting this section] shall apply to an employee on detail on or after January 1, 1997.”

§ 3049. Non-reimbursable detail of other personnel

An officer or employee of the United States or member of the Armed Forces may be detailed to the staff of an element of the intelligence community funded through the National Intelligence Program from another element of the intelligence community or from another element of the United States Government on a non-reimbursable basis, as jointly agreed to by the heads of the receiving and detailing elements, for a period not to exceed three years. This section does not limit any other source of authority for reimbursable or non-reimbursable details. A non-reimbursable detail made under this section shall not be considered an augmentation of the appro-