

systems if done so in accordance with the procedures established under paragraph (2).

“(2) EXEMPTION PROCEDURES.—The National Manager shall, consistent with the direction of the President, establish procedures that govern—

“(A) the circumstances under which the head of an element of the intelligence community may exempt a national security system under paragraph (1); and

“(B) the process for implementing the exemption.

“(3) ANNUAL REPORTS ON EXEMPTIONS.—

“(A) IN GENERAL.—Each year, the National Manager and the Director of National Intelligence shall—

“(i) submit to the congressional intelligence committees an annual report documenting all exemptions made under paragraph (1) during the period covered by the report, along with the justifications for the exemptions; and

“(ii) in the case of an exemption made by the Assistant Secretary of State for Intelligence and Research under such paragraph, submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a separate report describing the exemption and the justification for it.

“(B) MANNER.—Each report submitted under subparagraph (A) shall be submitted with such classification as the Director considers appropriate and with due regard for the protection of sensitive intelligence sources and methods.”

[For definitions of “intelligence community” and “congressional intelligence committees” as used in section 6309 of Pub. L. 117-263, set out above, see section 3003 of Title 50, War and National Defense, as made applicable by section 6002 of Pub. L. 117-263, which is set out as a note under section 3003 of Title 50.]

### § 3558. Effect on existing law

Nothing in this subchapter, section 11331 of title 40, or section 20 of the National Standards<sup>1</sup> and Technology Act (15 U.S.C. 278g-3) may be construed as affecting the authority of the President, the Office of Management and Budget or the Director thereof, the National Institute of Standards and Technology, or the head of any agency, with respect to the authorized use or disclosure of information, including with regard to the protection of personal privacy under section 552a of title 5, the disclosure of information under section 552 of title 5, the management and disposition of records under chapters<sup>2</sup> 29, 31, or 33 of title 44, the management of information resources under subchapter I of chapter 35 of this title, or the disclosure of information to the Congress or the Comptroller General of the United States.

(Added Pub. L. 113-283, §2(a), Dec. 18, 2014, 128 Stat. 3084.)

#### Editorial Notes

##### PRIOR PROVISIONS

Provisions similar to this section were contained in sections 3538 and 3549 of this title prior to repeal by Pub. L. 113-283.

### § 3559. Federal websites required to be mobile friendly

(a) IN GENERAL.—If, on or after the date that is 180 days after the date of the enactment of

this section, an agency creates a website that is intended for use by the public or conducts a redesign of an existing legacy website that is intended for use by the public, the agency shall ensure to the greatest extent practicable that the website is mobile friendly.

(b) DEFINITIONS.—In this section:

(1) AGENCY.—The term “agency” has the meaning given that term in section 551 of title 5.

(2) MOBILE FRIENDLY.—The term “mobile friendly” means, with respect to a website, that the website is configured in such a way that the website may be navigated, viewed, and accessed on a smartphone, tablet computer, or similar mobile device.

(Added Pub. L. 115-114, §2(a), Jan. 10, 2018, 131 Stat. 2278.)

#### Editorial Notes

##### REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsec. (a), is the date of enactment of Pub. L. 115-114, which was approved Jan. 10, 2018.

### SUBCHAPTER III—CONFIDENTIAL INFORMATION PROTECTION AND STATISTICAL EFFICIENCY

#### Editorial Notes

##### PRIOR PROVISIONS

Provisions similar to those in parts A to C of this subchapter were contained in Pub. L. 107-347, title V, Dec. 17, 2002, 116 Stat. 2962, which was set out as a note under section 3501 of this title, prior to repeal by Pub. L. 115-435, title III, §302(c)(1), title IV, §403, Jan. 14, 2019, 132 Stat. 5552, 5557, effective 180 days after Jan. 14, 2019.

##### PART A—GENERAL

### § 3561. Definitions

In this subchapter:

(1) AGENCY.—The term “agency” means any entity that falls within the definition of the term “executive agency”, as defined in section 102 of title 31, or “agency”, as defined in section 3502.

(2) AGENT.—The term “agent” means an individual—

(A)(i) who is an employee of a private organization or a researcher affiliated with an institution of higher learning (including a person granted special sworn status by the Bureau of the Census under section 23(c) of title 13), and with whom a contract or other agreement is executed, on a temporary basis, by an executive agency to perform exclusively statistical activities under the control and supervision of an officer or employee of that agency;

(ii) who is working under the authority of a government entity with which a contract or other agreement is executed by an executive agency to perform exclusively statistical activities under the control of an officer or employee of that agency;

(iii) who is a self-employed researcher, a consultant, a contractor, or an employee of a contractor, and with whom a contract or

<sup>1</sup> So in original. Probably should be “National Institute of Standards”.

<sup>2</sup> So in original. Probably should be “chapter”.