§ 401a. Definitions

As used in this Act:

(1) The term “intelligence” includes foreign intelligence and counterintelligence.

(2) The term “foreign intelligence” means information relating to the capabilities, intentions, or activities of foreign governments or elements thereof, foreign organizations, or foreign persons, or international terrorist activities.

(3) The term “counterintelligence” means information gathered, and activities conducted, to protect against espionage, other intelligence activities, sabotage, or assassinations conducted by or on behalf of foreign governments or elements thereof, foreign organizations, or foreign persons, or international terrorist activities.

(4) The term “intelligence community” includes the following:
   (A) The Office of the Director of National Intelligence.
   (B) The Central Intelligence Agency.
   (C) The National Security Agency.
   (D) The Defense Intelligence Agency.
   (E) The National Geospatial-Intelligence Agency.
   (F) The National Reconnaissance Office.
   (G) Other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs.
   (H) The intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Department of Energy.
   (I) The Bureau of Intelligence and Research of the Department of State.
   (J) The Office of Intelligence and Analysis of the Department of the Treasury.
   (K) The Office of Intelligence and Analysis of the Department of Homeland Security.
   (L) Such other elements of any department or agency as may be designated by the President, or designated jointly by the Director of National Intelligence and the head of the department or agency concerned, as an element of the intelligence community.

(5) The terms “national intelligence” and “intelligence related to national security” refer to all intelligence, regardless of the source from which derived and including information gathered within or outside the United States, that—
   (A) pertains, as determined consistent with any guidance issued by the President, to more than one United States Government agency; and
   (B) that involves—
      (i) threats to the United States, its people, property, or interests;
      (ii) the development, proliferation, or use of weapons of mass destruction; or
      (iii) any other matter bearing on United States national or homeland security.

(6) The term “National Intelligence Program” refers to all programs, projects, and activities of the intelligence community, as well as any other programs of the intelligence community designated jointly by the Director of National Intelligence and the head of a United States department or agency or by the President. Such term does not include programs, projects, or activities of the military departments to acquire intelligence solely for the planning and conduct of tactical military operations by United States Armed Forces.

(7) The term “congressional intelligence committees” means—
(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.


References in Text

This Act, referred to in text, means act July 26, 1947, ch. 343, 61 Stat. 495, as amended, known as the National Security Act of 1947. For complete classification of this Act to the Code, see Short Title note set out under section 401 of this title and Tables.

Amendments


Par. (6). Pub. L. 112–87, § 505(1), substituted “Director of National Intelligence” for “Director of Central Intelligence”.


Par. (4)(K). Pub. L. 111–259, § 441(2), struck out “, including the Office of Intelligence of the Coast Guard” after “information”.


“(A) each refer to intelligence which pertains to the interests of more than one department or agency of the Government; and

“(B) do not refer to counterintelligence or law enforcement activities conducted by the Federal Bureau of Investigation except to the extent provided for in procedures agreed to by the Director of Central Intelligence and the Attorney General, or otherwise as expressly provided for in this title.”

Par. (6). Pub. L. 108–458, § 1074(a), struck out “Foreign” before “Intelligence Program”.


Par. (4)(J) to (L). Pub. L. 108–177, § 105(d)(1)(B), (C), added subpar. (J) and redesignated former subpars. (J) and (K) as (K) and (L), respectively.


2001—Par. (2). Pub. L. 107–56, § 902(1), inserted “, or international terrorist activities” before period at end.

Par. (3). Pub. L. 107–56, § 902(2), substituted “, and activities conducted,” for “and activities conducted.”
Par. (4)(H). Pub. L. 107–108 struck out “and” before “the Department of Energy” and inserted “, and the Coast Guard” before semicolon.


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 401 of this title.


Effective Date of 2002 Amendment

Amendment by Pub. L. 107–296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107–296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

Effective Date of 1996 Amendment

Amendment by Pub. L. 104–201 effective Oct. 1, 1996, see section 1124 of Pub. L. 104–201, set out as a note under section 193 of Title 10, Armed Forces.

Delegation of Functions

For assignment of function of President under par. (5)(A) of this section to Director of National Intelligence, see Ex. Ord. No. 12333, § 1.3(a)(1), Dec. 4, 1981, 46 F.R. 59941, as amended, set out as a note under section 401 of this title.

Authority of Secretary of State

Except as otherwise provided, Secretary of State to have and exercise any authority vested by law in any official or office of Department of State and references to such officials or offices deemed to refer to Secretary of State or Department of State, as appropriate, see section 2651a of Title 22, Foreign Relations and Intercourse, and section 161(d) of Pub. L. 103–236, set out as a note under section 2651a of Title 22.

Definitions


“(1) Congressional intelligence committees.—The term ‘congressional intelligence committees’ means—

“(A) the Select Committee on Intelligence of the Senate; and

“(B) the Permanent Select Committee on Intelligence of the House of Representatives.

“(2) Intelligence community.—The term ‘intelligence community’ has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a (4)).”


“(1) Congressional intelligence committees.—The term ‘congressional intelligence committees’ means—

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“(2) Intelligence community.—The term ‘intelligence community’ has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a (4)).”