

§ 3312. Congressional oversight of policy directives and guidance

(a) Covered policy document defined

In this section, the term “covered policy document” means any classified or unclassified Presidential Policy Directive, Presidential Policy Guidance, or other similar policy document issued by the President, including any classified or unclassified annex to such a Directive, Guidance, or other document, that assigns tasks, roles, or responsibilities to the intelligence community or an element of the intelligence community.

(b) Submissions to Congress

The Director of National Intelligence shall submit to the congressional intelligence committees the following:

(1) Not later than 15 days after the date that a covered policy document is issued, a written notice of the issuance and a summary of the subject matter addressed by such covered policy document.

(2) Not later than 15 days after the date that the Director issues any guidance or direction on implementation of a covered policy document or implements a covered policy document, a copy of such guidance or direction or a description of such implementation.

(3) Not later than 15 days after May 5, 2017, for any covered policy document issued prior to such date that is being implemented by any element of the intelligence community or that is in effect on such date—

(A) a written notice that includes the date such covered policy document was issued and a summary of the subject matter addressed by such covered policy document; and

(B) if the Director has issued any guidance or direction on implementation of such covered policy document or is implementing such covered policy document, a copy of the guidance or direction or a written description of such implementation.

(Pub. L. 115–31, div. N, title III, §310, May 5, 2017, 131 Stat. 815.)

DEFINITIONS

For definitions of “intelligence community” and “congressional intelligence committees”, referred to in text, see section 2 of div. N of Pub. L. 115–31, set out as a note under section 3003 of this title.

§ 3313. Notification of memoranda of understanding

(a) In general

The head of each element of the intelligence community shall submit to the congressional intelligence committees a copy of each memorandum of understanding or other agreement regarding significant operational activities or policy between or among such element and any other entity or entities of the United States Government—

(1) for such a memorandum or agreement that is in effect on May 5, 2017, not later than 60 days after such date; and

(2) for such a memorandum or agreement entered into after such date, in a timely manner

and not more than 60 days after the date such memorandum or other agreement is entered into.

(b) Administrative memorandum or agreement

Nothing in this section may be construed to require an element of the intelligence community to submit to the congressional intelligence committees any memorandum or agreement that is solely administrative in nature, including a memorandum or agreement regarding joint duty or other routine personnel assignments.

(Pub. L. 115–31, div. N, title III, §311, May 5, 2017, 131 Stat. 815.)

DEFINITIONS

For definitions of “intelligence community” and “congressional intelligence committees”, referred to in text, see section 2 of div. N of Pub. L. 115–31, set out as a note under section 3003 of this title.

§ 3314. Report on national security systems

(a) Appropriate committees of Congress defined

In this section, the term “appropriate committees of Congress” means—

(1) the congressional intelligence committees;

(2) the Committee on Appropriations and the Committee on Armed Services of the Senate; and

(3) the Committee on Appropriations and the Committee on Armed Services of the House of Representatives.

(b) Report

Not later than 120 days after May 5, 2017, and annually thereafter, the Director of the National Security Agency, in coordination with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, shall submit to the appropriate committees of Congress a report on national security systems.

(c) Content

Each report submitted under subsection (b) shall include information related to—

(1) national security systems or components thereof that have been decertified and are still in operational use;

(2) extension requests and the current status of any national security systems still in use or components thereof that have been decertified and are still in use;

(3) national security systems known to not be in compliance with the policies, principles, standards, and guidelines issued by the Committee on National Security Systems established pursuant to National Security Directive 42, signed by the President on July 5, 1990; and

(4) organizations which have not provided access or information to the Director of the National Security Agency that is adequate to enable the Director to make a determination as to whether such organizations are in compliance with the policies, principles, standards, and guidelines issued by such Committee on National Security Systems.

(Pub. L. 115–31, div. N, title VI, §603, May 5, 2017, 131 Stat. 829.)

DEFINITIONS

For definition of “congressional intelligence committees”, referred to in text, see section 2 of div. N of Pub.

L. 115-31, set out as a note under section 3003 of this title.

§ 3315. Annual certification of controlled access programs

(1) In general

Not less frequently than once each year, the Director of National Intelligence shall certify in writing to the congressional intelligence committees whether the creation, validation, or substantial modification, including termination, for all existing and proposed controlled access programs, and the compartments and subcompartments within each, are substantiated and justified based on the information required by paragraph (2).

(2) Information required

Each certification pursuant to paragraph (1) shall include—

(A) the rationale for the revalidation, validation, or substantial modification, including termination, of each controlled access program, compartment and subcompartment;

(B) the identification of a control officer for each controlled access program; and

(C) a statement of protection requirements for each controlled access program.

(Pub. L. 115-31, div. N, title VI, §608(b), May 5, 2017, 131 Stat. 833.)

DEFINITIONS

For definition of “congressional intelligence committees”, referred to in text, see section 2 of div. N of Pub. L. 115-31, set out as a note under section 3003 of this title.

SUBCHAPTER II—PERSONNEL AND ADMINISTRATIVE AUTHORITIES

§ 3321. National Intelligence Reserve Corps

(a) Establishment

The Director of National Intelligence may provide for the establishment and training of a National Intelligence Reserve Corps (in this section referred to as “National Intelligence Reserve Corps”) for the temporary reemployment on a voluntary basis of former employees of elements of the intelligence community during periods of emergency, as determined by the Director.

(b) Eligible individuals

An individual may participate in the National Intelligence Reserve Corps only if the individual previously served as a full time employee of an element of the intelligence community.

(c) Terms of participation

The Director of National Intelligence shall prescribe the terms and conditions under which eligible individuals may participate in the National Intelligence Reserve Corps.

(d) Expenses

The Director of National Intelligence may provide members of the National Intelligence Reserve Corps transportation and per diem in lieu of subsistence for purposes of participating in any training that relates to service as a member of the Reserve Corps.

(e) Treatment of annuitants

(1) If an annuitant receiving an annuity from the Civil Service Retirement and Disability Fund becomes temporarily reemployed pursuant to this section, such annuity shall not be discontinued thereby.

(2) An annuitant so reemployed shall not be considered an employee for the purposes of chapter 83 or 84 of title 5.

(f) Treatment under Office of Director of National Intelligence personnel ceiling

A member of the National Intelligence Reserve Corps who is reemployed on a temporary basis pursuant to this section shall not count against any personnel ceiling applicable to the Office of the Director of National Intelligence.

(Pub. L. 108-458, title I, §1053, Dec. 17, 2004, 118 Stat. 3683.)

CODIFICATION

Section was formerly classified to section 403-1c of this title prior to editorial reclassification and renumbering as this section.

EFFECTIVE DATE

For Determination by President that section 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.

Section 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.

§ 3322. Additional education and training requirements

(a) Findings

Congress makes the following findings:

(1) Foreign language education is essential for the development of a highly-skilled workforce for the intelligence community.

(2) Since September 11, 2001, the need for language proficiency levels to meet required national security functions has been raised, and the ability to comprehend and articulate technical and scientific information in foreign languages has become critical.

(b) Linguistic requirements

(1) The Director of National Intelligence shall—

(A) identify the linguistic requirements for the Office of the Director of National Intelligence;

(B) identify specific requirements for the range of linguistic skills necessary for the intelligence community, including proficiency in scientific and technical vocabularies of critical foreign languages; and

(C) develop a comprehensive plan for the Office to meet such requirements through the education, recruitment, and training of linguists.

(2) In carrying out activities under paragraph (1), the Director shall take into account education grant programs of the Department of Defense and the Department of Education that are in existence as of December 17, 2004.

(c) Professional intelligence training

The Director of National Intelligence shall require the head of each element and component