

**§ 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.

**§ 3316. Submission of intelligence community policies**

**(a) Definitions**

In this section:

**(1) Electronic repository**

The term “electronic repository” means the electronic distribution mechanism, in use as of December 20, 2019, or any successor electronic distribution mechanism, by which the Director of National Intelligence submits to the congressional intelligence committees information.

**(2) Policy**

The term “policy”, with respect to the intelligence community, includes unclassified or classified—

- (A) directives, policy guidance, and policy memoranda of the intelligence community;
- (B) executive correspondence of the Director of National Intelligence; and
- (C) any equivalent successor policy instruments.

**(b) Submission of policies**

**(1) Current policy**

Not later than 180 days after December 20, 2019, the Director of National Intelligence shall submit to the congressional intelligence committees using the electronic repository all nonpublicly available policies issued by the Director of National Intelligence for the intelligence community that are in effect as of the date of the submission.

**(2) Continuous updates**

Not later than 15 days after the date on which the Director of National Intelligence is-

sues, modifies, or rescinds a policy of the intelligence community, the Director shall—

- (A) notify the congressional intelligence committees of such addition, modification, or removal; and
- (B) update the electronic repository with respect to such addition, modification, or removal.

(Pub. L. 116–92, div. E, title LXIII, § 6315, Dec. 20, 2019, 133 Stat. 2194.)

DEFINITIONS

For definitions of “intelligence community” and “congressional intelligence committees”, referred to in text, see section 5003 of div. E of Pub. L. 116–92, set out as a note under section 3003 of this title.

**§ 3316a. Reports on intelligence community participation in vulnerabilities equities process of Federal Government**

**(a) Definitions**

In this section:

**(1) Vulnerabilities Equities Policy and Process document**

The term “Vulnerabilities Equities Policy and Process document” means the executive branch document entitled “Vulnerabilities Equities Policy and Process” dated November 15, 2017.

**(2) Vulnerabilities Equities Process**

The term “Vulnerabilities Equities Process” means the interagency review of vulnerabilities, pursuant to the Vulnerabilities Equities Policy and Process document or any successor document.

**(3) Vulnerability**

The term “vulnerability” means a weakness in an information system or its components (for example, system security procedures, hardware design, and internal controls) that could be exploited or could affect confidentiality, integrity, or availability of information.

**(b) Reports on process and criteria under Vulnerabilities Equities Policy and Process**

**(1) In general**

Not later than 90 days after December 20, 2019, the Director of National Intelligence shall submit to the congressional intelligence committees a written report describing—

- (A) with respect to each element of the intelligence community—
  - (i) the title of the official or officials responsible for determining whether, pursuant to criteria contained in the Vulnerabilities Equities Policy and Process document or any successor document, a vulnerability must be submitted for review under the Vulnerabilities Equities Process; and
  - (ii) the process used by such element to make such determination; and
- (B) the roles or responsibilities of that element during a review of a vulnerability submitted to the Vulnerabilities Equities Process.

**(2) Changes to process or criteria**

Not later than 30 days after any significant change is made to the process and criteria