

official from the Department of Homeland Security detailed pursuant to subsection (d)(6),² shall ensure that—

(A) the products derived from information within the scope of the information sharing environment, including homeland security information, terrorism information, and weapons of mass destruction information, prepared by the National Counterterrorism Center and the ITACG Detail for distribution to State, local, and tribal homeland security and law enforcement agencies reflect the requirements of such agencies and are produced consistently with the policies, processes, procedures, standards, and guidelines established by the ITACG Advisory Council;

(B) in consultation with the ITACG Advisory Council and consistent with sections 3024(f)(1)(B)(iii) and 3056(f)(E)¹ of title 50, all products described in subparagraph (A) are disseminated through existing channels of the Department and the Department of Justice and other appropriate channels to State, local, and tribal government officials and other entities;

(C) all detailees under subsection (d)(5)² have appropriate access to all relevant information within the scope of the information sharing environment, including homeland security information, terrorism information, and weapons of mass destruction information, available at the National Counterterrorism Center in order to accomplish the objectives under that paragraph;

(D) all detailees under subsection (d)(5)² have the appropriate security clearances and are trained in the procedures for handling, processing, storing, and disseminating classified products derived from information within the scope of the information sharing environment, including homeland security information, terrorism information, and weapons of mass destruction information; and

(E) all detailees under subsection (d)(5)² complete appropriate privacy and civil liberties training.

(g) Inapplicability of chapter 10 of title 5

Chapter 10 of title 5 shall not apply to the ITACG or any subsidiary groups thereof.

(h) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2008 through 2012 to carry out this section, including to obtain security clearances for the State, local, and tribal participants in the ITACG.

(Pub. L. 107–296, title II, §210D, as added Pub. L. 110–53, title V, §521(a), Aug. 3, 2007, 121 Stat. 328; amended Pub. L. 111–258, §5(b)(2), (c), Oct. 7, 2010, 124 Stat. 2650, 2651; Pub. L. 116–92, div. E, title LXVII, §6726(b), Dec. 20, 2019, 133 Stat. 2236; Pub. L. 117–286, §4(a)(12), Dec. 27, 2022, 136 Stat. 4306.)

² See References in Text note below.

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REFERENCES IN TEXT

Subsection (d)(5) and (6), referred to in subsec. (f)(2), was redesignated subsec. (c)(5) and (6), respectively, by Pub. L. 116–92, div. E, title LXVII, §6726(b)(2), Dec. 20, 2019, 133 Stat. 2236.

AMENDMENTS

2022—Subsec. (g). Pub. L. 117–286, which directed amendment of subsec. (h) by substituting “chapter 10 of title 5” for “the Federal Advisory Committee Act” in heading and “Chapter 10 of title 5” for “The Federal Advisory Committee Act (5 U.S.C. App.)” in text, was executed by making the substitutions in subsec. (g) to reflect the probable intent of Congress and the prior amendment by Pub. L. 116–92. See 2019 Amendment below.

2019—Subsec. (c). Pub. L. 116–92, §6726(b)(1), (2), redesignated subsec. (d) as (c) and struck out former subsec. (c) which related to responsibilities of program manager.

Subsec. (c)(9). Pub. L. 116–92, §6726(b)(3), struck out par. (9) which read as follows: “provide the assessment developed pursuant to paragraph (8) to the program manager for use in the annual reports required by subsection (c)(2).”

Subsecs. (d) to (i). Pub. L. 116–92, §6726(b)(2), redesignated subsecs. (e) to (i) as (d) to (h), respectively.

2010—Subsec. (c). Pub. L. 111–258, §5(c)(1), struck out “, in consultation with the Information Sharing Council,” after “program manager” in introductory provisions.

Subsec. (c)(3). Pub. L. 111–258, §5(c)(2)–(4), added par. (3).

Subsec. (d)(5)(E), (F). Pub. L. 111–258, §5(b)(2)(A), added subpar. (E) and redesignated former subpar. (E) as (F).

Subsec. (d)(8), (9). Pub. L. 111–258, §5(b)(2)(B)–(D), added pars. (8) and (9).

§ 124I. Transferred

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CODIFICATION

Section, Pub. L. 107–296, title II, §210E, as added Pub. L. 110–53, title X, §1001(a), Aug. 3, 2007, 121 Stat. 372, which related to national asset database, was renumbered section 2214 of Pub. L. 107–296 by Pub. L. 115–278, §2(g)(2)(G), Nov. 16, 2018, 132 Stat. 4178, and transferred to section 664 of this title.

§ 124m. Classified Information Advisory Officer

(a) Requirement to establish

The Secretary shall identify and designate within the Department a Classified Information Advisory Officer, as described in this section.

(b) Responsibilities

The responsibilities of the Classified Information Advisory Officer shall be as follows:

(1) To develop and disseminate educational materials and to develop and administer training programs to assist State, local, and tribal governments (including State, local, and tribal law enforcement agencies) and private sector entities—

(A) in developing plans and policies to respond to requests related to classified information without communicating such information to individuals who lack appropriate security clearances;

(B) regarding the appropriate procedures for challenging classification designations of information received by personnel of such entities; and