

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of “intelligence community” and “congressional intelligence committees” as used in this section, see section 7002 of Pub. L. 118-31, set out as a note under section 3003 of this title.

SUBCHAPTER III—A—PUBLIC INTEREST
DECLASSIFICATIONS**§ 3355. Findings**

Congress makes the following findings:

(1) It is in the national interest to establish an effective, coordinated, and cost-effective means by which records on specific subjects of extraordinary public interest that do not undermine the national security interests of the United States may be collected, retained, reviewed, and disseminated to Congress, policy-makers in the executive branch, and the public.

(2) Ensuring, through such measures, public access to information that does not require continued protection to maintain the national security interests of the United States is a key to striking the balance between secrecy essential to national security and the openness that is central to the proper functioning of the political institutions of the United States.

(Pub. L. 106-567, title VII, § 702, Dec. 27, 2000, 114 Stat. 2856.)

Editorial Notes

CODIFICATION

Section was formerly set out in a note under section 3161 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 106-567, title VII, § 710, Dec. 27, 2000, 114 Stat. 2864, as amended by Pub. L. 108-458, title I, § 1102(f), Dec. 17, 2004, 118 Stat. 3700; Pub. L. 110-53, title VI, § 602(4), Aug. 3, 2007, 121 Stat. 336; Pub. L. 112-235, § 2(c), Dec. 28, 2012, 126 Stat. 1626; Pub. L. 113-126, title III, § 311, July 7, 2014, 128 Stat. 1399; Pub. L. 116-92, div. E, title LXVII, § 6741(b), Dec. 20, 2019, 133 Stat. 2239, provided that: “This title [enacting this subchapter] shall take effect on the date that is 120 days after the date of the enactment of this Act [Dec. 27, 2000].”

SHORT TITLE

For short title of title VII of Pub. L. 106-567, which enacted this subchapter, as the “Public Interest Declassification Act of 2000”, see section 701 of Pub. L. 106-567, set out as a note under section 3301 of this title.

STATUS OF BOARD

Pub. L. 116-92, div. E, title LXVII, § 6741(c), Dec. 20, 2019, 133 Stat. 2239, provided that: “Notwithstanding section 710(b) of the Public Interest Declassification Act of 2000 (Public Law 106-567; 50 U.S.C. 3161 note) as in effect on the day before the date of the enactment of this Act [Dec. 20, 2019]—

“(1) the Public Interest Declassification Board shall be deemed to not have terminated for purposes of the appointment of members to the Board;

“(2) section 703(h) of such Act [50 U.S.C. 3355a(h)] shall not apply with respect to the period beginning on December 31, 2018, and ending on the day before the date of the enactment of this Act; and

“(3) the length of the terms of the members serving on the Board as of December 30, 2018, shall be cal-

culated by not counting the period specified in paragraph (2).”

[Prior to being struck out by Pub. L. 116-92, div. E, title LXVII, § 6741(b)(1), Dec. 20, 2019, 133 Stat. 2239, section 710(b) of the Public Interest Declassification Act of 2000 (Pub. L. 106-567, title VII), referred to in the introductory provisions of section 6741(c) of Pub. L. 116-92, set out above, provided that: “The provisions of this title shall expire on December 31, 2018.” Section 710 of the Act was formerly set out in a note under section 3161 of this title, and was editorially transferred and is now set out as an Effective Date note above.]

§ 3355a. Public Interest Declassification Board**(a) Establishment**

(1) There is established within the executive branch of the United States a board to be known as the “Public Interest Declassification Board” (in this subchapter referred to as the “Board”).

(2) The Board shall report directly to the President or, upon designation by the President, the Vice President, the Attorney General, or other designee of the President. The other designee of the President under this paragraph may not be an agency head or official authorized to classify information under Executive Order 13526, or any successor order.

(b) Purposes

The purposes of the Board are as follows:

(1) To advise the President, the Assistant to the President for National Security Affairs, the Director of the Office of Management and Budget, and such other executive branch officials as the Board considers appropriate on the systematic, thorough, coordinated, and comprehensive identification, collection, review for declassification, and release to Congress, interested agencies, and the public of declassified records and materials (including donated historical materials) that are of archival value, including records and materials of extraordinary public interest.

(2) To promote the fullest possible public access to a thorough, accurate, and reliable documentary record of significant United States national security decisions and significant United States national security activities in order to—

(A) support the oversight and legislative functions of Congress;

(B) support the policymaking role of the executive branch;

(C) respond to the interest of the public in national security matters; and

(D) promote reliable historical analysis and new avenues of historical study in national security matters.

(3) To provide recommendations to the President for the identification, collection, and review for declassification of information of extraordinary public interest that does not undermine the national security of the United States, to be undertaken in accordance with a declassification program that has been established or may be established by the President by Executive order.

(4) To advise the President, the Assistant to the President for National Security Affairs, the Director of the Office of Management and Budget, and such other executive branch officials as the Board considers appropriate on