

Senate and to the Committees on Armed Services and Appropriations of the House of Representatives.

(B) In the case of the denial of access to a special access program created by the Director of National Intelligence, or by the head of any other agency (including the Department of Defense) if the special access program pertains to intelligence activities, or of access to any information and materials relating to intelligence sources and methods, to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(C) In the case of the denial of access to a special access program created by the Secretary of Energy or the Administrator for Nuclear Security, to the Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate and to the Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

(f) Notification of review

In response to a specific congressional request for declassification review described in section 3355a(b)(5) of this title, the Board shall advise the originators of the request in a timely manner whether the Board intends to conduct such review.

(Pub. L. 106-567, title VII, § 706, Dec. 27, 2000, 114 Stat. 2861; Pub. L. 108-458, title I, § 1102(e), Dec. 17, 2004, 118 Stat. 3700; Pub. L. 110-53, title VI, § 602(1), Aug. 3, 2007, 121 Stat. 335; Pub. L. 117-263, div. F, title LXVIII, § 6824(d)(4), Dec. 23, 2022, 136 Stat. 3615.)

Editorial Notes

REFERENCES IN TEXT

Executive Order 13526, referred to in subsecs. (c) and (d), is set out as a note under section 3161 of this title.

CODIFICATION

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

AMENDMENTS

2022—Subsecs. (c), (d). Pub. L. 117-263 substituted “Executive Order 13526” for “Executive Order No. 12958”.

2007—Subsecs. (b)(2), (e)(2)(B). Pub. L. 110-53 substituted “Director of National Intelligence” for “Director of Central Intelligence”.

2004—Subsec. (f). Pub. L. 108-458 added subsec. (f).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Government Reform of the House of Representatives changed to Committee on Oversight and Government Reform of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007. Committee on Oversight and Government Reform of House of Representatives changed to Committee on Oversight and Reform of House of Representatives by House Resolution No. 6, One Hundred Sixteenth Congress, Jan. 9, 2019. Committee on Oversight and Reform of House of Representatives changed to Committee on Oversight and Accountability of House of Representatives by House Resolution No. 5, One Hundred Eighteenth Congress, Jan. 9, 2023.

Committee on Governmental Affairs of the Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

§ 3355e. Judicial review

Nothing in this subchapter limits the protection afforded to any information under any other provision of law. This subchapter is not intended and may not be construed to create any right or benefit, substantive or procedural, enforceable against the United States, its agencies, its officers, or its employees. This subchapter does not modify in any way the substantive criteria or procedures for the classification of information, nor does this subchapter create any right or benefit subject to judicial review.

(Pub. L. 106-567, title VII, § 707, Dec. 27, 2000, 114 Stat. 2862.)

Editorial Notes

CODIFICATION

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

§ 3355f. Funding

(a) Authorization of appropriations

There is hereby authorized to be appropriated to carry out the provisions of this subchapter amounts as follows:

(1) For fiscal year 2001, \$650,000.

(2) For each fiscal year after fiscal year 2001, such sums as may be necessary for such fiscal year.

(b) Funding requests

The President shall include in the budget submitted to Congress for each fiscal year under section 1105 of title 31 a request for amounts for the activities of the Board under this subchapter during such fiscal year.

(Pub. L. 106-567, title VII, § 708, Dec. 27, 2000, 114 Stat. 2863.)

Editorial Notes

CODIFICATION

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

§ 3355g. Definitions

In this subchapter:

(1) Agency

(A) Except as provided in subparagraph (B), the term “agency” means the following:

(i) An Executive agency, as that term is defined in section 105 of title 5.

(ii) A military department, as that term is defined in section 102 of such title.

(iii) Any other entity in the executive branch that comes into the possession of classified information.

(B) The term does not include the Board.

(2) Classified material or record

The terms “classified material” and “classified record” include any correspondence,

memorandum, book, plan, map, drawing, diagram, pictorial or graphic work, photograph, film, microfilm, sound recording, videotape, machine readable records, and other documentary material, regardless of physical form or characteristics, that has been determined pursuant to Executive order to require protection against unauthorized disclosure in the interests of the national security of the United States.

(3) Declassification

The term “declassification” means the process by which records or materials that have been classified are determined no longer to require protection from unauthorized disclosure to protect the national security of the United States.

(4) Donated historical material

The term “donated historical material” means collections of personal papers donated or given to a Federal Presidential library or other archival repository under a deed of gift or otherwise.

(5) Federal Presidential library

The term “Federal Presidential library” means a library operated and maintained by the United States Government through the National Archives and Records Administration under the applicable provisions of the Federal Records Act of 1950.

(6) National security

The term “national security” means the national defense or foreign relations of the United States.

(7) Records or materials of extraordinary public interest

The term “records or materials of extraordinary public interest” means records or materials that—

(A) demonstrate and record the national security policies, actions, and decisions of the United States, including—

(i) policies, events, actions, and decisions which led to significant national security outcomes; and

(ii) the development and evolution of significant United States national security policies, actions, and decisions;

(B) will provide a significantly different perspective in general from records and materials publicly available in other historical sources; and

(C) would need to be addressed through ad hoc record searches outside any systematic declassification program established under Executive order.

(8) Records of archival value

The term “records of archival value” means records that have been determined by the Archivist of the United States to have sufficient historical or other value to warrant their continued preservation by the Federal Government.

(Pub. L. 106-567, title VII, § 709, Dec. 27, 2000, 114 Stat. 2863.)

Editorial Notes

REFERENCES IN TEXT

The Federal Records Act of 1950, referred to in par. (5), was title V of act June 30, 1949, ch. 288, as added Sept. 5, 1950, ch. 849, §6(d), 64 Stat. 583, which was classified generally to sections 392 to 396 and 397 to 401 of former Title 44, Public Printing and Documents. Section 6(d) of act Sept. 5, 1950, was repealed by Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1238, the first section of which enacted Title 44, Public Printing and Documents. For disposition of sections of former Title 44, see Table at the beginning of Title 44. Title V of act June 30, 1949, was repealed by Pub. L. 107-217, §4, Aug. 21, 2002, 116 Stat. 1303.

CODIFICATION

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

SUBCHAPTER IV—COLLECTION, ANALYSIS,
AND SHARING OF INTELLIGENCE

§ 3361. National Virtual Translation Center

(a) Establishment

The Director of National Intelligence shall establish in the intelligence community an element with the function of connecting the elements of the intelligence community engaged in the acquisition, storage, translation, or analysis of voice or data in digital form.

(b) Designation

The element established under subsection (a) shall be known as the National Virtual Translation Center.

(c) Function

The element established under subsection (a) shall provide for timely and accurate translations of foreign intelligence for all elements of the intelligence community through—

(1) the integration of the translation capabilities of the intelligence community;

(2) the use of remote-connection capabilities; and

(3) the use of such other capabilities as the Director considers appropriate.

(d) Administrative matters

(1) The Director shall retain direct supervision and control over the element established under subsection (a).

(2) The element established under subsection (a) shall connect elements of the intelligence community utilizing the most current available information technology that is applicable to the function of the element.

(3) Personnel of the element established under subsection (a) may carry out the duties and functions of the element at any location that—

(A) has been certified as a secure facility by a department or agency of the United States Government; or

(B) the Director has otherwise determined to be appropriate for such duties and functions.

(e) Deadline for establishment

The element required by subsection (a) shall be established as soon as practicable after November 27, 2002, but not later than 90 days after November 27, 2002.

(Pub. L. 107-306, title III, § 313, Nov. 27, 2002, 116 Stat. 2391; Pub. L. 108-458, title I,