

(e) Reports

(1)(A) Except as provided in paragraph (2), the Board shall annually submit to the appropriate congressional committees a report on the activities of the Board under this subchapter, including summary information regarding any denials to the Board by the head of an agency or the head of a Federal Presidential library of access to records or materials under this subchapter.

(B) In this paragraph, the term “appropriate congressional committees” means the Select Committee on Intelligence and the Committee on Governmental Affairs of the Senate and the Permanent Select Committee on Intelligence and the Committee on Government Reform of the House of Representatives.

(2) Notwithstanding paragraph (1), notice that the Board has been denied access to records and materials, and a justification for the determination in support of the denial, shall be submitted by the agency denying the access as follows:

(A) In the case of the denial of access to a special access program created by the Secretary of Defense, to the Committees on Armed Services and Appropriations of the 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.)

Editorial Notes

REFERENCES IN TEXT

Executive Order 12958, referred to in subsecs. (c) and (d), which was formerly set out as a note under section 3161 of this title, was revoked by Ex. Ord. No. 13526, § 6.2(g), Dec. 29, 2009, 75 F.R. 731.

CODIFICATION

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

AMENDMENTS

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 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.

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.

§ 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: