

**(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<sup>1</sup>

**(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, § 1071(g)(2)(A)(i), Dec. 17, 2004, 118 Stat. 3691; Pub. L. 108-487, title III, § 304, Dec. 23, 2004, 118 Stat. 3944.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 404n of this title prior to editorial reclassification and renumbering as this section.

**AMENDMENTS**

2004—Subsec. (a). Pub. L. 108-458 substituted “Director of National Intelligence” for “Director of Central Intelligence, acting as the head of the intelligence community;”.

Subsec. (c). Pub. L. 108-487, § 304(a)(2), added subsec. (c). Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 108-487, § 304(a)(1), (b), redesignated subsec. (c) as (d) and added par. (3). Former subsec. (d) redesignated (e).

Subsec. (e). Pub. L. 108-487, § 304(a)(1), redesignated subsec. (d) as (e).

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2004 AMENDMENT**

For Determination by President that amendment by Pub. L. 108-458 take effect on Apr. 21, 2005, see Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 23925, set out as a note under section 3001 of this title.

Amendment by Pub. L. 108-458 effective not later than six months after Dec. 17, 2004, except as otherwise expressly provided, see section 1097(a) of Pub. L. 108-458, set out in an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of this title.

**§ 3362. Foreign Terrorist Asset Tracking Center**

**(a) Establishment**

The Director of National Intelligence shall establish within the Central Intelligence Agency an element responsible for conducting all-source intelligence analysis of information relating to the financial capabilities, practices, and activities of individuals, groups, and nations associated with international terrorism in their activities relating to international terrorism.

**(b) Designation**

The element established under subsection (a) shall be known as the Foreign Terrorist Asset Tracking Center.

**(c) Deadline for establishment**

The element required by subsection (a) shall be established as soon as practicable after No-

vember 27, 2002, but not later than 90 days after November 27, 2002.

(Pub. L. 107-306, title III, § 341, Nov. 27, 2002, 116 Stat. 2398; Pub. L. 108-458, title I, § 1071(g)(2)(C), Dec. 17, 2004, 118 Stat. 3691.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 404n-1 of this title prior to editorial reclassification and renumbering as this section.

**AMENDMENTS**

2004—Subsec. (a). Pub. L. 108-458 substituted “Director of National Intelligence shall establish within the Central Intelligence Agency” for “Director of Central Intelligence, acting as the head of the intelligence community, shall establish in the Central Intelligence Agency”.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2004 AMENDMENT**

For Determination by President that amendment by Pub. L. 108-458 take effect on Apr. 21, 2005, see Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 23925, set out as a note under section 3001 of this title.

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**§ 3363. Terrorist Identification Classification System**

**(a) Requirement**

(1) The Director of National Intelligence shall—

(A) establish and maintain a list of individuals who are known or suspected international terrorists, and of organizations that are known or suspected international terrorist organizations; and

(B) ensure that pertinent information on the list is shared with the departments, agencies, and organizations described by subsection (c).

(2) The list under paragraph (1), and the mechanisms for sharing information on the list, shall be known as the “Terrorist Identification Classification System”.

**(b) Administration**

(1) The Director shall prescribe requirements for the inclusion of an individual or organization on the list required by subsection (a), and for the deletion or omission from the list of an individual or organization currently on the list.

(2) The Director shall ensure that the information utilized to determine the inclusion, or deletion or omission, of an individual or organization on or from the list is derived from all-source intelligence.

(3) The Director shall ensure that the list is maintained in accordance with existing law and regulations governing the collection, storage, and dissemination of intelligence concerning United States persons.

**(c) Information sharing**

Subject to section 3024(i) of this title, relating to the protection of intelligence sources and

<sup>1</sup> So in original. Probably should be followed by a period.