

111TH CONGRESS
1ST SESSION

H. R. 3849

To amend the National Security Act of 1947 to require notice to Congress of certain declassifications of intelligence information, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 20, 2009

Mr. CONYERS introduced the following bill; which was referred to the Select Committee on Intelligence (Permanent Select)

A BILL

To amend the National Security Act of 1947 to require notice to Congress of certain declassifications of intelligence information, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Disclosure of Presi-
5 dential Declassification of Intelligence Information Act of
6 2009”.

7 **SEC. 2. NOTICE TO CONGRESS OF CERTAIN**
8 **DECLASSIFICATIONS OF INTELLIGENCE IN-**
9 **FORMATION.**

10 (a) NOTICE REQUIRED.—

1 (1) IN GENERAL.—Title V of the National Se-
2 curity Act of 1947 (50 U.S.C. 413 et seq.) is
3 amended by adding at the end the following new sec-
4 tion:

5 “NOTICE TO CONGRESS OF CERTAIN DECLASSIFICATIONS
6 OF INTELLIGENCE INFORMATION

7 “SEC. 508. (a) DECLASSIFICATION OF INTEL-
8 LIGENCE INFORMATION.—

9 “(1) NOTICE REQUIRED.—Not later than 15
10 days after the date of the declassification of intel-
11 ligence information by the President, or Vice Presi-
12 dent if authorized by a delegation of authority from
13 the President, the President shall submit to the con-
14 gressional intelligence committees notice of the de-
15 classification of such intelligence information.

16 “(2) EXCEPTION.—Paragraph (1) shall not
17 apply to the declassification of intelligence informa-
18 tion as part of a mandatory or systematic declas-
19 sification of information as described in section 3 of
20 Executive Order 12958 or any successor Executive
21 order.

22 “(b) OFFICIALS AUTHORIZED TO DECLASSIFY IN-
23 TELLIGENCE INFORMATION.—

24 “(1) INITIAL LIST.—The President shall submit to
25 the congressional intelligence committees a list of the per-
26 sonnel of the Executive Office of the President who are

1 authorized to declassify information other than informa-
2 tion originally classified by such personnel.

3 “(2) UPDATES.—Not later than 15 days after a per-
4 son is granted authorization to declassify information
5 other than information originally classified by such person,
6 or the authority to declassify such information is revoked
7 from such person, the President shall submit to the con-
8 gressional intelligence committees an update of the list re-
9 ferred to in paragraph (1) and notice of the addition or
10 removal of a person from such list.”.

11 (2) INITIAL LIST SUBMISSION.—The President
12 shall submit the list required to be submitted under
13 section 508(b)(1) of the National Security Act of
14 1947, as added by paragraph (1) of this subsection,
15 not later than 15 days after the date of the enact-
16 ment of this Act.

17 (3) CLERICAL AMENDMENT.—The table of con-
18 tents in the first section of such Act (50 U.S.C. 401
19 note) is amended by inserting after the item relating
20 to section 507 the following new item:

“Sec. 508. Notice to Congress of certain declassifications of intelligence infor-
mation.”.

21 (b) SENSE OF CONGRESS ON ADDITIONAL NOTICE.—
22 It is the sense of Congress that, in furtherance of the pro-
23 tection of intelligence sources and methods and to ensure
24 appropriate handling and dissemination of intelligence,

1 any notice submitted to the congressional intelligence com-
2 mittees under section 508(a) of the National Security Act
3 of 1947, as added by subsection (a)(1) of this section,
4 should also be submitted to—

- 5 (1) the Director of National Intelligence;
- 6 (2) the Archivist of the United States; and
- 7 (3) the heads of the applicable elements of the
8 intelligence community.

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