

117TH CONGRESS  
1ST SESSION

# S. 2654

To require a declassification review of certain investigation documents concerning foreign support for the terrorist attacks of September 11, 2001, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2021

Mr. MENENDEZ (for himself, Mr. SCHUMER, Mr. CORNYN, Mr. BLUMENTHAL, Mr. GRASSLEY, Mrs. GILLIBRAND, Mr. BOOKER, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Select Committee on Intelligence

---

## A BILL

To require a declassification review of certain investigation documents concerning foreign support for the terrorist attacks of September 11, 2001, 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 “September 11 Trans-  
5       parency Act of 2021”.

1 **SEC. 2. DECLASSIFICATION REVIEW OF CERTAIN INVESTIGATION DOCUMENTS CONCERNING FOREIGN SUPPORT FOR TERRORIST ATTACKS OF SEPTEMBER 11, 2001.**

5 (a) DECLASSIFICATION REVIEWS, PUBLICATION, AND REPORT.—The Director of National Intelligence, the Attorney General, and the Director of the Central Intelligence Agency shall—

9 (1) in accordance with subsection (b), complete declassification reviews—

11 (A) not later than 90 days after the date of the enactment of this Act, of—

13 (i) the subfile investigation described in chapter V of the 2015 Final Report of the Congressionally-directed 9/11 Review Commission;

17 (ii) any subfile or separate investigation of any subject of the subfile investigation described in clause (i);

20 (iii) any counterintelligence investigation involving any subject of the subfile investigation described in clause (i); and

23 (iv) any PENTTBOM records referring or relating to any subject of the subfile investigation described in clause (i);  
26 and

1 (B) not later than 20 days after the date  
2 of the enactment of this Act, of the April 2016  
3 Review Report concerning the subfile investiga-  
4 tion described in subparagraph (A)(i);

5 (2) not later than 20 days after the date of the  
6 enactment of this Act, make available to the public  
7 any information declassified as a result of a declas-  
8 sification review completed under paragraph (1)(B);  
9 and

10 (3) not later than 90 days after the date of the  
11 enactment of this Act—

12 (A) make available to the public any infor-  
13 mation declassified as a result of the declas-  
14 sification reviews completed under paragraph  
15 (1)(A); and

16 (B) submit to the congressional intelligence  
17 committees (as defined in section 3 of the Na-  
18 tional Security Act of 1947 (50 U.S.C. 3003))  
19 a report on the results of the declassification re-  
20 views completed under paragraph (1), including  
21 a justification for each decision not to declassify  
22 a document, record, or information pursuant to  
23 such reviews.

24 (b) REVIEW PROCEDURES.—

1           (1) OVERSIGHT AND RESPONSIBILITY.—The de-  
2       classification reviews required by subsection (a)(1)  
3       shall be overseen by the Director of National Intel-  
4       ligence, who shall ensure that documents and infor-  
5       mation are declassified to the fullest extent possible  
6       under applicable provisions of law, except that—

7           (A) the Attorney General shall have pri-  
8       mary responsibility for conducting the declas-  
9       sification reviews required by subsection (a)(1)  
10      with respect to documents and information that  
11      originated with the Department of Justice;

12          (B) the Director of the Central Intelligence  
13      Agency shall have primary responsibility for  
14      conducting the declassification reviews required  
15      by such subsection with respect to documents  
16      and information that originated with the Cen-  
17      tral Intelligence Agency; and

18          (C) the Director of National Intelligence  
19      shall have primary responsibility for conducting  
20      the declassification reviews required by such  
21      subsection with respect to all other documents  
22      and information not described in subparagraph  
23      (A) or (B).

24          (2) ADDITIONAL REQUIREMENTS.—Upon the  
25      completion of the declassification reviews under sub-

1 section (a)(1), the Director of National Intelligence,  
2 the Attorney General, and the Director of the Cen-  
3 tral Intelligence Agency shall each ensure that, with  
4 respect to each review under their respective primary  
5 responsibility under paragraph (1) of this subsection  
6 and as to all documents and information subject to  
7 such reviews but not declassified pursuant to such  
8 reviews—

9 (A) such documents and information meet  
10 the requirements for classification;

11 (B) all nonclassified information is dis-  
12 entangled and, to the extent practicable, made  
13 available to the public; and

14 (C) all documents and information are  
15 nonetheless declassified, in accordance with sec-  
16 tion 3.1 of Executive Order 13526 (50 U.S.C.  
17 3161 note; relating to classified national secu-  
18 rity information), or successor order, when the  
19 Director of National Intelligence, the Attorney  
20 General, or the Director of the Central Intel-  
21 ligence Agency, as the case may be, determines  
22 that the Federal Government's interest in clas-  
23 sification is outweighed by the public interest in  
24 disclosure.

○