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**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE
OFFERED BY M.S. HOULIHAN**

At the appropriate place in title IV, insert the following:

1 **SEC. 4___. UNIFORM MINIMUM REQUIREMENTS FOR AC-**
2 **CESS TO CLASSIFIED INFORMATION.**

3 (a) UNIFORM MINIMUM REQUIREMENTS.—Section
4 803 of the National Security Act of 1947 (50 U.S.C.
5 3162a) is amended—

6 (1) in subsection (c)—

7 (A) in paragraph (2), by inserting “to Fed-
8 eral agencies the authority to make” after “to
9 grant”;

10 (B) by inserting after paragraph (2) the
11 following new paragraph:

12 “(3) ensure that access to classified information
13 is only provided to individuals who meet the uniform
14 minimum requirements pursuant to section
15 801(a)(2), except—

16 “(A) with respect to the President and
17 Vice President; and

1 “(B) with respect to individuals for whom
2 the head of a Federal agency has made an ex-
3 ception or waiver pursuant to the authority
4 granted under paragraph (2) on a case-by-case
5 basis for reasons of national security.”;

6 (C) by redesignating paragraphs (3)
7 through (5) as paragraphs (4) through (6), re-
8 spectively; and

9 (D) in paragraph (4), as so redesignated,
10 by striking “in paragraphs (1) and (2)” and in-
11 serting “in paragraphs (1), (2), and (3)”;

12 (2) by adding at the end the following:

13 “(d) NOTIFICATIONS.—(1) At the same time at which
14 the head of a Federal agency makes an exception or waiver
15 described in subsection (c)(3) with respect to an indi-
16 vidual, the head shall notify in writing the Security Execu-
17 tive Agent of such exception or waiver, including the na-
18 tional security reason for such exception or waiver.

19 “(2) Not later than 7 days after the date on which
20 the Security Executive Agent receives a notification under
21 paragraph (1), the Security Executive Agent shall submit
22 to the congressional intelligence committees the notifica-
23 tion, including the national security reason for the excep-
24 tion or waiver covered by the notification.”.

1 (b) TEMPORARY ELIGIBILITY.—Section 801 of such
2 Act (50 U.S.C. 3161) is amended—

3 (1) in subsection (a)(1), by inserting “in ac-
4 cordance with subsections (c) and (d)” after “the
5 President”; and

6 (2) by adding at the end the following:

7 “(c) TEMPORARY ELIGIBILITY.—(1) In carrying out
8 subsection (a) (including with respect to exceptions made
9 by the President under paragraph (1) of such subsection
10 that relate to temporary eligibility to access classified in-
11 formation), the President shall establish procedures to
12 provide individuals with temporary eligibility to access
13 classified information, including any such individual em-
14 ployed at or assigned to the Executive Office of the Presi-
15 dent. Such temporary eligibility may not exceed a period
16 of 180 days, but such period may be renewed.

17 “(2) Except as specifically provided by this sub-
18 section, the President shall ensure that the procedures
19 under paragraph (1) are in accordance with, at a min-
20 imum, the requirements described in paragraphs F
21 through J of Security Executive Agent Directive 8, as in
22 effect on May 18, 2020.

23 “(3) The Security Executive Agent under section 803
24 shall—

1 “(A) develop and issue policies and guidance to
2 carry out paragraph (1); and

3 “(B) oversee the compliance with respect to
4 such policies and guidance, including by conducting
5 periodic assessments to verify such compliance.

6 “(d) NOTIFICATIONS.—(1) Not later than 7 days
7 after the date on which an individual is granted access
8 to classified information, including a renewal of access
9 previously granted, by reason of an exception made by the
10 President under subsection (a)(1) or pursuant to sub-
11 section (c)(1), the Security Executive Agent, in coordina-
12 tion with the heads of the elements of the intelligence com-
13 munity, shall notify in writing the congressional intel-
14 ligence committees of each such individual and the na-
15 tional security reason for granting such access.

16 “(2)(A) On an annual basis, the Security Executive
17 Agent, in coordination with the heads of the elements of
18 the intelligence community, shall submit to the congres-
19 sional intelligence committees a report summarizing, with
20 respect to the year covered by the report—

21 “(i) exceptions made by the President under
22 subsection (a)(1) for individuals to access classified
23 information; and

1 “(ii) the temporary eligibility to access classi-
2 fied information granted pursuant to subsection
3 (c)(1).

4 “(B) The Security Executive Agent may submit the
5 information required by subparagraph (A) in the annual
6 report under section 506H.”.

