

AMENDMENT TO H.R. 1
OFFERED BY MR. BEYER OF VIRGINIA

At the end of subtitle A of title VIII, add the following:

1 **SEC. 8008. SECURITY CLEARANCE DETERMINATIONS AND**
2 **ACCESS DETERMINATIONS BY DIRECTOR OF**
3 **FBI FOR POLITICAL APPOINTEES IN EXECU-**
4 **TIVE OFFICE OF THE PRESIDENT .**

5 Section 3001 of the Intelligence Reform and Ter-
6 rorism Prevention Act of 2004 (50 U.S.C. 3341) is
7 amended by adding at the end the following:

8 “(k) POLITICAL APPOINTEES IN THE EXECUTIVE
9 OFFICE OF THE PRESIDENT.—

10 “(1) APPOINTMENT AND ACCESS TO CLASSI-
11 FIED INFORMATION.—Notwithstanding any other
12 provision of law—

13 “(A) a political appointee may not be em-
14 ployed in, detailed to, or assigned to, the Exec-
15 utive Office of the President unless such em-
16 ployment, detail, or assignment is clearly con-
17 sistent with national security; and

18 “(B) any political appointee employed in,
19 detailed to, or assigned to, the Executive Office

1 of the President may not have a security clear-
2 ance, or access any classified information, un-
3 less such security clearance is granted, or ac-
4 cess determination is made, by the Director of
5 the Federal Bureau of Investigation.

6 “(2) DETERMINATION AND NOTIFICATION.—

7 “(A) If the Director of the Federal Bureau
8 of Investigation denies, suspends, or revokes a
9 security clearance or access to classified infor-
10 mation under paragraph (1), the Director shall
11 notify the President and the appropriate com-
12 mittees of Congress of such determination on
13 the date such determination is made.

14 “(B) If the President nullifies, reverses,
15 modifies, or otherwise fails to recognize any de-
16 nial, suspension, or revocation of a security
17 clearance or access to classified information de-
18 termination made by the Director under para-
19 graph (1), not later than 30 days thereafter,
20 the President shall submit an explanation (in
21 writing) of the reasons for such nullification, re-
22 versal, modification, or failure to recognize to
23 the appropriate committees of Congress.

24 “(3) POLITICAL APPOINTEE DEFINED.—In this
25 subsection, the term ‘political appointee’ has the

1 meaning given that term in section 4(a)(4) of the
2 Edward ‘Ted’ Kaufman and Michael Leavitt Presi-
3 dential Transitions Improvements Act of 2015 (Pub-
4 lic Law 114–136).”.

