

115TH CONGRESS
2D SESSION

H. R. 5019

To amend title 5, United States Code, to require a quarterly report on security clearances for individuals working in the White House or the Executive Office of the President, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2018

Mr. TED LIEU of California (for himself, Mr. NADLER, Mr. CUMMINGS, Mr. THOMPSON of Mississippi, Mr. CONNOLLY, Mr. GUTIÉRREZ, Mr. JOHNSON of Georgia, Ms. NORTON, Ms. BARRAGÁN, Mrs. LAWRENCE, Mrs. CAROLYN B. MALONEY of New York, Mr. PAYNE, Mr. COOPER, Ms. VELÁZQUEZ, Mr. WELCH, Ms. JAYAPAL, Mr. KRISHNAMOORTHY, Mr. LYNCH, Mr. COHEN, Mr. CLAY, Mr. DESAULNIER, Mr. LOWENTHAL, Mr. BEYER, Mrs. WATSON COLEMAN, Mr. RASKIN, Ms. PLASKETT, Mr. DANNY K. DAVIS of Illinois, Mr. CICILLINE, and Mr. GALLEGO) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend title 5, United States Code, to require a quarterly report on security clearances for individuals working in the White House or the Executive Office of the President, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Commonsense Legisla-
3 tion Ensuring Accountability by Reporting Access of Non-
4 Cleared Employees to Secrets Act” or the “CLEAR-
5 ANCES Act”.

6 **SEC. 2. REPORT ON SECURITY CLEARANCES FOR INDIVID-**
7 **UALS WORKING IN THE WHITE HOUSE AND**
8 **EXECUTIVE OFFICE OF THE PRESIDENT.**

9 (a) IN GENERAL.—Subpart I of part III of title 5,
10 United States Code, is amended by adding after section
11 10106 the following:

12 **“CHAPTER 102—SECURITY CLEARANCES**

“Sec.

“10201. Report on individuals working in the White House and Executive Of-
fice of the President.

13 **“§ 10201. Report on individuals working in the White**
14 **House and Executive Office of the Presi-**
15 **dent**

16 “(a) IN GENERAL.—Not later than 3 months after
17 the date of enactment of this section and every 3 months
18 thereafter, the President shall submit a report to the ap-
19 propriate congressional committees on security clearance
20 information on any individual working in the White House
21 or the Executive Office of the President, including—

22 “(1) the President’s staff or any other indi-
23 vidual in the White House or Office whose function
24 is to advise or assist the President; and

1 “(2) any individual who is detailed from the
2 Government, a university, a think tank, or the pri-
3 vate sector to the White House or the Office.

4 “(b) REPORT REQUIREMENTS.—A report submitted
5 under subsection (a) shall include the following:

6 “(1) The name and position of any individual
7 working in the White House or the Office and who
8 holds a security clearance.

9 “(2) With respect to any detailee, the entity or
10 agency from which the individual was detailed from.

11 “(3) With respect to any clearance listed pursu-
12 ant to paragraph (1)—

13 “(A) whether the clearance is temporary or
14 permanent and level of the clearance;

15 “(B) the date the background investigation
16 was initiated and the date of adjudication (if
17 any); and

18 “(C) the date of any interim reports or no-
19 tifications from the investigating agency.

20 “(4) The name and position of any individual
21 working in the White House or the Office who was
22 granted a security clearance by the President or
23 other authorizing personnel despite an unfavorable
24 recommendation from the White House Security Of-

1 fice or an agency, and the date the decision was
2 made to grant the clearance.

3 “(5) The name and position of any individual
4 not contained in any list above whom the President
5 has provided access to classified information, the
6 date the information was so provided, and the level
7 of classification of the information.

8 “(6) The name and position of any individual
9 working in the White House or Office—

10 “(A) whose security clearance has been re-
11 voked or suspended and the date of such rev-
12 ocation or suspension; or

13 “(B) who held an interim security clear-
14 ance for a period longer than one year, and a
15 justification from the White House Counsel as
16 to why it is in the national security interest of
17 the United States to keep the employee in the
18 position without a permanent security clear-
19 ance.

20 “(c) DEFINITIONS.—In this section—

21 “(1) the term ‘appropriate congressional com-
22 mittees’ means—

23 “(A) the Permanent Select Committee on
24 Intelligence and the Committees on Oversight

1 and Government Reform and the Judiciary of
2 the House of Representatives; and

3 “(B) the Select Committee on Intelligence
4 and the Committees on Homeland Security and
5 Governmental Affairs and the Judiciary of the
6 Senate; and

7 “(2) the term ‘Office’ means the Executive Of-
8 fice of the President.”.

9 (b) CLERICAL AMENDMENT.—The table of chapters
10 for such title is amended by adding after the item relating
11 to chapter 101 the following:

“102. Security Clearances 10201”.

