

**AMENDMENT TO RULES COMMITTEE PRINT 116-**

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**OFFERED BY MS. WEXTON OF VIRGINIA**

At the end of subtitle B of title XVI, add the following new section:

1 **SEC. 16\_\_ . ADJUDICATIVE GUIDELINES ON EXTREMISM IN**  
2 **GRANTING ACCESS TO CLASSIFIED INFORMA-**  
3 **TION.**

4 (a) GUIDELINES.—Section 801 of the National Secu-  
5 rity Act of 1947 (50 U.S.C. 3161) is amended by adding  
6 at the end the following new subsection:

7 “(c)(1) The procedures under subsection (a) and the  
8 adjudicative guidelines under section 3002(d) of the Intel-  
9 ligence Reform and Terrorism Prevention Act of 2004 (50  
10 U.S.C. 3343(d)) shall include the following elements with  
11 respect to determining whether an individual may access  
12 classified information:

13 “(A) A willingness to safeguard classified or  
14 sensitive information is in doubt if there is any rea-  
15 son to suspect that an individual supports or partici-  
16 pates in extremism activities embracing or advoca-  
17 ting hate, violence, or a violent political ideology.

1           “(B) An individual who supports or participates  
2           in extremism activities to influence, affect, or retali-  
3           ate against the policy or conduct of the Federal gov-  
4           ernment or a State government demonstrates a will-  
5           ingness to compromise the national security interests  
6           of the United States.

7           “(C) An individual who coerces, intimidates, or  
8           marginalizes any person or class of people based on  
9           their actual or perceived race, religion, color, eth-  
10          nicity, sex, age, disability status, national origin,  
11          sexual orientation, or gender identity is harmful to  
12          the express interests of the United States.

13          “(D) Any indication that an individual provides  
14          support or encouragement to another individual or a  
15          group that supports or participates in such extre-  
16          mism activities or engages in such coercion, intimi-  
17          dation or marginalization is of equal concern.

18          “(2) An individual may not be granted a security  
19          clearance, or have such a clearance renewed, if the indi-  
20          vidual has carried out any of the following activities:

21                 “(A) Participating in extremist activities or or-  
22                 ganizations that embrace or advocate such hate, vio-  
23                 lence, or a violent political ideology or engaging in  
24                 such coercion, intimidation or marginalization of  
25                 concern, which includes, at a minimum—

1           “(i) direct or indirect support of such ex-  
2           tremist activities or organizations of concern;

3           “(ii) fund raising for such extremist activi-  
4           ties or organizations of concern;

5           “(iii) recruiting or training members for  
6           such extremist activities or organizations of  
7           concern; or

8           “(iv) creating, organizing, or taking a visi-  
9           ble leadership role in such extremist activities  
10          or organizations of concern.

11          “(B) Publishing or distributing information in  
12          any medium in which the primary purpose of the  
13          content is related to advocacy or support of extrem-  
14          ist activities or organizations that embrace or advo-  
15          cate such hate, violence, or a violent political ide-  
16          ology or engage in such coercion, intimidation or  
17          marginalization of concern, if the facts and cir-  
18          cumstances of the publication or distribution indi-  
19          cate that the information—

20                 “(i) is clearly not consistent with the na-  
21                 tional security interests of the United States; or

22                 “(ii) would adversely interfere with the ac-  
23                 complishment of a Federal or State government  
24                 function.

1           “(3) An individual may mitigate any suspicion of sup-  
2 porting or participating in extremism activities or organi-  
3 zations described in paragraphs (1) or (2) if—

4           “(A) the individual was unaware that an indi-  
5 vidual or organization was associated with such ex-  
6 tremism, intimidation, or coercion of concern and  
7 severed ties upon learning of this, if such  
8 unawareness is credible and corroborated;

9           “(B) the involvement of the individual in such  
10 extremism, intimidation, or coercion of concern was  
11 authorized by a Federal, State, local, or tribal gov-  
12 ernment official for the purpose of an intelligence or  
13 law enforcement activity;

14           “(C) the involvement of the individual in such  
15 extremism, intimidation, or coercion of concern oc-  
16 curred within the scope and as part of an employ-  
17 ment or academic relationship that required re-  
18 search, journalistic, or investigative endeavors, if  
19 such relationship is credible and corroborated;

20           “(D) the involvement of the individual in such  
21 extremism, intimidation, or coercion of concern oc-  
22 curred for only a short period of time and was at-  
23 tributable to curiosity or academic interest, if such  
24 attribution is credible and corroborated; or

1           “(E) the involvement or association with such  
2           extremism, intimidation, or coercion of concern oc-  
3           curred under such unusual circumstances, or so  
4           much time has elapsed, that it is unlikely to recur  
5           and does not cast doubt on the individual’s current  
6           reliability, trustworthiness, or allegiance.”.

7           (b) APPLICATION.—The amendment made by sub-  
8           section (a) shall take effect on the date of the enactment  
9           of this Act and shall apply to adjudications for sensitive  
10          positions or access to classified national security informa-  
11          tion on or after such date, and shall include adjudications  
12          for access to sensitive compartment information and all  
13          other controlled or special access programs.

14          (c) CONFORMING AMENDMENT.—Subsection (b)(1)  
15          of such section 801 is amended—

16                (1) by striking “Subsection (a) shall not be  
17                deemed” and inserting “Nothing in subsection (a) or  
18                (c) shall be deemed”; and

19                (2) by inserting “or subsection (c)” after “pro-  
20                cedures prescribed by subsection (a)”.

