

## HR 5240

CORRECT Act

**Congress:** 113 (2013–2015, Ended)

**Chamber:** House

**Policy Area:** Government Operations and Politics

**Introduced:** Jul 29, 2014

**Current Status:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.

**Latest Action:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. (Sep 26, 2014)

**Official Text:** <https://www.congress.gov/bill/113th-congress/house-bill/5240>

### Sponsor

**Name:** Rep. Thompson, Bennie G. [D-MS-2]

**Party:** Democratic • **State:** MS • **Chamber:** House

### Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Higgins, Brian [D-NY-26]	D · NY		Sep 18, 2014
Rep. Horsford, Steven [D-NV-4]	D · NV		Sep 18, 2014
Rep. Jackson Lee, Sheila [D-TX-18]	D · TX		Sep 18, 2014
Rep. Payne, Donald M., Jr. [D-NJ-10]	D · NJ		Sep 18, 2014
Rep. Richmond, Cedric L. [D-LA-2]	D · LA		Sep 18, 2014

### Committee Activity

Committee	Chamber	Activity	Date
Homeland Security Committee	House	Referred to	Aug 6, 2014
Homeland Security Committee	House	Referred to	Aug 6, 2014
Intelligence (Permanent Select) Committee	House	Referred To	Jul 29, 2014
Judiciary Committee	House	Referred to	Sep 26, 2014
Oversight and Government Reform Committee	House	Referred To	Jul 29, 2014

### Subjects & Policy Tags

#### Policy Area:

Government Operations and Politics

### Related Bills

Bill	Relationship	Last Action
113 S 2683	Related bill	<b>Jul 29, 2014:</b> Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

Clearance and Over-Classification Reform and Reduction Act or the CORRECT Act - Amends the Reducing Over-Classification Act (ROCA) to require each agency inspector general, by September 30, 2019, to carry out not fewer than three evaluations to assess whether applicable classification policies, rules, and procedures have been followed, the last two of which shall assess: (1) the degree to which the incentives for accurate classification decisions have improved the accuracy of such decisions and achieved a reduction in classified information, (2) progress made and the adequacy of the records to support each self-inspection program determination, and (3) each agency's procedures and activities regarding classification challenges. Directs the President to: (1) issue a standardized sampling technique for agency self-inspection programs to address any vulnerabilities in such programs, and (2) establish goals for reducing classified information by 10% by five years after this Act's enactment through declassification and improved classification decisionmaking.

Amends the Public Interest Declassification Act of 2000 to require the Director of the Office of Management and Budget (OMB) to publish, annually, information on the status of agency efforts at reducing the holding of classified information. Requires the Public Interest Declassification Board to review classification guidance on an ongoing basis, including assessing its clarity to ensure that only the minimum necessary information is classified, and to submit recommendations for improving such guidance and for harmonizing and reducing such guidance across the federal government.

Requires the Secretary of Homeland Security to develop and disseminate to components of the Department of Homeland Security (DHS) and make available to other agencies guidance on best practices and strategies to implement ROCA.

Directs the head of each agency with the authority to designate a national security position to submit a report that provides information regarding any national security position for which access to classified materials is not required and the position is not determined to be a public trust position.

Requires the Directors of National Intelligence and the Office of Personnel Management (OPM) to establish requirements for, and requires investigation service providers to use, a uniform markings process to identify the investigation service provider that originated each piece of information in a current investigation file.

Requires: (1) the Privacy and Civil Liberties Oversight Board to publish standards for the protection of national security and promotion of fairness, transparency, and employee protections, including safeguards to preserve the rights and confidentiality of whistleblowers with respect to the operation of a continuous evaluation program (continually reviewing the background of an individual eligible for access to classified information) or an insider threat program (monitoring the activity of such an individual) by a federal agency; (2) each agency that is operating such a program to certify that such program is in compliance with such standards or suspend it until it is compliant; and (3) any agency that establishes such a program after enactment of this Act to conduct a pilot program for at least 120 days that uses a representative sample of individuals eligible for access to classified information.

Requires the President: (1) for each adjudicative guideline for individuals with access to classified information, to update and tailor the conditions that mitigate security concerns to address continuous evaluation of such individuals; and (2) to establish adjudicative guidelines for an individual who is subject to an adverse decision based on an insider threat program.

Entitles an employee for whom a final determination of ineligibility for a national security position has been made to appeal to the Merit Systems Protection Board.

Allows an agency adjudication that an individual may not have access to classified information to be made only by a federal employee and not by an automated system.

Requires the head of each element of the intelligence community to report on its implementation of policy directives regarding contacts with news media by intelligence community personnel.

Requires the Secretary of Homeland Security to:

- require DHS to designate the sensitivity level of national security positions within DHS in an accurate and consistent manner;
- biennially review all such designations and adjust access to classified information as warranted;
- annually survey the head of each DHS component with the authority to adjudicate a current investigation file for a national security position to help determine whether investigation service providers are adhering to federal requirements;
- utilize metrics to assess the timeliness, completeness, and overall quality of the provision of services by such providers;
- issue uniform standards to be utilized by DHS for adjudicating the eligibility of an individual for access to classified information;
- issue a DHS-wide directive that sets forth uniform criteria and procedures for the suspension, denial, and revocation of such eligibility;
- report on the denials, suspensions, revocations, and appeals of such eligibility of individuals throughout DHS; and
- establish an internal appeals panel for final national security clearance denial and revocation determinations.

Requires the Comptroller General (GAO) to report on the impact of the Intelligence Reform and Terrorism Prevention Act of 2004 on security clearance processes and reciprocity.

Amends the federal criminal code to authorize increasing by one year the maximum term of imprisonment for making fraudulent or false statements in any matter within the jurisdiction of the federal government if the offense involves an investigation file for a national security position.

### **Actions Timeline**

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- **Sep 26, 2014:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
- **Aug 6, 2014:** Referred to the Subcommittee on Oversight and Management Efficiency.
- **Aug 6, 2014:** Referred to the Subcommittee on Counterterrorism and Intelligence.
- **Jul 29, 2014:** Introduced in House
- **Jul 29, 2014:** Sponsor introductory remarks on measure. (CR E1262-1263)
- **Jul 29, 2014:** Referred to the Committee on Oversight and Government Reform, and in addition to the Committees on Homeland Security, Intelligence (Permanent Select), and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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