

sections 3162a and 3352a to 3352f of this title and amended sections 3033, 3104, 3163, and 3164 of this title. For complete classification of title LXVI to the Code, see Tables.

DEFINITIONS

For definition of “congressional intelligence committees”, referred to in par. (1)(A), see section 5003 of div. E of Pub. L. 116–92, set out as a note under section 3003 of this title.

§ 3352a. Reports and plans relating to security clearances and background investigations

(a) Sense of Congress

It is the sense of Congress that—

(1) ensuring the trustworthiness and security of the workforce, facilities, and information of the Federal Government is of the highest priority to national security and public safety;

(2) the President and Congress should prioritize the modernization of the personnel security framework to improve its efficiency, effectiveness, and accountability;

(3) the current system for background investigations for security clearances, suitability and fitness for employment, and credentialing lacks efficiencies and capabilities to meet the current threat environment, recruit and retain a trusted workforce, and capitalize on modern technologies; and

(4) changes to policies or processes to improve this system should be vetted through the Council to ensure standardization, portability, and reciprocity in security clearances across the Federal Government.

(b) Accountability plans and reports

(1) Plans

Not later than 90 days after December 20, 2019, the Council shall submit to the appropriate congressional committees and make available to appropriate industry partners the following:

(A) A plan, with milestones, to reduce the background investigation inventory to 200,000, or an otherwise sustainable steady-level, by the end of year 2020. Such plan shall include notes of any required changes in investigative and adjudicative standards or resources.

(B) A plan to consolidate the conduct of background investigations associated with the processing for security clearances in the most effective and efficient manner in the Defense Counterintelligence and Security Agency. Such plan shall address required funding, personnel, contracts, information technology, field office structure, policy, governance, schedule, transition costs, and effects on stakeholders.

(2) Report on the future of personnel security

(A) In general

Not later than 180 days after December 20, 2019, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report on the future of personnel security to reflect

changes in threats, the workforce, and technology.

(B) Contents

The report submitted under subparagraph (A) shall include the following:

(i) A risk framework for granting and renewing access to classified information.

(ii) A discussion of the use of technologies to prevent, detect, and monitor threats.

(iii) A discussion of efforts to address reciprocity and portability.

(iv) A discussion of the characteristics of effective insider threat programs.

(v) An analysis of how to integrate data from continuous vetting, insider threat programs, and human resources data.

(vi) Recommendations on interagency governance.

(3) Plan for implementation

Not later than 180 days after December 20, 2019, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a plan to implement the report’s framework and recommendations submitted under paragraph (2)(A).

(4) Congressional notifications

Not less frequently than quarterly, the Security Executive Agent shall make available to the public a report regarding the status of the disposition of requests received from departments and agencies of the Federal Government for a change to, or approval under, the Federal investigative standards, the national adjudicative guidelines, continuous vetting, or other national policy regarding personnel security.

(Pub. L. 116–92, div. E, title LXVI, § 6602, Dec. 20, 2019, 133 Stat. 2210.)

DEFINITIONS

For definitions of “Council”, “reciprocity”, “appropriate congressional committees”, “appropriate industry partners”, “continuous vetting”, and “Security Executive Agent”, referred to in text, see section 3352 of this title.

§ 3352b. Improving the process for security clearances

(a) Reviews

Not later than 180 days after December 20, 2019, the Security Executive Agent, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that includes the following:

(1) A review of whether the information requested on the Questionnaire for National Security Positions (Standard Form 86) and by the Federal Investigative Standards prescribed by the Suitability and Credentialing Executive Agent and the Security Executive Agent appropriately supports the adjudicative guidelines under Security Executive Agent Directive 4 (known as the “National Security Adjudicative Guidelines”). Such review shall in-