

***In the Senate of the United States,***

*September 10, 2014.*

*Resolved*, That the bill from the House of Representatives (H.R. 1233) entitled “An Act to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records, and for other purposes.”, do pass with the following

**AMENDMENTS:**

- 1 **(1)**On page 5, line 7, strike **[of]** and insert *on*.
- 2 **(2)**On page 10 from line 8 through page 11 line 1, strike
- 3 all and insert:
- 4       *(a) IN GENERAL.—The President, the Vice President,*
- 5 *or a covered employee may not create or send a Presidential*
- 6 *or Vice Presidential record using a non-official electronic*
- 7 *message account unless the President, Vice President, or*
- 8 *covered employee—*

1           (1) *copies an official electronic messaging ac-*  
2 *count of the President, Vice President, or covered em-*  
3 *ployee in the original creation or transmission of the*  
4 *Presidential record or Vice Presidential record; or*

5           (2) *forwards a complete copy of the Presidential*  
6 *or Vice Presidential record to an official electronic*  
7 *messaging account of the President, Vice President, or*  
8 *covered employee not later than 20 days after the*  
9 *original creation or transmission of the Presidential*  
10 *or Vice Presidential record.*

11       (b) *ADVERSE ACTIONS.*—*The intentional violation of*  
12 *subsection (a) by a covered employee (including any rules,*  
13 *regulations, or other implementing guidelines), as deter-*  
14 *mined by the appropriate supervisor, shall be a basis for*  
15 *disciplinary action in accordance with subchapter I, II, or*  
16 *V of chapter 75 of title 5, as the case may be.*

17       (c) *DEFINITIONS.*—*In this section:*

18           (1) *COVERED EMPLOYEE.*—*The term “covered*  
19 *employee” means—*

20                   (A) *the immediate staff of the President;*

21                   (B) *the immediate staff of the Vice Presi-*  
22 *dent;*

23                   (C) *a unit or individual of the Executive*  
24 *Office of the President whose function is to ad-*  
25 *vice and assist the President; and*

1                    *(D) a unit or individual of the Office of the*  
2                    *Vice President whose function is to advise and*  
3                    *assist the Vice President.*

4 **(3)**On page 11, line 2, strike **[1]** and insert 2.

5 **(4)**On page 11, line 6, strike **[2]** and insert 3.

6 **(5)**On page 11, line 9 through line 11, strike everything  
7 up to the first period.

8 **(6)**On page 31, line 8, strike **[within five days]** and in-  
9 sert *not later than 20 days*.

Attest:

*Secretary.*

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H.R. 1233**

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**AMENDMENTS**