

112TH CONGRESS
2D SESSION

S. 3367

To deter the disclosure to the public of evidence or information on United States covert actions by prohibiting security clearances to individuals who make such disclosures.

IN THE SENATE OF THE UNITED STATES

JULY 10, 2012

Mr. BURR introduced the following bill; which was read twice and referred to the Select Committee on Intelligence

A BILL

To deter the disclosure to the public of evidence or information on United States covert actions by prohibiting security clearances to individuals who make such disclosures.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Deterring Public Dis-
5 closure of Covert Actions Act of 2012”.

1 **SEC. 2. PROHIBITION ON SECURITY CLEARANCES FOR IN-**
2 **DIVIDUALS WHO DISCLOSE TO THE PUBLIC**
3 **EVIDENCE OR INFORMATION ON UNITED**
4 **STATES COVERT ACTIONS.**

5 (a) PROHIBITION.—Consistent with administrative
6 procedures and due process afforded under otherwise ap-
7 plicable laws and regulations, an individual described in
8 subsection (b) may not receive, retain, or otherwise pos-
9 sess a security clearance for access to classified informa-
10 tion.

11 (b) COVERED INDIVIDUALS.—An individual described
12 in this subsection is any individual—323

13 (1) who—

14 (A) serves as an officer, employee, con-
15 tractor, or member of an advisory board of the
16 Federal Government; or

17 (B) otherwise possesses an active security
18 clearance;

19 (2) who is known or determined, in accordance
20 with applicable law or regulations, to have publicly
21 disclosed the existence of, or discussed classified de-
22 tails relating to, a covert action (as that term is de-
23 fined in section 503(e) of the National Security Act
24 of 1947 (50 U.S.C. 413b(e))); and

- 1 (3) who makes the disclosure, or discusses the
- 2 details, described in paragraph (2) without prior au-
- 3 thorization from an original classification authority.

