

114TH CONGRESS  
2D SESSION

# H. R. 5800

To amend title 18, United States Code, to provide criminal penalties for certain officials who mishandle classified information, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2016

Mr. POLIQUIN (for himself and Mr. ROE of Tennessee) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to provide criminal penalties for certain officials who mishandle classified information, and for other purposes.

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 “Hold Top Officials Ac-  
5       countable Act”.

6       **SEC. 2. OFFICIAL MISHANDLING OF CLASSIFIED INFORMA-**  
7       **TION.**

8       (a) IN GENERAL.—Chapter 93 of title 18, United  
9       States Code, is amended by adding at the end the fol-  
10      lowing:

1 **“§ 1925. Official mishandling of classified information**

2 “(a) OFFENSE.—Whoever, being a highly placed offi-  
3 cial of the United States, mishandles classified informa-  
4 tion shall be fined under this title and imprisoned for not  
5 less than 2 nor more than 10 years.

6 “(b) DEFINITIONS.—In this section:

7 “(1) The term ‘high placed official’ means—

8 “(A) a Representative or Senator; or

9 “(B) an individual whose office, whether  
10 civil or military, is one to which the individual  
11 is appointed by the President by and with the  
12 advice and consent of the Senate.

13 “(2) The term ‘mishandles’ means—

14 “(A) knowingly discloses the classified in-  
15 formation to a person not authorized to receive  
16 it; or

17 “(B) through grossly negligent conduct—

18 “(i) places the classified information  
19 on a server, mobile device, laptop, com-  
20 puter or any other electronic device, that is  
21 not officially secured; or

22 “(ii) otherwise makes the classified in-  
23 formation more potentially available to a  
24 person not authorized to receive it.

25 “(3) The term ‘classified information’ means  
26 any information or material that has been deter-

1        mined by the United States Government pursuant to  
2        an Executive order, statute, or regulation, to require  
3        protection against unauthorized disclosure for rea-  
4        sons of national security and any restricted data, as  
5        defined in paragraph r. of section 11 of the Atomic  
6        Energy Act of 1954 (42 U.S.C. 2014(y)).”.

7        (b) CLERICAL AMENDMENT.—The table of sections  
8        at the beginning of chapter 93 of title 18, United States  
9        Code, is amended by adding at the end the following new  
10       item:

“1925. Official mishandling of classified information.”.

