

117TH CONGRESS
2D SESSION

S. 3885

To prohibit contracts with persons who have disclosed non-public United States Government information to unauthorized persons.

IN THE SENATE OF THE UNITED STATES

MARCH 21, 2022

Mr. HAGERTY (for himself, Mrs. BLACKBURN, and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To prohibit contracts with persons who have disclosed non-public United States Government information to unauthorized persons.

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 “No Government Con-
5 tracts for Known Leakers Act of 2022”.

1 **SEC. 2. PROHIBITION ON CONTRACTS WITH PERSONS WHO**
2 **HAVE DISCLOSED NON-PUBLIC UNITED**
3 **STATES GOVERNMENT INFORMATION TO UN-**
4 **AUTHORIZED PERSONS.**

5 (a) PROHIBITION.—No officer, employee, depart-
6 ment, agency, or instrumentality of the United States
7 Government shall knowingly enter a contract or other
8 agreement for goods or services with—

9 (1) a person who has previously disclosed non-
10 public United States Government information to an
11 unauthorized person; or

12 (2) an entity for whom a person who has pre-
13 viously disclosed non-public United States Govern-
14 ment information to an unauthorized person serves
15 as an employee or agent.

16 (b) PENALTY.—Any person who violates subsection
17 (a) shall be fined not more than \$50,000, imprisoned not
18 more than 5 years, or both.

19 (c) DEFINITIONS.—In this Act:

20 (1) ENTITY.—The term “entity” means a
21 group of individuals, partnership, corporation, asso-
22 ciation, cooperative, or other similar entity.

23 (2) PERSON.—The term “person” means a nat-
24 ural person.

25 (3) UNAUTHORIZED PERSON.—The term “un-
26 authorized person” means any person or entity that

1 is not authorized by law or contract or otherwise au-
2 thorized to receive the non-public United States Gov-
3 ernment information at issue.

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