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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Deterring Public Disclosure of Covert Actions Act of 2012”.

SEC. 2. PROHIBITION ON SECURITY CLEARANCES FOR INDIVIDUALS WHO DISCLOSE TO THE PUBLIC EVIDENCE OR INFORMATION ON UNITED STATES COVERT ACTIONS.

(a) PROHIBITION.—Consistent with administrative procedures and due process afforded under otherwise applicable laws and regulations, an individual described in subsection (b) may not receive, retain, or otherwise possess a security clearance for access to classified information.

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

(1) who—

(A) serves as an officer, employee, contractor, or member of an advisory board of the Federal Government; or

(B) otherwise possesses an active security clearance;

(2) who is known or determined, in accordance with applicable law or regulations, to have publicly disclosed the existence of, or discussed classified details relating to, a covert action (as that term is defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 413b(e))); and
(3) who makes the disclosure, or discusses the
details, described in paragraph (2) without prior au-
thorization from an original classification authority.