

115TH CONGRESS
1ST SESSION

H. R. 3585

To amend title 18, United States Code, to make it a criminal offense to knowingly make a request to access classified information concerning a United States person to be unminimized pursuant to the Foreign Intelligence Surveillance Act for a reason other than an authorized reason under that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2017

Mr. FARENTHOLD (for himself and Mr. GOHMERT) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

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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 “Wrongful Unmasking
5 Prevention Act”.

1 **SEC. 2. UNLAWFUL UNMASKING OF NONPUBLIC INFORMA-**
2 **TION OF UNITED STATES PERSONS.**

3 Section 798 of title 18, United States Code, is
4 amended by adding at the end the following new sub-
5 section:

6 “(e)(1) Whoever knowingly makes a covered request
7 to access classified information for any reason other than
8 a reason described in paragraph (3) shall be imprisoned
9 not more than ten years.

10 “(2) Whoever intentionally, knowingly, or negligently
11 discloses classified information to a person, unless such
12 person is authorized to receive such information for a rea-
13 son described in paragraph (3), shall be imprisoned not
14 more than ten years.

15 “(3) A reason described in this paragraph is any of
16 the following:

17 “(A) To understand foreign intelligence infor-
18 mation.

19 “(B) To assess the importance of foreign intel-
20 ligence information.

21 “(C) To determine whether the classified infor-
22 mation is evidence of a crime which has been, is
23 being, or is about to be committed.

24 “(4) In this subsection:

25 “(A) The term ‘covered request’ means a re-
26 quest for nonpublicly available information con-

1 cerning a United States person to be unminimized
2 pursuant to section 101, 301, 402, 501, or 702 of
3 the Foreign Intelligence Surveillance Act of 1978
4 (50 U.S.C. 1801 et seq.).

5 “(B) The terms ‘foreign intelligence informa-
6 tion’ and ‘United States person’ have the meaning
7 given such terms in section 101 of the Foreign Intel-
8 ligence Surveillance Act of 1978 (50 U.S.C. 1801).”.

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