

S 3402

Espionage Act Reform Act of 2020

Congress: 116 (2019–2021, Ended)

Chamber: Senate

Policy Area: Armed Forces and National Security

Introduced: Mar 5, 2020

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Mar 5, 2020)

Official Text: <https://www.congress.gov/bill/116th-congress/senate-bill/3402>

Sponsor

Name: Sen. Wyden, Ron [D-OR]

Party: Democratic • **State:** OR • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Mar 5, 2020

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
116 HR 6114	Identical bill	Mar 5, 2020: Referred to the House Committee on the Judiciary.

Espionage Act Reform Act of 2020

This bill limits the scope of certain criminal offenses relating to classified information.

Under the bill, the offense of disclosing classified information to an unauthorized person may be committed only by an individual who is authorized to receive the classified information and has signed a nondisclosure agreement regarding such classified information (i.e., a covered person), whereas under current law any individual may be charged with this offense. Under the bill, this offense shall not apply to disclosures of information to any Member of Congress, a federal court, an inspector general in the intelligence community, or certain bodies such as the Federal Trade Commission.

Similarly, under the bill, certain offenses related to gathering, transmitting, or losing defense information may be committed only by a covered person or a foreign agent, whereas currently such offenses may be committed by any person. Under the bill, an individual who is not a foreign agent may not be criminally charged for such offenses unless the individual meets certain requirements, such as having committed a felony under federal law in the course of committing the offense.

An offense related to obtaining and copying a document connected with the national defense shall apply only to an unlawfully obtained nonpublic document, whereas the current statute does not limit the scope of this offense to such documents.

An offense related to dispensing certain public property of value shall apply only to tangible things, whereas the current statute does not limit the scope of this offense to tangible things.

Actions Timeline

- **Mar 5, 2020:** Introduced in Senate
- **Mar 5, 2020:** Read twice and referred to the Committee on the Judiciary.