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DCI/ICS 0932-87
4 September 1987



MEMORANDUM FOR: [Redacted] NIC/AG
Rm. 7B07 Hqs.

Conte 19-54

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FROM: [Redacted]
Director, Community Counterintelligence and
Security Countermeasures Office
Intelligence Community Staff

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SUBJECT: Helms Amendment Issue No. 21 [Redacted]

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1. Advocates and opponents of government secrecy programs frequently agree that the Espionage Act is poorly suited for seeking punitive action for leaking of classified information. What is desirable is enactment of legislation that would make unauthorized disclosure of classified intelligence information by persons authorized to receive it a crime separate and distinct from that covered by the espionage statutes. Restricting the coverage of the legislation to classified information and authorized recipients would narrow the scope and make it more palatable and likely to be accepted by the Congress on the whole. It would also make it more definable and prosecutable either administratively within the executive agencies or in the court system. [Redacted]

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2. Implementation of the NSDD 196 proposal to obtain agreement to undergo polygraph examination as a prerequisite to approval to receive sensitive compartmented information and communications security information would provide a means of aiding investigation of leaks or for revoking the access to such classified information of those who renege on their agreement. [Redacted]

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3. In addition, implementation of the security education provisions of NSDD 197 would be useful in explaining to all personnel cleared for access to classified information the rules to be observed in preserving the security of classified information, why the sensitivity of the information requires protection, and the penalties for violating security controls and procedures regarding the protection of classified information. [Redacted]

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4. Attached are pertinent portions extracted from the President's report. They show action being taken by the executive branch in the area of concern covered by issue no. 21 of the Helms Amendment.

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Attachment:
a/s

[Redacted]

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SUBJECT: Helms Amendment Issue No. 21

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