

112TH CONGRESS
1ST SESSION

H. R. 47

To provide a civil penalty for certain misrepresentations made to Congress,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2011

Mr. ISSA introduced the following bill; which was referred to the Select
Committee on Intelligence (Permanent Select)

A BILL

To provide a civil penalty for certain misrepresentations
made to Congress, and for other purposes.

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 “Classified Information
5 Accountability Act of 2011” or “CIA Act”.

6 **SEC. 2. CIVIL PENALTY FOR CERTAIN MISREPRESENTA-**
7 **TION MADE TO CONGRESS.**

8 (a) IN GENERAL.—Whoever, being a member of the
9 intelligence community, knowingly and willfully—

1 (1) falsifies, conceals, or covers up by any trick,
2 scheme, or device a material fact;

3 (2) makes any materially false, fictitious, or
4 fraudulent statement or representation; or

5 (3) makes or uses any false writing or docu-
6 ment knowing the same to contain any materially
7 false, fictitious, or fraudulent statement or entry;

8 in any communication to a United States Senator or Rep-
9 resentative that involves classified material shall be liable
10 for a civil penalty of not more than \$10,000.

11 (b) EMPLOYEE NOT TO BE INDEMNIFIED.—No
12 United States agency or department may directly or indi-
13 rectly indemnify a person for that person’s liability under
14 this section.

15 (c) CONGRESSIONAL STANDING TO SUE.—A Senator
16 or Representative who was a party to the communication
17 with respect to which a violation of subsection (a) took
18 place may in a civil action, recover the civil penalty pro-
19 vided by this section on behalf of the United States, to
20 be deposited in the United States Treasury for public use.

21 (d) IN CAMERA REVIEW OF CLASSIFIED INFORMA-
22 TION.—In a civil action under this section, the court shall
23 conduct any review of classified information in camera.

1 (e) STATUTE OF LIMITATIONS NOT APPLICABLE.—
2 A civil action under this section may be brought at any
3 time without limitation.

4 (f) DEFINITIONS.—In this section—

5 (1) the term “member of the intelligence com-
6 munity” means a person employed by the intel-
7 ligence community (as defined in section 3(4) of the
8 National Security Act of 1947 (50 U.S.C. 404a(4));
9 and

10 (2) the term “classified information” means
11 any information or material that has been deter-
12 mined by the United States Government pursuant to
13 an Executive order, statute, or regulation, to require
14 protection against unauthorized disclosure for rea-
15 sons of national security.

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