

- CIA supports the "Leaks" provision (Section 304 of the Intelligence Authorization Act for FY 2001)
- The Administration sponsored and supports the "Leaks" provision. The White House (John Podesta), National Security Council, and the Attorney General all coordinated, reviewed and edited the provision prior to its inclusion in the bill (Note: CIA provided drafting services on this provision at HPSCI's request)
- DoJ (Office of Legal Counsel) reviewed and edited for First Amendment issues prior to its inclusion
- The provision specifically requires "knowing and willful" disclosures of classified information by a USG official or one otherwise authorized to have access to classified information to a person one knows is not authorized to receive it
- provision is narrowly tailored to fill a gap in existing law
- the disclosed material must be properly classified - there is no shield for embarrassment, violation of law or to prevent release of information that does not require protection in the interest of national security
- Contrary to recent media reports, the provision is NOT intended to target the media
- Contrary to recent media reports, the provision does not chill "whistleblowers" - it does not apply to disclosures to Congress
- Executive Order 12958 provides a mechanism to challenge the classification of material
- The majority of leaks do not originate with CIA