

NONE/UNKNOWN

DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

E/S 00212

MEMORANDUM FOR: Distribution

SUBJECT: Intelligence Community Handling of Unauthorized Disclosures

REFERENCE: Intelligence Community Directive 701, "Security Policy Directive for Unauthorized Disclosures of Classified Information," dated 14 March 07

During my 3 December 2009 testimony before the Senate Select Committee on Intelligence, I renewed my commitment to proactively confront the issue of unauthorized disclosures in the media. In accordance with my responsibility to protect intelligence sources and methods, I have decided to refocus the Intelligence Community (IC) agencies' handling of leaks to the media and to streamline the process for the initial assessment and reporting of these disclosures.

Each IC agency will continue to follow established internal procedures to determine whether information appearing in the media constitutes an unauthorized disclosure of properly classified information. When an IC agency files a "Crimes Report" based on an unauthorized disclosure that has occurred that includes a request for an FBI investigation, the Report should include thorough answers to the Department of Justice's (DOJ) Eleven Questions. The affected agency will submit the "Crimes Report" to the DOJ and Office of the Director of National Intelligence's Special Security Center (SSC). In the cases where the agency desires to conduct an internal administrative investigation, the DOJ has agreed to inform the IC agency and SSC within 21 days of the receipt of a Crimes Report whether DOJ intends to conduct a criminal investigation. If DOJ elects to conduct a criminal investigation, the IC agency shall consult with DOJ about how best to assist in the investigation. If DOJ elects not to conduct a criminal investigation or does not notify the IC agency and SSC within 21 days, the IC agency may begin an administrative investigation into the unauthorized disclosure. These new procedures will be critical to reinvigorate efforts to detect and deter unauthorized disclosures and hold accountable those individuals who betray our trust by disclosing classified information.

When an IC agency pursues an administrative investigation into an unauthorized disclosure, it will provide the SSC with status reports as necessary on the progress of the investigation in a format to be established by the SSC.

The SSC will continue to coordinate joint notifications to the DOJ if an unauthorized disclosure is determined to contain multiple IC agency equities. The SSC will also be responsible for providing investigative assistance and coordinating investigative activity between IC agencies as required. If a suspect is identified as the result of an administrative investigation, IC agencies will notify the DOJ.

NONE/UNKNOWN

Past government studies have confirmed that "leaks" by the media have significantly impaired U.S. capabilities against our hardest targets, caused grave harm to national security, and collectively cost the American people hundreds of millions of dollars. It is my intention to take the necessary actions to decrease their occurrence and reduce this harm.

Dennis C. Blair

Dennis C. Blair

5/21/2010

Date

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