

Willfulness and the Harm of Unlawful Retention of National Security Information

Discussions of the Espionage Act usually focus on the public's conception of "spying." Spies steal information that their government seeks to keep secret and disclose that information to other governments. A common acronym, "MICE," describes the common motivations for spying: money, ideology, compromise, and ego.

The Espionage Act, however, covers a broader set of conduct that can compromise U.S. national security. The original Act, enacted as the United States entered the First World War, included the precursors to prohibitions against undisclosed foreign-government activities in the United States.

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