

116TH CONGRESS
1ST SESSION

H. R. 3476

To express the sense of Congress that section 502 of the National Security Act of 1947, together with other intelligence community authorities, obligate an element of the intelligence community to submit to the congressional intelligence committees written notification, by not later than 7 days after becoming aware, that an individual in the executive branch has disclosed covered classified information to an official of an adversary foreign government using methods other than established intelligence channels, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2019

Mrs. MURPHY (for herself and Mr. HIMES) introduced the following bill; which was referred to the Permanent Select Committee on Intelligence

A BILL

To express the sense of Congress that section 502 of the National Security Act of 1947, together with other intelligence community authorities, obligate an element of the intelligence community to submit to the congressional intelligence committees written notification, by not later than 7 days after becoming aware, that an individual in the executive branch has disclosed covered classified information to an official of an adversary foreign government using methods other than established intelligence channels, 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 “Prevention and Over-
5 sight of Intelligence Sharing with Enemies Act” or the
6 “POISE Act”.

7 **SEC. 2. SENSE OF CONGRESS ON NOTIFICATIONS OF CER-**
8 **TAIN DISCLOSURES OF CLASSIFIED INFOR-**
9 **MATION.**

10 (a) FINDINGS.—Congress finds that section 502 of
11 the National Security Act of 1947 (50 U.S.C. 3092) re-
12 quires elements of the intelligence community to keep the
13 congressional intelligence committees “fully and currently
14 informed” about all “intelligence activities” of the United
15 States, and to “furnish to the congressional intelligence
16 committees any information or material concerning intel-
17 ligence activities which is requested by either of the con-
18 gressional intelligence committees in order to carry out its
19 authorized responsibilities.”.

20 (b) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that—

22 (1) section 502 of the National Security Act of
23 1947 (50 U.S.C. 3092), together with other intel-
24 ligence community authorities, obligate an element
25 of the intelligence community to submit to the con-

1 gressional intelligence committees written notifica-
2 tion, by not later than 7 days after becoming aware,
3 that an individual in the executive branch has dis-
4 closed covered classified information to an official of
5 an adversary foreign government using methods
6 other than established intelligence channels; and

7 (2) each such notification should include—

8 (A) the date and place of the disclosure of
9 classified information covered by the notifica-
10 tion;

11 (B) a description of such classified infor-
12 mation;

13 (C) identification of the individual who
14 made such disclosure and the individual to
15 whom such disclosure was made; and

16 (D) a summary of the circumstances of
17 such disclosure.

18 (c) DEFINITIONS.—In this section:

19 (1) ADVERSARY FOREIGN GOVERNMENT.—The
20 term “adversary foreign government” means the
21 government of any of the following foreign countries:

22 (A) North Korea.

23 (B) Iran.

24 (C) China.

25 (D) Russia.

1 (E) Cuba.

2 (2) COVERED CLASSIFIED INFORMATION.—The
3 term “covered classified information” means classi-
4 fied information that was—

5 (A) collected by an element of the intel-
6 ligence community; or

7 (B) provided by the intelligence service or
8 military of a foreign country to an element of
9 the intelligence community.

10 (3) ESTABLISHED INTELLIGENCE CHANNELS.—
11 The term “established intelligence channels” means
12 methods to exchange intelligence to coordinate for-
13 eign intelligence relationships, as established pursu-
14 ant to law by the Director of National Intelligence,
15 the Director of the Central Intelligence Agency, the
16 Director of the National Security Agency, or other
17 head of an element of the intelligence community.

18 (4) INDIVIDUAL IN THE EXECUTIVE BRANCH.—
19 The term “individual in the executive branch”
20 means any officer or employee of the executive
21 branch, including individuals—

22 (A) occupying a position specified in article
23 II of the Constitution;

24 (B) appointed to a position by an indi-
25 vidual described in subparagraph (A); or

1 (C) serving in the civil service or the senior
2 executive service (or similar service for senior
3 executives of particular departments or agen-
4 cies).

○