

104TH CONGRESS  
1ST SESSION

# S. 858

To restrict intelligence sharing with the United Nations.

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## IN THE SENATE OF THE UNITED STATES

MAY 25 (legislative day, MAY 15), 1995

Ms. SNOWE introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To restrict intelligence sharing with the United Nations.

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. RESTRICTIONS ON INTELLIGENCE SHARING**  
4 **WITH THE UNITED NATIONS.**

5 (a) IN GENERAL.—The United Nations Participation  
6 Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding  
7 at the end the following new section:

8 **“SEC. 12. RESTRICTIONS ON INTELLIGENCE SHARING WITH**  
9 **THE UNITED NATIONS.**

10 **“(a) PROVISION OF INTELLIGENCE INFORMATION TO**  
11 **THE UNITED NATIONS.—(1) No United States intel-**  
12 **ligence information may be provided to the United Nations**

1 or any organization affiliated with the United Nations, or  
2 to any officials or employees thereof, unless the President  
3 certifies to the appropriate committees of Congress that  
4 the Director of Central Intelligence (in this section re-  
5 ferred to as the 'DCI'), in consultation with the Secretary  
6 of State and the Secretary of Defense, has established and  
7 implemented requirements which have been formally  
8 agreed to and implemented by the United Nations for pro-  
9 tecting intelligence sources and methods as a condition for  
10 the provision of United States intelligence information to  
11 the United Nations. Those requirements shall include, but  
12 not be limited to—

13           “(A) the adoption by the United Nations of for-  
14 mal security violation investigation procedures and  
15 security clearance background investigation proce-  
16 dures certified by the DCI as comparable to United  
17 States procedures;

18           “(B) the agreement by the United Nations to  
19 protect United States-provided intelligence informa-  
20 tion in a manner certified by the DCI as comparable  
21 to protections maintained by the United States Gov-  
22 ernment of such information;

23           “(C) the agreement by the United Nations to  
24 immediately notify the United States Government of  
25 any unauthorized disclosure of United States-pro-

1        vided intelligence, and to permit the full participa-  
2        tion of United States law enforcement personnel in  
3        the investigation of such disclosure;

4            “(D) prohibitions on access to United States-  
5        provided intelligence information by nationals of  
6        countries not otherwise eligible for the receipt of  
7        such information;

8            “(E) prohibitions on access to United States-  
9        provided intelligence information by the government  
10       of any country designated by the Secretary of State  
11       as a state supporter of terrorism;

12           “(F) prohibitions on access to United States-  
13       provided intelligence information by any government  
14       not eligible for the direct provision of such informa-  
15       tion by the United States through existing bilateral  
16       intelligence-sharing agreements; and

17           “(G) other measures which shall protect intel-  
18       ligence sources and methods from unauthorized dis-  
19       closure in accordance with section 103(c)(5) of the  
20       National Security Act of 1947 (50 U.S.C. 403-  
21       3(c)(5)).

22           “(2) Paragraph (1) may be waived upon written cer-  
23       tification by the President to the appropriate committees  
24       of Congress that providing such information to the United  
25       Nations or an organization affiliated with the United Na-

1 tions, or to any officials or employees thereof, is in the  
2 vital national security interests of the United States and  
3 that all possible measures protecting such information  
4 have been taken, except that such waiver must be made  
5 for each instance such information is provided, or for each  
6 such document provided.

7 “(b) PERIODIC AND SPECIAL REPORTS.—

8 “(1) The President shall periodically report, but  
9 not less frequently than quarterly, to the Committee  
10 on Foreign Relations and the Select Committee on  
11 Intelligence of the Senate and the Committee on  
12 International Relations and the Permanent Select  
13 Committee on Intelligence of the House of Rep-  
14 resentatives on the types and volume of intelligence  
15 provided to the United Nations and the purposes for  
16 which it was provided during the period covered by  
17 the report. The President shall also report to the Se-  
18 lect Committee on Intelligence of the Senate and the  
19 Permanent Select Committee on Intelligence of the  
20 House of Representatives within 15 days after it has  
21 become known to the United States Government re-  
22 garding any unauthorized disclosure of intelligence  
23 provided by the United States to the United Na-  
24 tions.

1           “(2) The requirement for periodic reports under  
2           the first sentence of paragraph (1) shall not apply  
3           to the provision of intelligence that is provided only  
4           to, and for the use of, appropriately-cleared United  
5           States Government personnel serving with the  
6           United Nations.

7           “(c) DELEGATION OF DUTIES.—The President may  
8           not delegate or assign the duties of the President under  
9           this section.

10          “(d) RELATIONSHIP TO EXISTING LAW.—Nothing in  
11          this section shall be construed to—

12               “(1) impair or otherwise affect the authority of  
13               the Director of Central Intelligence to protect intel-  
14               ligence sources and methods from unauthorized dis-  
15               closure pursuant to section 103(c)(5) of the Na-  
16               tional Security Act of 1947(50 U.S.C. 403–3(c)(5));  
17               or

18               “(2) supersede or otherwise affect the provi-  
19               sions of title V of the National Security Act of 1947  
20               (50 U.S.C. 413 et seq.).”.

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