

115TH CONGRESS
1ST SESSION

H. R. 2645

To amend the National Security Act of 1947 to provide for congressional notification of disclosures of top secret information to certain foreign countries, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2017

Mrs. MURPHY of Florida (for herself, Ms. SINEMA, Mr. GALLEG0, Mr. HASTINGS, Ms. ROSEN, Mr. TED LIEU of California, Mr. JOHNSON of Georgia, Mr. SOTO, Ms. VELÁZQUEZ, Mr. COOPER, Mr. SCHNEIDER, Mr. SCHRADER, Mr. GONZALEZ of Texas, Mr. CRIST, Mr. LIPINSKI, Mr. DAVID SCOTT of Georgia, Mr. COSTA, and Ms. BLUNT ROCHESTER) introduced the following bill; which was referred to the Permanent Select Committee on Intelligence

A BILL

To amend the National Security Act of 1947 to provide for congressional notification of disclosures of top secret information to certain foreign countries, 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”.

1 **SEC. 2. CONGRESSIONAL NOTIFICATION OF DISCLOSURE**
2 **OF TOP SECRET INFORMATION TO CERTAIN**
3 **FOREIGN COUNTRIES.**

4 (a) IN GENERAL.—Subsection (a) of section 501 of
5 the National Security Act of 1947 (50 U.S.C. 3091(a))
6 is amended—

7 (1) by redesignating paragraph (2) as para-
8 graph (3); and

9 (2) by inserting after paragraph (1) the fol-
10 lowing new paragraph (2):

11 “(2)(A) The President shall furnish to the con-
12 gressional intelligence committees any information
13 or material concerning any disclosure of top secret
14 information, including such information relating to
15 sensitive intelligence sources and methods, to any
16 government official, agent, or representative of a for-
17 eign country, which at the time of such disclosure—

18 “(i) is a state sponsor of terrorism; or

19 “(ii) is subject to economic sanctions.

20 “(B) Such information or material shall be fur-
21 nished as soon as possible but in no event more than
22 48 hours after the disclosure is made.”.

23 (b) DEFINITIONS.—Subsection (f) of such section is
24 amended to read as follows:

25 “(f) DEFINITIONS.—In this section:

1 “(1) The term ‘intelligence activities’ includes
2 covert actions as defined in section 503(e) of this
3 title, and includes financial intelligence activities.

4 “(2) The term ‘top secret information’ has the
5 meaning given such term in section 1.2(a)(1) of Ex-
6 ecutive Order No. 13526, as in effect on the date of
7 the enactment of the POISE Act.

8 “(3) The term ‘economic sanctions’ means any
9 sanctions program administered by the Office of
10 Foreign Assets Control of the Department of the
11 Treasury relating to sanctions imposed—

12 “(A) pursuant to the International Emer-
13 gency Economic Powers Act (50 U.S.C. 1701 et
14 seq.) or any other provision of law; and

15 “(B) by reason of state-sponsored conduct
16 or conduct by government officials.

17 “(4) The term ‘state sponsor of terrorism’
18 means a country the government of which the Sec-
19 retary of State has determined, for purposes of sec-
20 tion 6(j) of the Export Administration Act of 1979
21 (50 U.S.C. 4605(j)) (as continued in effect pursuant
22 to the International Emergency Economic Powers
23 Act (50 U.S.C. 1701 et seq.)), section 620A of the
24 Foreign Assistance Act of 1961 (22 U.S.C. 2371),
25 section 40 of the Arms Export Control Act (22

1 U.S.C. 2780), or any other provision of law, is a
2 government that has repeatedly provided support for
3 acts of international terrorism.”.

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