

106TH CONGRESS  
1ST SESSION

# S. 91

To restrict intelligence sharing with the United Nations.

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IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

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

8       **“SEC. 13. RESTRICTIONS ON INTELLIGENCE SHARING WITH**  
9                               **THE UNITED NATIONS.**

10       “(a) **PROVISION OF INTELLIGENCE INFORMATION TO**  
11       **THE UNITED NATIONS.—**

1           “(1) No United States intelligence information  
2           may be provided to the United Nations or any orga-  
3           nization affiliated with the United Nations, or to any  
4           official or employee thereof, unless the President  
5           certifies to the Committee on Foreign Relations and  
6           the Select Committee on Intelligence of the Senate  
7           and the Committee on International Relations and  
8           the Permanent Select Committee on Intelligence of  
9           the House of Representatives that the Director of  
10          Central Intelligence (in this section referred to as  
11          the ‘DCI’), in consultation with the Secretary of  
12          State and the Secretary of Defense, has required,  
13          and such organization has established and imple-  
14          mented, procedures for protecting intelligence  
15          sources and methods (including protection from re-  
16          lease to nations and foreign nationals that are other-  
17          wise not eligible to receive such information) no less  
18          stringent than procedures maintained by nations  
19          with which the United States regularly shares simi-  
20          lar types of intelligence information. Such certifi-  
21          cation shall include a description of the procedures  
22          in effect at such organization.

23           “(2) Paragraph (1) may be waived upon written  
24          certification by the President to the appropriate  
25          committees of Congress that providing such informa-

1       tion to the United Nations or an organization affili-  
2       ated with the United Nations, or to any official or  
3       employee thereof, is in the direct national security  
4       interest of the United States and that all possible  
5       measures protecting such information have been  
6       taken, except that such waiver must be made for  
7       each instance such information is provided, or for  
8       each such document provided.

9       “(b) PERIODIC AND SPECIAL REPORTS.—

10           “(1) The President shall periodically report, but  
11       not less frequently than quarterly, to the Committee  
12       on Foreign Relations and the Select Committee on  
13       Intelligence of the Senate and the Committee on  
14       International Relations and the Permanent Select  
15       Committee on Intelligence of the House of Rep-  
16       resentatives on the types and volume of intelligence  
17       provided to the United Nations and the purposes for  
18       which it was provided during the period covered by  
19       the report. Such periodic reports shall be submitted  
20       to the Select Committee on Intelligence of the Sen-  
21       ate and the Permanent Select Committee on Intel-  
22       ligence of the House of Representatives with an  
23       annex containing a counterintelligence and security  
24       assessment of all risks, including an evaluation of  
25       any potential adverse impact on national collection

1 systems, of providing intelligence to the United Na-  
2 tions, together with information on how such risks  
3 have been addressed.

4 “(2) The President shall submit a special report  
5 to the Committee on Foreign Relations and the Se-  
6 lect Committee on Intelligence of the Senate and the  
7 Committee on International Relations and the Per-  
8 manent Select Committee on Intelligence of the  
9 House of Representatives within 15 days after the  
10 United States Government becomes aware of any  
11 unauthorized disclosure of intelligence provided to  
12 the United Nations by the United States.

13 “(c) LIMITATION.—The restrictions of subsection (a)  
14 and the requirement for periodic reports under paragraph  
15 (1) of subsection (a) shall not apply to the provision of  
16 intelligence that is provided only to, and for the use of,  
17 appropriately cleared United States Government personnel  
18 serving with the United Nations.

19 “(d) DELEGATION OF DUTIES.—The President may  
20 not delegate or assign the duties of the President under  
21 subsection (a).

22 “(e) RELATIONSHIP TO EXISTING LAW.—Nothing in  
23 this section shall be construed to—

24 “(1) impair or otherwise affect the authority of  
25 the Director of Central Intelligence to protect intel-

1       ligence sources and methods from unauthorized dis-  
2       closure pursuant to section 103(c)(5) of the Na-  
3       tional Security Act of 1947 (50 U.S.C. 403-3(c)(5));  
4       or

5               “(2) supersede or otherwise affect the provi-  
6       sions of title V of the National Security Act of 1947  
7       (50 U.S.C. 413 et seq.).”.

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