

136 TH CONGRESS
1ST SESSION



S. 2

IN THE SENATE OF THE UNITED STATES

DECEMBER 17, 2020

Mr. GRAVES, (for himself, Mr. KOAY), and amended by
Mr. Ricca

A BILL

To revise the congressional reporting requirements of the
United States Intelligence Community to better fit the current
structure of Congress.

Be it enacted by the Senate and House of Representatives of the

SECTION 1. SHORT TITLE

- (a) SHORT TITLE — This Act may be cited as the
“Intelligence Oversight Act of 2020”.

SECTION 2. FINDINGS

Congress finds that —

- (a) Congressional oversight is essential to ensure that the intelligence agencies of the United States remain in line with the law.
- (b) Congress may, from time to time, require classified information from the Intelligence Community or elsewhere for the purposes of legislation.
- (c) The current reporting requirements are premised upon the functioning of intelligence committees in the House and the Senate, which no longer exist.
- (d) Current laws on the treatment of classified information renders it difficult for the Senate, a body the size of a committee, from hearing classified information as a whole body.
- (e) Current laws on the treatment of classified information makes it difficult for the whole House to hear classified information in a session of the Committee of the Whole on the State of the Union.
- (f) It is therefore altogether proper for Congress to revise the reporting requirements and conditions of disclosure of private information of the Intelligence Community.

SECTION 3. SEVERABILITY

- (a) SEVERABILITY — Should any provision of this Act be deemed invalid or unconstitutional for any reason in a

court with relevant jurisdiction, the rest of the Act, and the application of the remaining provisions, shall not be affected.

SECTION 4. 18 USC § 798

(a) 18 USC § 798(c) shall read as follows —

(c)Nothing in this section shall prohibit the furnishing, upon lawful demand, of information to the Senate or the House of Representatives of the United States of America, to any regularly constituted committee thereof, or to any joint committee thereof. For the purposes of this section, a lawful subpoena from any of these entities shall be a lawful demand of information by that entity, provided that no information which the Executive is entitled to withhold shall be involuntarily divulged.

(b) No person shall be convicted of any crime under 18 USC § 798 if their actions are lawful under 18 USC § 798 as amended by this statute, notwithstanding the fact that their actions were committed prior to the enactment of this statute.

SECTION 5. PUB. L. 80-253 (NATIONAL SECURITY ACT OF 1947)

(a) Subsection 7 of Section 3 of Pub. L. 80-253 shall read as follows —

“(7)The term “congressional intelligence committees” means—

(A)the Senate Special Committee on Foreign Affairs and the State;
and

(B)the Committee on Foreign Affairs and Security of the House of

Representatives.”

SECTION 5. ENACTMENT

- (a) ENACTMENT — The provisions of this Act shall come into force immediately after passage.