



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

April 26, 2006
(House)

STATEMENT OF ADMINISTRATION POLICY

H.R. 5020 - Intelligence Authorization Act for Fiscal Year 2007

(Rep. Hoekstra (R) MI)

The Administration supports House passage of H.R. 5020, which authorizes appropriations for Fiscal Year 2007 for the conduct of the intelligence and intelligence-related activities of the United States Government. However, the Administration has a few concerns outlined below and looks forward to working with Congress to address these and other issues. The Administration has not yet had the opportunity to review the classified schedule of authorizations and reserves comment on those authorizations.

The Administration is pleased that the bill incorporates a number of provisions that the Administration requested and hopes to work with Congress to include additional requested authorities.

The Administration opposes Section 410, which relates to submission of an inventory of intelligence special access programs. Existing law and understandings provide the proper arrangements for ensuring that appropriate Congressional committees are informed of intelligence and intelligence-related activities.

The Administration opposes Section 412, which would provide overbroad access to certain portions of the Intelligence Community's (IC) computer system. This section raises serious constitutional concerns regarding separation of powers and significant policy concerns regarding well-established policies, practices, and protocols on disclosure of certain intelligence outside the IC. The Administration is committed to working with Congress to develop a solution to ensure the sharing of intelligence information with Congress in a manner consistent with the President's authority over national security information.

The Administration continues to discourage any efforts, such as section 105, to enact "secret law" and to constrain the flexibility and the accommodation process that has developed between the IC and the Committee, which allows for adjustments reflecting changed world events or circumstances.

The Administration believes that the current staffing of the Office of the Inspector General within the Office of the Director of National Intelligence, which has been established and staffed under the authorities provided by and consistent with the Intelligence Reform and Terrorism Prevention Act, is sufficient at this time, and that the change recommended in Section 405(b)(2) is unnecessary and unwarranted.

The Administration appreciates the Committee's action to no longer require advice and consent of the Senate for the appointment of the Chief Information Officer of the Intelligence Community in Section 404, but believes that the position is of substantial significance and merits continued appointment by the President.

The Administration has concerns with limitations on nonreimbursable details included in section 407, which constrain the ability of the Office of the National Counterintelligence Executive from achieving staffing levels necessary to successfully carry out its mission.

The Administration looks forward to working with Congress to address these and other concerns to ensure that the United States has the needed IC resources and capabilities to address the challenges of the 21st Century.

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