

*Administration of Barack H. Obama, 2010*

**Statement on Signing the Intelligence Authorization Act for Fiscal Year 2010**  
*October 7, 2010*

Today I have signed into law H.R. 2701, the "Intelligence Authorization Act for Fiscal Year 2010." This is the first intelligence authorization act enacted in nearly 6 years, and it includes a number of provisions that will assist in the effective and efficient execution of Intelligence Community (IC) programs. One such provision would facilitate information sharing by IC elements with the National Counterterrorism Center and the Office of the Director of National Intelligence (ODNI).

In a September 27, 2010, letter to Congress, the ODNI summarized my Administration's understanding of how sections 331 and 348 of the bill would be interpreted. In particular, section 331 addresses the fundamental compact between the Congress and the President regarding the reporting of sensitive intelligence matters as embodied in title V of the National Security Act. Section 331's requirement to provide a "general description" of a covert action finding or notification provides sufficient flexibility to craft an appropriate description for the limited notification, based on the extraordinary circumstances affecting vital interests of the United States and recognizing the President's authority to protect sensitive national security information. Also, as previously indicated, my Administration understands section 331's requirement to provide to the intelligence committees "the legal basis" under which certain intelligence activities and covert actions are being or were conducted as not requiring disclosure of any privileged advice or information or disclosure of information in any particular form.

In a March 15, 2010, letter to Congress, the Department of Justice summarized my Administration's understanding of a number of provisions. In particular, section 405 establishes an Inspector General of the Intelligence Community in the ODNI. In accordance with longstanding executive branch policy, my Administration understands section 405's requirement that the Inspector General make an immediate report to congressional committees regarding investigations focused upon certain current or former IC officials as not requiring the disclosure of privileged or otherwise confidential law enforcement information. Moreover, the whistleblower protection provisions in section 405 are properly viewed as consistent with President Clinton's stated understanding of a provision with substantially similar language in the Intelligence Authorization Act for Fiscal Year 1999. See *Statement on Signing the Intelligence Authorization Act for Fiscal Year 1999*: Public Papers of the Presidents of the United States, William J. Clinton, 1998 (p. 1825).

BARACK OBAMA

The White House,  
October 7, 2010.

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