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Statement on Signing the Securely Expediting Clearances Through Reporting Transparency Act of 2018

May 22, 2018

Today, I have signed into law H.R. 3210, the "Securely Expediting Clearances Through Reporting Transparency Act of 2018" or the "SECRET Act of 2018" (the "Act"). The Act purports to require various reports relating to the security clearance and background-investigation processes from executive branch officers, including the Director of the Office of Administration, within the Executive Office of the President.

I have stressed that the national security of the United States depends on a rigorous security clearance process. As the Supreme Court has acknowledged, however, the Constitution vests in the President the authority to classify information relating to the national security and to control access to such information. *See* Statement on Signing the Intelligence Reform and Terrorism Prevention Act of 2004, 3 Pub. Papers 3118, 3119 (Dec. 17, 2004); *Department of Navy v. Egan*, 484 U.S. 518, 528 (1988). Accordingly, the executive branch will construe and implement the Act in a manner consistent with this constitutional grant of authority to the President, as Commander in Chief and Chief Executive.

Further, section 6 of the Act requires a report from the Director of National Intelligence that includes "a review of whether the schedule for processing security clearances under section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341) should be modified." The executive branch will implement this provision in a manner consistent with the principles set forth above and with the President's constitutional authority to recommend to the Congress such measures as the President considers to be necessary and expedient.

DONALD J. TRUMP

The White House,
May 22, 2018.

NOTE: H.R. 3210, approved May 22, was assigned Public Law No. 115–173.

Categories: Bill Signings and Vetoes : Securely Expediting Clearances Through Reporting Transparency Act of 2018, signing statement.

Subjects: Defense and national security : Classified national security information; Government organization and employees : Security clearance and background investigation processes, strengthening efforts; Intelligence, Office of the Director of National; Legislation, enacted : Securely Expediting Clearances Through Reporting Transparency Act of 2018.

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