



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

M-05-17

June 30, 2005

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Joshua B. Bolten
Director

A handwritten signature in blue ink, appearing to read "J. Bolten", is written over the printed name of the Director.

SUBJECT: Allocation of Responsibilities for Security Clearances under the Executive Order, Strengthening Processes Relating to Determining Eligibility for Access to Classified National Security Information

In accordance with section 2 of the Executive Order signed by the President on June 27, 2005 entitled Strengthening Processes Relating to Determining Eligibility for Access to Classified National Security Information, I am allocating responsibilities for ensuring the appropriate uniformity, centralization, efficiency, effectiveness, timeliness, and reciprocity of determining eligibility for access to classified national security information. The allocation is set forth in Attachment A, and it is effective immediately.

I have designated the Deputy Director for Management at the Office of Management and Budget (OMB), Clay Johnson III, as the official at OMB responsible for improving the process by which the government determines eligibility for access to classified national security. He will gather relevant agency officials in the near future to discuss the Administration's goals and plans for improvement. If you have any questions about this matter, please contact him at (202) 456-7070. A copy of the Executive Order is also enclosed, at Attachment B.

Attachments

Allocation of Responsibilities to Strengthen Processes Relating to Determining Eligibility for Access to Classified National Security Information

The following shall be the allocation of responsibilities under the Executive Order signed by the President on June 27, 2005 entitled Strengthening Processes Relating to Determining Eligibility for Access to Classified National Security Information:

(1) (a) Except as set forth in section (1)(b), responsibility for the day-to-day supervision and monitoring of security clearance investigations, and for tracking the results of individual agency-performed adjudications, is assigned to the Office of Personnel Management (OPM).

(b) Responsibility for the supervision and monitoring of security clearance investigations, and for the tracking of the results of individual agency performed adjudications, with respect to (i) personnel employed or working under a contract for an element of the Intelligence Community and (ii) security clearance investigations and adjudications for Sensitive Compartmented Information (SCI), is assigned to the Office of the Director of National Intelligence (ODNI). Oversight with respect to Special Access Programs (SAPs) will be addressed in accordance with Executive Order 12958, as amended.

(c) In carrying out their functions under sections 1(a) and 1(b), OPM and ODNI shall consult regularly with the Departments of State, the Treasury, Defense, Justice, Energy, Homeland Security, and the Central Intelligence Agency. In addition, for matters relating to responsibilities assigned to the Information Security Oversight Office under Executive Order 12829, OPM and ODNI will consult as appropriate with the Archivist of the United States. Each of these entities will provide support and assistance to OPM and ODNI as necessary. Individual agencies will still perform their own adjudications of eligibility of access to classified national security information.

(d) The Office of Management and Budget (OMB) will provide policy direction to, and general supervision of, OPM and ODNI in carrying out their functions under (1)(a) and (1)(b). OPM, ODNI, and other agencies will be responsible for addressing and for resolving promptly and efficiently any case-specific investigation or adjudication disagreements that arise. In its general supervision, OMB will review OPM, ODNI, and agency activities to ensure that OPM, ODNI, and the agencies resolve such disagreements in a prompt and efficient manner. To ensure such resolution, OMB may provide direction to OPM, ODNI, and the agencies with respect to policies and procedures. If disagreements arise with respect to matters of policy, they will be referred to OMB for appropriate resolution.

(2) (a) Except as set forth in section 2(b), responsibility for developing and, after approval, implementing uniform policies and procedures to ensure the effective, efficient, and timely completion of security clearance investigations and adjudications is assigned to OPM. OPM has relevant experience and is well-situated to develop recommendations for the standardization of

security questionnaires and financial disclosure requirements for security clearance applicants.

(b) Responsibility for developing and, after approval, implementing uniform policies and procedures to ensure the effective, efficient, and timely completion of determinations for access to SCI and SAPs “pertaining to intelligence activities (including special activities, but not military operational, strategic and tactical programs)” under section 4.3(a) of Executive Order 12958, as amended, is assigned to the ODNI. The development and implementation of policies and procedures with respect to other types of SAPs will continue to be addressed in accordance with Executive Order 12958, as amended.

(c) Authority to approve final policies or procedures with respect to SCI and SAP programs is reserved to the Director of the Office of Management and Budget and the Assistant to the President for National Security Affairs, with the concurrence of the Director of National Intelligence as to SCI programs and intelligence SAPs and the concurrence of the head of the agency concerned with respect to non-intelligence SAP programs. OMB and the National Security Council will utilize the National Security Council’s Policy Coordination Committee (PCC) on Records Access and Information Security in evaluating recommended changes in policies and procedures

(d) Delegations of policymaking responsibility under this section will in no way limit another Executive Branch entity from recommending uniform policies and procedures to ensure the effective, efficient, and timely completion of security clearances.

(3) OMB will serve as the final authority to designate authorized investigative agencies and authorized adjudicative agencies.

(4) OMB will retain the responsibility to ensure that agencies’ policies provide for appropriate reciprocal recognition of access to classified information among the agencies of the United States Government. The ODNI will have the final authority to arbitrate and resolve case-specific disputes involving the reciprocity of security clearances and access to SCI and SAPs “pertaining to intelligence activities (including special activities, but not military operational, strategic and tactical programs). OMB will retain the responsibility to resolve, consistent with the DNI’s authority to protect intelligence sources and methods, any policy-level disputes that arise from (or preclude the resolution of) these case-specific disputes.

(5) Exercising its traditional budget planning and oversight functions, OMB will be responsible for working with agencies to ensure that sufficient resources are available to achieve clearance and investigative program goals.

6) OPM is assigned the responsibility for reviewing and coordinating the development of tools and techniques for enhancing the conduct of investigations and the granting of clearances. OPM may as appropriate draw on support and assistance from agencies in developing such tools and techniques. OMB will, however, retain responsibility for coordinating the development of such tools and techniques in coordination with the PCC on Records Access and Information Security.