

# THEY'RE STILL PAYING FOR INTELL PORK

Steven Aftergood has an important post describing the squabble between the intelligence appropriations subcommittees and the intelligence committees. He explains how, even though the intelligence committees are trying to exercise more oversight over intelligence activities, the appropriators (which have increasingly become the defense subcommittee appropriators, as more intelligence activities have moved under DOD) have undercut those efforts.

The efficacy of intelligence oversight in the Senate has been drastically undermined by procedural hurdles that enable the Defense Appropriations Subcommittee to overrule actions taken by the Senate Intelligence Committee, Senators complained earlier this month. To remedy this concern, a new bill has been introduced that would transfer budget appropriations authority to the Intelligence Committee.

This year, the Senate Intelligence Committee presented "four major oversight initiatives in its [authorization] bill," said Sen. Christopher S. Bond (R-MO) (pdf) at a Committee hearing on November 13. But in each case, "actions by the appropriations committee were completely dissimilar."

A Memorandum of Agreement between the Committees that was supposed to improve coordination between the authorizers and the appropriators has failed in every significant respect, he said.

Aftergood links to a Kit Bond statement, complaining about the problem. Bond explains how much more oversight SSCI has over programs than the Defense Appropriations Subcommittee (SAC-D).

We have almost 50 professional staff on this Committee who spend all their time doing nothing but intelligence oversight, day in and day out. The Defense Appropriations Committee has fewer than one half dozen staff who write the intelligence appropriation which is fewer than 1/10th of their bill.

[snip]

Our Committee has held scores of intelligence oversight hearings this year; the Defense Appropriations Committee has held notably few. I think the disparity is clear and speaks for itself. What Iâ€™m saying is, letâ€™s effectively bring the oversight power to bear on the budget; right now it is disjointed.

[snip]

But that is my point, that Committee is consumed with defense matters, not intelligence matters. That Committee is wrapped up in a nearly half a trillion dollars appropriations bill, with less than one tenth of it comprising the National Intelligence Program that the SSCI oversees. SAC-D as currently constructed cannot give intelligence the attention it deserves with all its other responsibilities.

And then Bond complains of the unauthorized programs that remain in the 08 budget.

For example, this Committee is currently conferencing our FY08 Intelligence Authorization Act with the House, and weâ€™re looking at a number of issues where our bill is disjointed from the FY08 Defense Appropriations Act. As recently as a few hours ago, my staff was receiving calls from intelligence officials worried about a number

of potential “not A” (appropriated but not authorized) issues. That’s not a showstopper in most fields, but when it comes to national security and intelligence, it usually does not make a whole lot of sense.

That’s the kind of thing, of course, that got Duke Cunningham in trouble.

Curiously, Bond describes a Memorandum of Agreement reached between the two committees—but without his involvement, as ranking member of the SSCI.

Mr. Chairman, we discussed this issue at the beginning of this Congress, and you believed the best road ahead was to sign a Memorandum of Agreement with the Chairmen and Ranking Members of the Appropriations Committees promising better coordination. I expressed to you my disagreement with that option because I believed the MOA was weak and would not affect real change.

Despite stating that we would only move forward together on this issue, you went ahead and drafted and signed an MOA over a recess when I was overseas on a trip. Upon return, Senate counsel informed me that the MOA was invalid as drafted for several reasons that you probably would not like me to lay out here, and I have always considered it a dead document.

Now **that’s** a story I’d like to know more about. It sounds like Daniel Inouye (SAC-D Chair), Ted Stevens (SAC-D Ranking Member and one of the most corrupt Members of Congress), and Jello Jay Rockefeller (Chair, SSCI, whom Bond is addressing here) got together to try to fix this problem precisely when Bond couldn’t be there. Why am I not surprised that Jello Jay negotiated a MOA that is useless, at best? (Suck it up, Kit, we know what it’s like to be inconvenienced

by someone rolling Jello Jay, too.)

Now, I rarely find myself aligning with Kit Bond. And, as Aftergood notes, there are problems with giving particularly the Senate Intelligence Committee unfettered oversight over anything, at least so long as Jello Jay is in charge.

But significantly, the intelligence oversight committees, which have been criticized for ineffective leadership on several controversial policy fronts, did not play a leading role in intelligence budget disclosure either.

But the continued use of intelligence earmarks to authorize unnecessary intelligence programs is a real source of graft in this country, with the added concern that some of these earmarks may be going towards surveillance of American citizens, as it was with CIFA. So while I can't say I'm comfortable that Kit Bond is championing this issue (Dear Santa—about that new SSCI Chair I asked for for Christmas? I've been good ... can I open my presents early?), it is an issue that needs to be resolved.