



## President asserts power to edit privacy reports

Bush defies Congress, says he has right to change Homeland Security bills  
The Associated Press

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WASHINGTON - President Bush, again defying Congress, says he has the power to edit the Homeland Security Department's reports about whether it obeys privacy rules while handling background checks, ID cards and watchlists.

In the law Bush signed Wednesday, Congress stated no one but the privacy officer could alter, delay or prohibit the mandatory annual report on Homeland Security department activities that affect privacy, including complaints.

But Bush, in a signing statement attached to the agency's 2007 spending bill, said he will interpret that section "in a manner consistent with the President's constitutional authority to supervise the unitary executive branch."

White House spokeswoman Dana Perino said it's appropriate for the administration to know what reports go to Congress and to review them beforehand.

"There can be a discussion on whether to accept a change or a nuance," she said. "It could be any number of things."

The American Bar Association and members of Congress have said Bush uses signing statements excessively as a way to expand his power.

The Senate held hearings on the issue in June. At the time, 110 statements challenged about 750 statutes passed by Congress, according to numbers combined from the White House and the Senate committee. They include documents revising or disregarding parts of legislation to ban torture of detainees and to renew the Patriot Act.

Privacy advocate Marc Rotenberg said Bush is trying to subvert lawmakers' ability to accurately monitor activities of the executive branch of government.

"The Homeland Security Department has been setting up watch lists to determine who gets on planes, who gets government jobs, who gets employed," said Rotenberg, executive director of the Electronic Privacy Information Center.

He said the Homeland Security Department has the most significant impact on citizens' privacy of any agency in the federal government.

### **New ID cards in the works**

Homeland Security agencies check airline passengers' names against terrorist watch lists and detain them if there's a match. They make sure transportation workers' backgrounds are investigated. They are working on several kinds of biometric ID cards that millions of people would have to carry.

The department's privacy office has put the brakes on some initiatives, such as using insecure radio-frequency identification technology, or RFID, in travel documents. It also developed privacy policies after an uproar over the disclosure that airlines turned over their passengers' personal information to the government.

The last privacy report was submitted in February 2005.

Bush's signing statement Wednesday challenges several other provisions in the Homeland Security spending bill.

Bush, for example, said he'd disregard a requirement that the director of the Federal Emergency Management Agency must have at least five years experience and "demonstrated ability in and knowledge of emergency management and homeland security."

His rationale was that it "rules out a large portion of those persons best qualified by experience and knowledge to fill the office."

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