

The White House,
October 6, 1992.

Note: H.R. 3654, approved October 6, was assigned Public Law No. 102–390.

Statement on Signing the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1993

October 6, 1992

I am signing into law H.R. 5368, the “Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1993.” The Act provides funding for bilateral and multilateral foreign assistance, international security assistance, and for programs in the Department of State, the Agency for International Development, the Peace Corps, the Export-Import Bank, and several smaller agencies.

I am pleased that the Act provides authority and funding for several high priority programs including: loan guarantees for Israel; an increase in the U.S. quota for the International Monetary Fund; bilateral assistance to the former republics of the Soviet Union; appropriations for the Enterprise for the Americas Initiative; and appropriations for international security programs including Turkey, Greece, and Portugal.

Several provisions of the Act purport to require, or to forbid, certain international negotiations by the United States or the adoption by the United States of certain positions in international institutions or negotiations. Under our constitutional system, however, the President alone is responsible for such negotiations, and the Congress may

not decide which negotiations the President will undertake or what position the United States will adopt. Similarly, provisions directing the placement of United States diplomatic personnel abroad intrude upon the President’s authority for the conduct of international relations. Nor may the Congress condition the availability of funds on the President’s surrendering his discretion in these areas. I will, therefore, treat all such provisions as purely precatory.

I retain the same concerns about section 565, prohibiting certain dealings with foreign governments and other persons, that I have expressed in signing previous appropriations acts.

Finally, I note that the various reporting requirements of this Act would have to be construed in light of the President’s authority to protect against the disclosure of state secrets and national security information.

GEORGE BUSH

The White House,
October 6, 1992.

Note: H.R. 5368, approved October 6, was assigned Public Law No. 102–391.

Statement on Signing the Legislative Branch Appropriations Act, 1993

October 6, 1992

I have signed into law H.R. 5427, the “Legislative Branch Appropriations Act, 1993.” While I regret that the Congress has rejected my proposal for a 33 percent reduction in congressional staffs, I need not repeat here the compelling reasons for such

a reduction. However, I am compelled to comment upon two troublesome features of this bill.

First, I object to section 315, which establishes a “Task Force on Senate Coverage” for the purpose of “studying” whether vari-

ous statutes that now apply to the private sector and/or the executive branch should also apply to the United States Senate.

This is not the sort of complex, difficult question that requires deliberation by a blue-ribbon panel. The Congress need not look beyond James Madison's warning in *Federalist Paper No. 57* that "[i]f [the American] spirit shall ever be so far debased as to tolerate a law not obligatory on the Legislature as well as on the people, the people will be prepared to tolerate anything but liberty." Rather than "study" the issue, the Congress should quickly eliminate this unseemly practice by passing the Accountability in Government Act that I proposed in April.

I would also note the limitations placed on the Task Force's authority to take even the small step of examining this issue. Although the bill mentions several statutes by name, it ignores the Civil Rights Act of 1964, the Rehabilitation Act, and other civil rights laws. The current "coverage" of the Congress by these laws is a sham, since it denies congressional employees the same rights to trial before a judge or jury enjoyed by other Americans. The bill also excludes consideration of whether the Congress should be covered by the Independent Counsel provision of the Ethics in Govern-

ment Act, if that statute is reauthorized. And even as to the small number of laws remaining for consideration by the Task Force, the Task Force's mandate reaches only the Senate, not the House.

Second, provisions establishing the Commission on the Bicentennial of the United States Capitol present constitutional concerns. Even though the voting members of the Commission will all be Members of Congress, section 324(a) of the bill, if broadly construed, could be interpreted to allow the exercise of significant governmental authority by the Commission. So construed, this provision would be unconstitutional under the Appointments Clause of Article II, section 2, and the Incompatibility Clause of Article I, section 6. To avoid this constitutional infirmity, I will interpret section 324(a) of the bill as authorizing the Commission to perform only ceremonial and advisory functions within the legislative branch.

GEORGE BUSH

The White House,
October 6, 1992.

Note: H.R. 5427, approved October 6, was assigned Public Law No. 102-392.

Statement on Signing the Treasury, Postal Service, and General Government Appropriations Act, 1993

October 6, 1992

I have signed into law H.R. 5488, the Treasury, Postal Service, and General Government Appropriations Act, 1993.

This Act provides funding for several Administration priorities, including programs that address the crisis of drugs in our country. These include drug interdiction activities in the United States Customs Service and drug rehabilitation and treatment programs financed through the Office of National Drug Control Policy.

I am pleased that the Congress has provided the funding I requested for my efforts to control unnecessary and burdensome

Federal regulations through the regulatory review process headed by the Council on Competitiveness. Reviewing Federal regulations is an essential part of the President's constitutional responsibility to take care that the laws be faithfully executed. Regulatory review ensures that regulations issued by the executive branch protect the health and safety of the American people while taking into consideration the economic interests of American consumers.

In implementing this regulatory review process, the Council on Competitiveness, the Office of Management and Budget, and