

program is implemented in a constitutional manner.

In addition, the bill purports to require the Secretary of Veterans Affairs to recommend future legislation regarding a pilot program for housing loans to Native American veterans. The Constitution grants exclusively to the President the power to recommend to the Congress such measures as he judges necessary and expedient. The Congress may not by law command the President or his subordinates to exercise

the power that the Constitution commits to his judgment. Therefore, I will treat this requirement as advisory rather than mandatory.

GEORGE BUSH

The White House,  
October 28, 1992.

*Note: H.R. 939, approved October 28, was assigned Public Law No. 102-547.*

## Statement on Signing the Intermodal Safe Container Transportation Act of 1992

October 28, 1992

Today I am signing into law H.R. 3598, the "Intermodal Safe Container Transportation Act of 1992."

This Act will require shippers to certify the cargo weights and contents of intermodal containers and trailers. The Act also authorizes States to impose liability on shippers where citations for violations of State highway weight limits are issued to highway motor carriers as a result of erroneous certifications. The legislation is a progressive step toward reducing the number of overweight vehicles on U.S. highways and the threats that they pose to public safety and highway pavement conditions.

I regret, however, that there are some problems with the bill's approach. I am concerned about the paperwork burden that will be levied on small shippers, the potential for inconsistent application by States, and the fact that the bill would, in effect, establish two enforcement programs: one for shippers in intermodal commerce and another for all other shippers.

The Department of Transportation has been given considerable flexibility to develop the regulations required by H.R. 3598. The Department will use its flexibility to minimize these potential problems.

I urge all States to adopt a similar ap-

proach. Failure to do so could complicate, instead of clarify, the intermodal shipping community's understanding of weight regulations for intermodal cargoes.

This legislation is a first step toward a full review of overweight vehicle operations on U.S. highways. My Administration intends to undertake such a review.

One section of the bill purports to require the Secretary of Transportation to submit, to several congressional committees, legislative and other recommendations for improving the collection of certain transportation data. Under Article II, section 3 of the Constitution, the President possesses the exclusive authority to determine what legislative measures he and his subordinates will recommend for the Congress' consideration. To avoid constitutional difficulties, and consistent with established practice, I interpret this section of the bill to be advisory, not mandatory.

GEORGE BUSH

The White House,  
October 28, 1992.

*Note: H.R. 3598, approved October 28, was assigned Public Law No. 102-548.*