

criminal penalties for providing false information and punishes anyone guilty of conspiracy to deprive voters of a fair election.

Each polling place must have at least one voting machine accessible to persons with disabilities. When people show up at the polls and their voting registration is in doubt, they should not be turned away but allowed to cast a provisional ballot so their vote can be counted if it is later verified that they are properly registered. And every State must have a fair procedure for hearing and resolving voter complaints. Under these reforms, training and education will be provided to pollworkers and voters, reducing the possibility of confusion and error at the polls.

Along with the resources come high standards for the integrity of elections. States must ensure that voting systems have minimal rates of error and allow voters a reasonable opportunity to review their ballots and correct any mistakes before a vote is cast.

The administration of elections is primarily a State and local responsibility. The fairness of all elections, however, is a national priority. And through these reforms, the Federal Government will help State and local officials to conduct elections that have the confidence of all Americans. We're counting on these officials to meet their responsibilities to protect the sanctity

of the vote and to encourage Americans to exercise the right to vote.

All of us in America have a duty to vote. I urge all Americans to show up for this election cycle on November 5th, to do their duty as Americans, to recognize in a free society we have a responsibility to participate in the process.

Citizens of every political viewpoint can be proud of this important law. This legislation reflects the judgments of a distinguished bipartisan commission. These measures were carefully considered and overwhelmingly adopted by the House and the Senate. Congress has made a vital contribution to the democratic process.

Now it's my honor to sign into law the Help America Vote Act of 2002.

NOTE: The President spoke at 11:10 a.m. in Room 450 of the Dwight D. Eisenhower Executive Office Building. In his remarks, he referred to the following persons who died in the October 25 plane crash in Eveleth, MN: Senator Paul Wellstone, his wife, Sheila, and his daughter, Marcia Wellstone Markuson; campaign aides Will McLaughlin, Tom Lopic, and Mary McEvoy; pilot Richard Conroy; and copilot Michael Guess. The Office of the Press Secretary also released a Spanish language transcript of these remarks. H.R. 3295, approved October 29, was assigned Public Law No. 107-252.

## **Statement on Signing the Help America Vote Act of 2002** *October 29, 2002*

Today I have signed into law H.R. 3295, the "Help America Vote Act of 2002." This Act comports with the basic principles set forth in the final report of the bipartisan National Commission on Federal Election Reform, which I endorsed in July of 2001. Consequently, the Act appropriately respects the primacy of State and local gov-

ernments in the administration of elections, while helping to ensure the integrity and efficiency of voting processes in Federal elections by providing Federal governmental support for that vital endeavor.

Section 203(a)(2) of the Act mandates that members of the congressional leadership submit to the President recommendations of persons to be appointed to the Election Assistance Commission—an entity, created by the Act, that will exercise significant governmental functions of an executive nature. The executive branch will not construe this provision as establishing the submission of congressional recommendations as a condition precedent to presidential nomination of persons for appointment to the Commission. Such a construction would impose impermissible constraints on presidential power under the Appointments Clause of the Constitution.

Section 203(a)(4) purports to require the President to make appointments to the Commission no later than 120 days after enactment of the new law. As with the provision regarding recommendations for appointment, this deadline unduly circumscribes the presidential appointment power. Moreover, this deadline is practically impossible to satisfy given the time required for the pre-nomination personnel

process and confirmation by the full Senate. For these reasons, the executive branch shall interpret this provision as advisory.

Section 902(c) would authorize the Comptroller General, an officer of the legislative branch, to make determinations that would impose binding payment obligations upon entities outside that branch. Because this provision attempts to vest executive functions in the Comptroller General, it violates the constitutional principle of separation of powers.

Finally, the executive branch shall implement section 101, concerning the provision of voting assistance, in a manner consistent with the equal protection requirements of the Due Process Clause of the Fifth Amendment to the Constitution.

GEORGE W. BUSH

The White House,  
October 29, 2002.

NOTE: H.R. 3295, approved October 29, was assigned Public Law No. 107–252.

## Letter to Congressional Leaders on Continuation of the National Emergency With Respect to Sudan October 29, 2002

*Dear Mr. Speaker: (Dear Mr. President:)*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Sudan emergency is to continue in effect beyond November 3, 2002, to the *Federal Register* for publication. The most recent notice continuing this

emergency was published in the *Federal Register* on October 31, 2001 (66 *Fed. Reg.* 55869).

The crisis between the United States and Sudan constituted by the actions and policies of the Government of Sudan, including continuing concern about the presence and activities of certain terrorist groups, including Hamas and Palestinian Islamic Jihad, and the prevalence of human rights violations, including slavery, restrictions on religious freedom, and restrictions on political freedom, that led to the declaration of a national emergency on November 3, 1997, has not been resolved. These actions and