

vegetables, tree nuts, dried fruits, and nursery crops grown in the United States.

Section 1408A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended by section 303 of the Act, purports to require the Secretary of Agriculture to take into consideration certain advisory board-approved findings and recommendations in preparing the Secretary's annual departmental budget proposal to the President and to disclose to the Congress how the Secretary addressed each such recommendation. The executive branch shall construe section 1408A in a manner consistent with the President's constitutional authority to supervise the unitary executive branch, to re-

quire the opinions of principal officers of the executive departments, to recommend for the consideration of the Congress such measures as the President shall judge necessary and expedient, and to withhold information the disclosure of which could impair the deliberative processes of the Executive or the performance of the Executive's constitutional duties.

GEORGE W. BUSH

The White House,  
December 21, 2004.

NOTE: H.R. 3242, approved December 21, was assigned Public Law No. 108-465.

## Letter to Congressional Leaders Transmitting a Report on Implementation of Debt Reduction Authority

*December 21, 2004*

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

Consistent with section 1321 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228), I transmit herewith a report prepared by my Administration on implementation of the debt reduction authority conferred by Title XIII, Subtitle B of Public Law 107-228.

Sincerely,

GEORGE W. BUSH

NOTE: Identical letters were sent to J. Dennis Hastert, Speaker of the House of Representatives, and Richard B. Cheney, President of the Senate.

## Statement on Signing the Intelligence Authorization Act for Fiscal Year 2005

*December 23, 2004*

Today, I have signed into law H.R. 4548, the "Intelligence Authorization Act for Fiscal Year 2005." The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war on terror.

The executive branch shall construe provisions in the Act, including sections 105,

107, and 305, that mandate submission of information to the Congress, in a manner consistent with the President's constitutional authority to supervise the unitary executive branch and to withhold information that could impair foreign relations, national security, the deliberative processes of the

Executive, or the performance of the Executive's constitutional duties.

Section 502 of the Act purports to place restrictions on use of the U.S. Armed Forces and other personnel in certain operations. The executive branch shall construe the restrictions in that section as advisory in nature, so that the provisions are consistent with the President's constitutional authority as Commander in Chief, including for the conduct of intelligence operations, and to supervise the unitary executive branch.

To the extent that provisions of the Act, such as sections 614 and 615, purport to require or regulate submission by executive branch officials of legislative recommendations to the Congress, the executive branch shall construe such provisions in a manner consistent with the President's constitutional authority to supervise the unitary executive branch and to submit for congress-

sional consideration such measures as the President judges necessary and expedient.

Section 105 of the Act incorporates by reference certain requirements set forth in the joint explanatory statement of the House-Senate committee of conference or in a classified annex. The executive branch continues to discourage the practice of enacting secret laws and encourages instead appropriate non-binding uses of classified schedules of authorizations, classified annexes to committee reports, and joint statements of managers that accompany the final legislation.

GEORGE W. BUSH

The White House,  
December 23, 2004.

NOTE: H.R. 4548, approved December 23, was assigned Public Law No. 108-487.

## Statement on Signing Communications Legislation *December 23, 2004*

Today, I have signed into law H.R. 5419, a bill consisting of three titles. Title I is the "ENHANCE 911 Act of 2004," which strengthens the ability of Americans to use the 911 telephone number to seek emergency assistance. Title II is the "Commercial Spectrum Enhancement Act," which facilitates the spectrum relocation of Federal entities so that certain spectrum can be reallocated to commercial users. Title III is the "Universal Service Antideficiency Temporary Suspension Act," which makes the Antideficiency Act temporarily inapplicable to certain collections, receipts, expenditures and obligations relating to universal communications service.

Section 104 amends section 158(a)(2) of the National Telecommunications and Information Administration Organization Act to call for executive branch officials to sub-

mit to congressional committees funding profiles for a specified 5-year program. The executive branch shall construe the provision in a manner consistent with the constitutional authority of the President to recommend for the consideration of the Congress such measures, including proposals for appropriations, as he judges necessary and expedient.

Sections 202 and 204 enact sections 113(g)(5) and 118(d) of the National Telecommunications and Information Administration Organization Act, which purport to condition the execution of a law upon notification to congressional committees coupled with either approval by the committees or the absence of disapproval by the committees within a specified time. The executive branch shall construe the provisions to legally require only notification to the