

Statement on Signing the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006

January 12, 2007

Today, I have signed into law H.R. 5946, the “Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006.” The Act sets a firm deadline to end overfishing in America; contributes to replenishing America’s fish stocks; strengthens enforcement of America’s fishing laws; and implements international agreements on fishery management and the protection of polar bears.

The executive branch shall construe provisions of the Act that purport to direct or burden the conduct of negotiations by the executive branch with foreign governments or international organizations in a manner consistent with the President’s constitutional authority to conduct the Nation’s foreign affairs, including the authority to determine which officers shall negotiate for the United States with a foreign country, when, in consultation with whom, and toward what objectives, and to supervise the unitary executive branch. Such provisions include subsections 609(c) and 610(b) of the High Seas Driftnet Fishing Moratorium Protection Act, as enacted by section 403 of the Act; section 408 of the Act; and section 505 of the Marine Mammal Protection Act of 1972, as enacted by section 902 of the Act.

Subsection 505(a) of the Marine Mammal Protection Act of 1972, as enacted by section 902 of the Act, purports to condition the authority granted to the President to make appointments upon prior consider-

ation of recommendations from particular sources and purports to limit the qualifications of the pool of persons from whom the President may select appointees in a manner that rules out a large portion of those persons best qualified by experience and knowledge to fill the positions. Also, provisions of the Act, such as section 303A(c)(6)(D)(i) of the Magnuson-Stevens Fishery Conservation and Management Act, as enacted by section 106 of the Act, purport to give significant governmental authority of the United States to individuals who are not appointed in accordance with the Appointments Clause of the Constitution. The executive branch shall construe these provisions in a manner consistent with the Appointments Clause.

The executive branch shall construe section 510 of the Act, relating to notifications regarding certain entry and transit of specified portions of the United States Exclusive Economic Zone, in a manner consistent, to the maximum extent permissible, with treaties to which the United States is a party and other international obligations of the United States.

GEORGE W. BUSH

The White House,
January 12, 2007.

NOTE: H.R. 5946, approved January 12, was assigned Public Law No. 109–479.

The President’s Radio Address

January 13, 2007

Good morning. On Wednesday night, I addressed the Nation from the White

House to lay out a new strategy that will