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Statement on Signing the National Science Foundation Authorization Act of 2002
December 19, 2002

Today I have signed into law H.R. 4664, the "National Science Foundation Authorization Act of 2002." The Act authorizes appropriations for the National Science Foundation and modifies statutory authorities of the Foundation.

Section 5(f) of the Act purports to condition authorizations of certain appropriations on a subsequent determination by the Congress of the existence of successful progress by the executive branch toward specified goals. The executive branch shall construe the purported condition as advisory, since any other construction would be inconsistent with the principles enunciated by the U.S. Supreme Court in 1983 in *INS* v. *Chadha.* Also, the executive branch shall construe and implement sections 8(10)(A), 9(a)(5), 11(b)(3), and 24 in a manner consistent with the equal protection requirements of the Due Process Clause of the Fifth Amendment to the Constitution.

Several provisions of the Act, including sections 14(a), 14(b) (amending section 201(a)(1) of the National Science Foundation Authorization Act of 1998), and 18(d) call for the submission by the executive branch of specified information or 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, to protect the deliberative processes of the Executive, and to submit to the Congress such recommendations as the President judges necessary and expedient.

GEORGE W. BUSH

The White House,
December 19, 2002.

NOTE: H.R. 4664, approved December 19, was assigned Public Law No. 107–368.

Statement on Signing Legislation To Reauthorize the Hydrographic Services Improvement Act of 1998 and for Other Purposes
December 19, 2002

Today I have signed into law H.R. 4883, an Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes.

The executive branch shall construe sections 221(a)(4), 223(b), and 241(a)(2) of the Act as providing statutory bases for revocation of commissions or removal from service that are separate from, in addition to, and not in derogation of the President's constitutional authority to remove officers of the United States. The executive branch also shall construe sections 222 and 224 in a manner consistent with the President's constitutional authority to nominate and appoint candidates who are not the subject of recommendations under those sections.

GEORGE W. BUSH

The White House,

December 19, 2002.

NOTE: H.R. 4883, approved December 19, was assigned Public Law No. 107–372.