AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

responsibilities as President and Commander in Chief.

A number of other provisions of this bill raise serious constitutional concerns. Because the President is the Commander in Chief and the Chief Executive under the Constitution, the Congress may not interfere with the President's duty to protect classified and other sensitive national security information or his responsibility to control the disclosure of such information by subordinate officials of the executive branch (sections 1042, 3150, and 3164). Furthermore, because the Constitution vests the conduct of foreign affairs in the President, the Congress may not direct that the President initiate discussions or negotiations with foreign governments (section 1407 and 1408). Nor may the Congress unduly restrict the President's constitutional appointment authority by limiting the President's selection to individuals recommended by a subordinate officer (section 557). To the extent that these provisions conflict with my constitutional responsibilities in these areas, I will construe them where possible to avoid such conflicts, and where it is impossible to do so, I will treat them as advisory. I hereby direct all executive branch officials to do likewise.

Finally, S. 1059 provides for participation in the Thrift Savings Plan by full-time members of the uniformed services and reservists, but subject to my proposing and the Congress' passage of separate legislation to pay for the costs of their participation. I shall consider this proposal when determining my Fiscal Year 2001 Budget.

Notwithstanding the concerns noted above, I believe that the National Defense Authorization Act for Fiscal Year 2000, as a whole, will enhance our national security and help us achieve our military and related defense objectives. By providing the necessary support for our forces, it will ensure continued U.S. global leadership well into the 21st century.

William J. Clinton

The White House,
October 5, 1999.

NOTE: S. 1059, approved October 5, was assigned Public Law No. 106–65.

Statement on Senate Action on the Nomination of Ronnie L. White To Be United States District Judge for the Eastern District of Missouri

October 5, 1999

Today the Senate defeated the nomination of Ronnie White for the Federal District Court in Missouri. This vote was a disgraceful act of partisan politics by the Republican majority and creates real doubt on the ability of the Senate to fairly perform its constitutional duty to advise and consent. By voting down the first African-American judge to serve on the Missouri Supreme Court, the Republicans have deprived both the judiciary and the people of Missouri of an excellent, fair, and impartial Federal judge.

Judge White was a casualty of a judicial confirmation process that has lost any pretense of fairness. There was never any doubt about Judge White's ability to apply the law impartially. To defeat the candidacy of Judge White, the Republican majority maligned and distorted White's death penalty record, falsely creating a pretext for his defeat. While serving on the Missouri State Supreme Court, Judge White affirmed the imposition of the death penalty in almost 70 percent of the cases that came before him. Moreover, in 10 of the 18 reported instances in which Judge White voted to not impose the death penalty, he did so with an unanimous court.

The disappointing action of the Senate today provides strong evidence for those who believe that the Senate treats minority and women judicial nominees unequally. This is a sad day for the cause of equal justice.

Letter to Congressional Leaders Transmitting the Report on Implementation of the Partnership For Peace

October 5, 1999

Dear Mr. Chairman:

In accordance with section 514(a) of Public Law 103–236, I am submitting to you this report on implementation of the Partnership for Peace (PFP).

As noted in last year's report to the Congress, PFP has been a critical tool in helping