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Statement on Signing the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002

November 28, 2001

Today I have signed into law H.R. 2330, the "Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2002."

I appreciate the bipartisan effort that has gone into producing this Act. The Act abides by the agreed upon aggregate funding level for Fiscal Year 2002 of $686 billion. It provides for several important programs with significant national benefits by:

- fully funding the current participation rate for the key nutrition program for women, infants, and children;
- supporting Department of Agriculture (USDA) food safety activities, including providing 7,600 meat and poultry inspectors; and
- redirecting USDA research to provide new emphasis in key areas such as biotechnology, the development of new agricultural products, and improved protection against emerging exotic plant and animal diseases, as well as crop and animal pests.

A number of provisions contained in the bill purport to restrict executive branch execution of programs that are funded in the bill. Where such provisions contradict the Supreme Court ruling in *INS v. Chadha*, their intent will be interpreted as advisory only.

I appreciate that the Congress has worked expeditiously during this difficult and trying time in our Nation's history to consider the FY 2002 appropriations bills. Through a renewed sense of bipartisanship, the Congress and my Administration must work together to ensure the timely enactment of the remaining bills.

George W. Bush

The White House,
November 28, 2001.

NOTE: H.R. 2330, approved November 28, was assigned Public Law No. 107–76.

Statement on Signing the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002

November 28, 2001

Today I have signed into law H.R. 2500, the "Department of Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations Act, 2002."

I appreciate the bipartisan effort that has gone into producing this Act. The bill abides by the agreed upon aggregate funding level for Fiscal Year 2002 of $686 billion and supports several of my Administration's key initiatives including:

- $100 million to support a backlog elimination initiative to achieve a universal 6-month processing standard for all immigration applications;
- 570 additional Immigration and Naturalization Service agents to protect our Northern and Southern borders;
- $50 million grant program in the Office of Justice Programs to aid counties along the Southwestern border with their costs of detaining and prosecuting drug cases referred to them by Federal law enforcement agents;
- $50 million for drug courts, which provide a supervised treatment alternative to prison sentences for non-violent drug possession offenders, to enable Federal assistance to over 120 new or existing drug court programs. To date, over 57,000 offenders have completed drug court programs, and their recidivism rate is much lower than that of comparable offenders;
- $15 million for grants to create community-based task forces for reducing youth violence and to assist State and local prosecution of firearms offenses, and $9 million for the U.S. Attorneys to hire dedicated prosecutors who will appropriately prosecute juvenile gun offenders and those who supply them with guns;
- $20 million to assist State and local law enforcement agencies with the costs associated with methamphetamine laboratory clean-up; and

- $5 million for a faith-based prison prerelease pilot project to reduce the rate at which ex-offenders are returned to prison through intensive counseling and family and community transition instruction.

In addition, at this critical time, when we are mounting a world-wide effort to defeat terrorism, I appreciate that this bill provides significant new funding for our Federal law enforcement agencies in the Department of Justice, our diplomatic operations overseas, and for enhanced embassy security.

I note that Section 612 of the bill sets forth certain requirements regarding the organization of the Department of Justice's efforts to combat terrorism. This provision raises separation of powers concerns by improperly and unnecessarily impinging upon my authority as President to direct the actions of the Executive Branch and its employees. I therefore will construe the provision to avoid constitutional difficulties and preserve the separation of powers required by the Constitution.

Section 626 would require the President to submit a legislative proposal to establish a program for the compensation of victims of international terrorism. I will apply this provision consistent with my constitutional responsibilities. In addition, subsection (c) of that section purports to remove Iran's immunity from suit in a case brought by the 1979 Tehran hostages in the District Court for the District of Columbia. To the maximum extent permitted by applicable law, the Executive Branch will act, and encourage the courts to act, with regard to Subsection 626(c) of the bill in a manner consistent with the obligations of the United States under the Algiers Accords that achieved the release of U.S. hostages in 1981.

Section 630 prohibits the use of appropriated funds for cooperation with, or assistance or other support to, the International Criminal Court (ICC) or its Preparatory Commission. While section 630 clearly reflects that Congress agrees with my Administration that it is not in the interests of the United States to become a party to the ICC treaty, I must note that this provision must be applied consistent with my constitutional authority in the area of foreign affairs, which, among other things, will enable me to take actions to protect U.S. nationals from the purported jurisdiction of the treaty.

In addition, several other provisions of the bill unconstitutionally constrain my authority regarding the conduct of diplomacy and my authority as Commander-in-Chief. I will apply these provisions consistent with my constitutional responsibilities.

George W. Bush

The White House,
November 28, 2001.

NOTE: H.R. 2500, approved November 28, was assigned Public Law No. 107–77.

Executive Order 13237—Creation of the President's Council on Bioethics

November 28, 2001

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. *Establishment.* There is established the President's Council on Bioethics (the "Council").

Sec. 2. *Mission.*

(a) The Council shall advise the President on bioethical issues that may emerge as a consequence of advances in biomedical science and technology. In connection with its advisory role, the mission of the Council includes the following functions:

(1) to undertake fundamental inquiry into the human and moral significance of developments in biomedical and behavioral science and technology;

(2) to explore specific ethical and policy questions related to these developments;

(3) to provide a forum for a national discussion of bioethical issues;

(4) to facilitate a greater understanding of bioethical issues; and

(5) to explore possibilities for useful international collaboration on bioethical issues.

(b) In support of its mission, the Council may study ethical issues connected with specific technological activities, such as embryo