

895 becomes effective in 60 days, its directions for amendment will no longer correspond to the underlying text of Rule 6(e). In the next Congress, technical amendments will be necessary to add the changes in this section to those already accomplished by the Supreme Court pursuant to sections 2072 and 2074 of title 28.

Section 1313(a)(2) provides authority to the Administrative Office of the United States Courts to establish a program for providing voluntary separation incentive payments to “individuals serving in the judicial branch.” Based upon an understanding of the intent of this provision, as well as appropriate respect for principles of judicial independence, the executive branch shall construe “individuals serving in the judicial branch” to exclude those individuals serving as members of the Federal judiciary.

Section 1331 adds an amended section 4107(b)(1)(A) to title 5, United States Code, which requires that, in exercising authority to assign and fund academic degree training for certain Federal employees, an agency “take into consideration the need to maintain a balanced workforce in which women, members of racial and ethnic minority groups, and persons with disabilities are appropriately represented in Government service.” The executive branch shall construe this provision in a manner consistent with the Equal Protection component of the Due Process Clause of the Fifth Amendment to the Constitution.

**George W. Bush**

The White House,  
November 25, 2002.

NOTE: H.R. 5005, approved November 25, was assigned Public Law No. 107-296.

**Letter to Congressional Leaders  
Transmitting the Reorganization  
Plan for the Department of  
Homeland Security**  
*November 25, 2002*

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

Pursuant to section 1502 of the Homeland Security Act of 2002, I submit herewith the enclosed Reorganization Plan for the Depart-

ment of Homeland Security. The Reorganization Plan provides information concerning the elements identified in section 1502(b), and is subject to modification pursuant to section 1502(d) of the Act. In accordance with section 1502(a) of the Act, please transmit this Reorganization Plan to the appropriate congressional committees.

The details of this Plan are set forth in the enclosed letter from the Director of the Office of Management and Budget. I concur with his comments and observations.

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 Maritime  
Transportation Security Act of 2002**  
*November 25, 2002*

Today I have signed into law S. 1214, the “Maritime Transportation Security Act of 2002.” This Act will strengthen security at our Nation’s seaports by requiring comprehensive security plans for U.S. ports and mandating improved identification and screening of seaport personnel.

Certain provisions of the Act, including sections 102, 103(b), 110(c)(4), and 112(4), purport to require an executive branch official to submit 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. Moreover, to the extent such provisions of the Act would require submission of legislative recommendations, they would impermissibly impinge upon the President’s constitutional authority to submit only those legislative recommendations that he judges to be necessary and expedient. Accordingly, the executive branch shall construe such provisions as requiring submission of legislative recommendations only where the President judges them necessary and expedient.

Section 102 of the Act adds a new section 70109 to title 46 of the United States Code. This provision purports to require one of my