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defend us and make the world a more peaceful place. The message is clear: In a time of conflict and challenge, America stands behind our military.

By taking care of our servicepeople in uniform, by addressing the threats of today, by preparing for the threats of a tomorrow, this bill will help make America a safer place.

And so I'm pleased to sign the Defense Appropriations Act for Fiscal Year 2005.

Thank you all for coming.

NOTE: The President spoke at 9:56 a.m. in Room 350 of the Dwight D. Eisenhower Executive Office Building. H.R. 4613, approved August 5, was assigned Public Law 108–287.

Statement on Signing the Department of Defense Appropriations Act, 2005

August 5, 2004

Today I have signed into law H.R. 4613, the "Department of Defense Appropriations Act, 2005." The bill provides funds to pursue the war on terror, advance other United States interests around the globe, and support our Armed Forces.

Sections 8007, 8011, and 8106 of the Act prohibit the use of funds to initiate a special access program, a new overseas installation, or a new start program, unless the congressional defense committees receive advance notice. The Supreme Court of the United States has stated that the President's authority to classify and control access to information bearing on the national security flows from the Constitution and does not depend upon a legislative grant of authority. Although the advance notice contemplated by sections 8007, 8011, and 8106 can be provided in most situations as a matter of comity, situations may arise, especially in wartime, in which the President must act promptly under his constitutional grants of executive power and authority as Commander in Chief of the Armed Forces while protecting certain extraordinarily sensitive national security information. The executive branch shall construe sections 8007, 8011, and 8106 in a manner consistent with the constitutional authority of the President.

Section 8064 of the Act provides that, notwithstanding any other provision of law, no funds available to the Department of Defense for FY 2005 may be used to transfer defense articles or services, other than intelligence services, to another nation or an international organization for international peacekeeping, peace enforcement, or humanitarian assistance operations, until 15 days after the executive branch notifies 6 committees of the Congress of the planned transfer. To the extent that protection of the U.S. Armed Forces deployed for international peacekeeping, peace enforcement, or humanitarian assistance operations might require action of a kind covered by section 8064 sooner than 15 days after notification, the executive branch shall construe section 8064 in a manner consistent with the President's constitutional authority as Commander in Chief.

A proviso in the Act's appropriation for "Operation and Maintenance, Defense-Wide" purports to prohibit planning for consolidation of certain offices within the Department of Defense. Also, sections 8010(b), 8036, 8041(b), 8110, and 8116 purport to specify the content of a portion of a future budget request to the Congress for the Department. The executive branch shall construe these provisions relating to planning and making of budget recommendations in a manner consistent with the President's constitutional authority to require the opinions of the heads of departments and to recommend for congressional consideration such measures as the President shall judge necessary and expedient.

Section 8005 of the Act relating to requests to congressional committees for reprogramming of funds shall be construed as calling solely for notification, as any other construction would be inconsistent with the principles enunciated by the Supreme Court of the United States in *INS v. Chadha*.

A proviso within the appropriation for "Operation and Maintenance, Air Force" earmarks funds for a grant to a college for the purpose of funding minority aviation training, a proviso within the appropriation for "Operation and Maintenance, Defense-Wide" earmarks funds for a program for Asian American/Pacific Islander students,

and sections 8014 and 8021 of the Act grant contracting-related exceptions or preferences to Native Hawaiian organizations. The executive branch shall implement the provisos and sections 8014 and 8021 in a manner consistent with the requirement to afford equal protection of the laws under the Due Process Clause of the Fifth Amendment to the Constitution.

The executive branch shall construe section 8101 of the Act, which purports to prohibit alteration of command responsibility or permanent assignment of forces until 270 days after submission of a plan for such alteration to the congressional defense committees, as advisory, as any other construction would be inconsistent with the constitutional grant to the President of the authority of Commander in Chief. Also, the executive branch shall construe section 8124, relating to integration of foreign intelligence information, in a manner consistent with the President's constitutional authority as Commander in Chief, including for the conduct of intelligence operations, and to supervise the unitary executive branch. Finally, the Executive Branch shall construe section 12001, which purports to assign the Secretary of Defense the duty to negotiate with a foreign country, in a manner consistent with the President's constitutional authority to conduct the Nation's foreign affairs, which includes the authority to determine who shall negotiate for the United States under the President's direction with a foreign country.

George W. Bush

The White House,
August 5, 2004.

NOTE: H.R. 4613, approved August 5, was assigned Public Law 108–287.

Letter to the Speaker of the House of Representatives on the Designation of Emergency Funds in the Department of Defense Appropriations Act, 2005

August 5, 2004

Dear Mr. Speaker:

I hereby concur with the Congress in the designation of $25.856 billion provided as part of the Department of Defense Appropriations, FY 2005 (H.R. 4613), as an emergency requirement.

These funds are necessary to support Operation Iraqi Freedom and Operation Enduring Freedom, the Department of State's Mission in Iraq, State and local law enforcement assistance for security and related costs associated with the 2004 Presidential Candidate Nominating Conventions, the Judiciary, and to respond to the humanitarian crisis in the Darfur region of Sudan.

Additional information on this action is set forth in the attached letter from the Director of the Office of Management and Budget.

Sincerely,

George W. Bush

NOTE: H.R. 4613, approved August 5, was assigned Public Law 108–287.

Remarks in a Discussion in Columbus, Ohio

August 5, 2004

The President. Thank you all. Please be seated. Thank you all. That's what I'm here asking for, for 4 more years. Yes, I'm traveling our country—coming to Ohio a lot, by the way. I think you have to ask for the vote, and that's what I'm here doing. I want your vote and want your help.

I want to thank those of you who are involved with grassroots politics, the people who are helping to register the voters and the people who are going to be asking the voters to do their duty in democracy and go to the polls. I appreciate your work. And by the way, when you get them headed to the polls, kind of nudge them our way.

There's more to do for this country. That's what I want to talk about. We've got an unusual way of talking about the agenda for the future today. I want to share some thoughts with you. We've got some citizens from the Columbus area who are going to talk about some of the ideas that we're going to use to make America a compassionate place, a better place. And then I'll be glad to answer some of your questions.

First, let me tell you I'm sorry Laura is not here. She's got a valid excuse. Governor