

integrity, equity, and sound funding principles of our Federal retirement systems.

Section 1206 could be misconstrued to imply a change in the “one China” policy of the United States when, in fact, that U.S. policy remains unchanged. To the extent that this section could be read to purport to change United States policy, it impermissibly interferes with the President’s constitutional authority to conduct the Nation’s foreign affairs.

Section 1406 of the Act requires that actions to remove items from the munitions list be subject to reprogramming notifications to committees of Congress. By its plain terms, this provision does not subject such actions to any committee approval requirements, which would be impermissible under the constitutional separation of powers, and accordingly, the executive branch shall so implement it.

My approval of the Act does not constitute my adoption of the various statements of policy in the Act as U.S. foreign policy. Given the Constitution’s commitment to the presidency of the authority to conduct the Nation’s foreign affairs, the executive branch shall construe such policy statements as advisory, giving them the due weight that comity between the legislative and executive branches should require, to the extent consistent with U.S. foreign policy.

George W. Bush

The White House,
September 30, 2002.

NOTE: H.R. 1646, approved September 30, was assigned Public Law No. 107–228.

Statement on Signing a Continuing Resolution

September 30, 2002

Today I have signed into law H.J. Res. 111, a short-term continuing resolution for FY 2003. The resolution provides appropriations for continuing projects and activities of the Federal Government through October 4, 2002. It ensures that Government operations continue without interruption at their current operating level, creates no new programs, and contains no increases in spending.

Section 117 of the continuing resolution purports to prohibit all executive branch agencies from spending any funds made available under the continuing resolution “in violation of section 501 of title 44, United States Code.” That section would require executive branch agencies to procure printing from the Government Printing Office, a legislative branch entity. The longstanding position of the executive branch, memorialized in a May 1996 opinion by the Department of Justice, is that this language violates the constitutional principles of separation of powers and therefore is not binding on the executive branch. [See Memorandum from Walter Dellinger, Assistant Attorney General, to Emily C. Hewitt, General Counsel, General Services Administration, May 31, 1996.]

My Administration will continue to work with the Congress to ensure that sound fiscal principles are adhered to as we complete action on the FY 2003 appropriations bills.

George W. Bush

The White House,
September 30, 2002.

NOTE: H.J. Res. 111, approved September 30, was assigned Public Law No. 107–229.

Memorandum on the Transfer of Funds From International Organizations and Programs Funds to the Child Survival and Health Programs Fund

September 30, 2002

Presidential Determination No. 2002–32

Memorandum for the Secretary of State

Subject: Presidential Determination on the Transfer of Funds from International Organizations and Programs Funds to the Child Survival and Health Programs Fund

Pursuant to the authority vested in me by the Constitution and laws of the United States, including section 610 of the Foreign Assistance Act of 1961, as amended (FAA), I hereby determine it is necessary for the purposes of the FAA that the \$34 million in FY 2002 International Organizations and