

**Statement on Signing the  
Henry J. Hyde United States-India  
Peaceful Atomic Energy  
Cooperation Act of 2006**

*December 18, 2006*

Today I have signed into law H.R. 5682, an Act containing the “Henry J. Hyde United States-India Peaceful Atomic Energy Cooperation Act of 2006.” The Act will strengthen the strategic relationship between the United States and India and deliver valuable benefits to both nations.

Section 103 of the Act purports to establish U.S. policy with respect to various international affairs matters. My approval of the Act does not constitute my adoption of the statements of policy 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. Also, if section 104(d)(2) of the Act were construed to prohibit the executive branch from transferring or approving the transfer of an item to India contrary to Nuclear Suppliers Group transfer guidelines that may be in effect at the time of such future transfer, a serious question would exist as to whether the provision unconstitutionally delegated legislative power to an international body. In order to avoid this constitutional question, the executive branch shall construe section 104(d)(2) as advisory. The executive branch will give sections 103 and 104(d)(2) the due weight that comity between the legislative and executive branches should require, to the extent consistent with U.S. foreign policy.

The executive branch shall construe provisions of the Act that mandate, regulate, or prohibit submission of information to the Congress, an international organization, or the public, such as sections 104, 109, 261, 271, 272, 273, 274, and 275, in a manner consistent with the President’s constitutional authority to protect and control information that could impair foreign relations, national security, the deliberative processes of the Ex-

ecutive, or the performance of the Executive’s constitutional duties.

**George W. Bush**

The White House,  
December 18, 2006.

NOTE: H.R. 5682, approved December 18, was assigned Public Law No. 109–401. An original was not available for verification of the content of this statement.

**Remarks at a Swearing-In Ceremony  
for Robert M. Gates as Secretary of  
Defense in Arlington, Virginia**

*December 18, 2006*

Thank you all. I’m pleased to join you here at the Pentagon. We’re here to congratulate Bob Gates on becoming our Nation’s 22d Secretary of the Defense.

Bob Gates entered public service 40 years ago. He is an experienced and thoughtful leader. He has got a track record of steering large organizations through change and transformation. I know Bob Gates will be an outstanding Secretary of the Defense.

I want to thank Bob’s wife, Becky, and their family and their many friends who are with us here today. I appreciate the fact that the Vice President is here to administer the oath. I want to thank the members of my Cabinet who have joined us in welcoming a new member to the Cabinet. I appreciate so very much Senator John Warner and Senator Carl Levin for joining us. I thank the other Members of the United States Congress who are with us today, not the least of whom is my Congressman, Chet Edwards, from central Texas. [*Laughter*] I suspect he’s here because of the Texas A&M connection. [*Laughter*]

I want to thank Deputy Secretary England for joining us. I thank Dr. Harvey and Dr. Winter and Michael Wynne, Secretaries of the Army, Navy, and Air Force, for joining us here today. I appreciate so very much General Pete Pace, Chairman of the Joint Chiefs, and his wife, Lynne, as well as the other members of the Joint Chiefs of Staff. I thank our distinguished guests.

Most importantly, I thank those who wear our uniform. This has got to be an exciting