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OA/ID Number: 13566
Folder ID Number: 13566-007

Folder Title:
Princeton University 5/10/91 [OA 6032]

Stack:	Row:	Section:	Shelf:	Position:
G	26	17	1	2

NAME OF SPEECH & DATE OF SPEECH

Remarks at Princeton
University - 5/9/91

NAME OF WRITER :

Winchcliffe

NAME OF RESEARCHER:

Blymire

SPEECH SYNOPSIS:

The President discusses the fact that Americans have lost faith in their government & that the only way to regain this faith is to restore the Palace of Power. The President discusses the duties of the Executive Branch: to conduct foreign policy; to serve as "Commander in Chief" as well as to shape US domestic agenda. The President discusses this changes to domestic agenda, such as America 2000; Thousand Points of Light. The President then states that the largest challenge to Presidential Power is Congress. In discussing this the President stresses the need for a line-item veto. The President ends by reflecting on the joy of his office.

Hinchliffe/Blymire
May 9, 1991 6:30 P.M.
A:P7 Draft SIX

PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY
May 10, 1991
11 a.m.

Thank you, President Shapiro. Governor Florio; Members of Congress; Mrs. Shapiro; Board of Trustees Chairman Henderson; Dean Williamson; Associate Dean Morrow. I'm delighted to help dedicate this impressive complex. Though I must say I'm glad this is May, and not the first snowfall. I don't think Barbara would let me take part in your Olympics. //

Seriously, I'm honored to receive an honorary degree from Princeton. Imagine that: A son of Yale getting a Princeton degree. "Son of Yale" -- You can ^{Snicker} laugh, but you ought to hear what they call me in ~~D.C.~~ ^{Washington} &

Well, Princeton is a great place. You know, Washington said "no college has turned out better scholars or more estimable characters." That includes, of course, our last two Secretaries of State. Both have been outstanding public servants. Both love this university. But only one has the tattoo to prove it.///

I'll always remember the first time I saw the globe inside the Woodrow Wilson School lobby. Anywhere you touch it, you set off vibrations across the rest of its surface. I can't think of a more appropriate symbol for this nation's role in the world. When we act, we do set off tremors across the globe.

I would like to talk today about an American achievement that has inspired men and women worldwide -- most recently, in

Eastern Europe. I'm speaking of our Constitution. In the interest of brevity, I will focus on the roles of the two branches of government in which I have had the honor to serve, the legislative and executive departments.

~~Politicians in those branches of government face an unpleasant challenge these days. Many people have lost faith in government because government has become incomprehensible to them. The Washington of the civics textbook seems to bear little resemblance to the Washington we read about in newspapers or magazines, or see on the television screen. What in theory is a nicely orchestrated system of checks and balances can in reality look like a three-ring mud-wrestling match, in which behemoths struggle for superiority.~~

~~We can help restore faith in government by restoring the balance of powers that forms its core.~~ Consider the President's role. Thomas Jefferson once noted that the President "commands a view of the whole ground," while Congress necessarily adopts the views of its constituents.

~~Because~~ the President and Vice President are the only officials elected to serve the entire nation, ^{It is the president alone who is} the burden for ^{responsible for} guiding and directing the nation's foreign policy, ~~falls upon the executive.~~ The executive branch alone may conduct international negotiations, appoint ambassadors, and conduct foreign policy. Our founders noted the necessity of performing this duty with "secrecy and dispatch," when necessary. The President also serves as commander-in-chief of our armed forces -- as I did in

the Persian Gulf.

This does not mean that the executive may conduct foreign business in a vacuum. I have great respect for Congress and I prefer to work cooperatively with it wherever possible. Though I felt the President had the inherent power to commit our forces to battle, I solicited Congressional support before entering the Gulf War. So while a President bears special foreign policy obligations, those obligations do not imply any liberty to keep Congress unnecessarily in the dark.

The president's view of the whole ground includes a second responsibility -- shaping the nation's domestic agenda. Presidents do this by submitting annual budgets to Congress, along with a comprehensive legislative program.

We have had our share of important legislative successes. They include a Clean Air Act that invokes the power of the market to help America breathe cleaner air, an Americans with Disabilities Act, landmark civil rights legislation that enhances the dignity of those with disabilities. A child care bill that puts more power and choice in the hands of parents when it comes to the care of their ^{own} children.

But Presidents may encourage change through means other than legislation. Our Points of Light campaign, ~~for instance~~, encourages the traditional American virtue of private service. Similarly, ~~our~~ America 2000 education strategy -- which has been well-received across the land -- involves dramatic reforms that don't make dramatic new claims on taxpayer earnings. It draws on

people's common frustration with an educational system that ^{Simply} must do better. It encourages people to use their common sense and good old American ingenuity in creating better schools. It won't help build a new office building in Washington, but it very well may inspire people to build a better future for themselves and their children -- school by school, community by community.

Elsewhere, we have proposed turning programs back to states and localities. This enables people to craft the most appropriate solutions for the problems they confront. ^{in this diverse land of ours}

The point is simple: You don't always need to propose a new program to pursue a national goal. Often a President can lead by encouraging the values of service, by helping foster a national spirit of commitment and responsibility.

For too long, pundits and special interests have equated vision with bureaucracy. I hope one of the hallmarks of ^{our} this administration will be its ability to encourage not just good government, but also a Good Society -- one that draws upon and encourages the best instincts, ambitions, and values of the American people.

The common thread of commitment -- individual commitment -- runs through all successful efforts to solve our most intractable problems. The individual who cares -- who is determined to change things for the better -- can ~~and will~~ make a difference. And all of us as Americans ought to dedicate ourselves to making a difference.

While a President must take on today's problems and

tomorrow's challenges, he also has an obligation to "preserve, protect and defend" a 200-year-old system of Constitutional government. ~~He is the only official assigned this very great responsibility.~~

The most common challenge to Presidential powers comes from a predictable source, Congress. Although our founders never envisioned a Congress that would churn out hundreds of thousands of pages worth of reports, hearings, documents, and laws each year, they did understand that legislators would try to accumulate power. James Madison, a Princeton graduate, warned that "The legislative department is everywhere extending the sphere of its activity, and drawing all power into its impetuous vortex."

Sometimes this sort of competition falls ^{unnecessary requests and requirements} entirely within the bounds of the Constitution. Consider the ~~harassments~~ that can waste the time and energy of the executive. Thirty years ago, we devoted nearly 9.5 percent of our gross national product to Pentagon expenditures. Today, Pentagon spending accounts for only 5 percent of our GNP. But Congressional oversight has grown exponentially. One hundred seven committees and subcommittees oversee Defense programs and spending. For FY 1989, the Pentagon devoted 500 man-years and over \$50 million just to write reports responding to Congressional queries on such items as plans for manning tugboats, and accounting for the number of ~~military~~ bands. Defense staff has to respond yearly to more than 750,000 Congressional staff inquiries. Other executive agencies exhaust

their time and energy, often giving identical testimony to a whole battery of subcommittees and committees.

Oversight, when properly exercised, helps keep the executive accountable. But when it proliferates wildly, it can confuse the public and make it more difficult for Congress and the President to do their jobs properly.

The chief executive also preserves, protects, and defends the Constitution through the use of the veto power.

Six times in my presidency, I have vetoed bills that would have weakened ~~the~~ presidential powers. In one case, for instance, Congress wanted to make the President disclose a wide variety of sensitive diplomatic contacts and discussions, as well as private discussions within the executive branch -- and would have threatened to impose criminal sanctions on a wide range of normal diplomatic activities. I noted in my veto message that "The result would be a dangerous timidity and disarray in the conduct of U.S. foreign policy. Such a result is wholly contrary to the allocation of powers under the Constitution."

Elsewhere, Congress also has taken aggressive action against specific presidential powers -- including the power to appoint or remove employees who serve at the president's pleasure. It sometimes tries to micromanage executive-branch activities by writing too-specific directions for carrying out a particular law. When this happens, the President has a constitutional obligation to protect his office -- and to veto the legislation. In addition, on many occasions during my presidency, I have

^{stated}
~~reminded Congress~~ that statutory provisions that violate the Constitution have no binding legal force.

But there's another, often overlooked, side of the veto power. Often, vetoes encourage the legislature to reconsider its actions ~~to act with deliberation~~. When I vetoed minimum-wage legislation, for instance, I sought to persuade Congress that a slightly lower rate would best serve the public interest -- and in time, Congress agreed. [~~Similarly, I have warned the Congress that I would veto the Brady Bill, unless it was included in the comprehensive crime package I have proposed. In this case, a veto is designed not to kill a piece of legislation. It is designed to encourage Congress to enact the best law possible.~~]

And when Congress bundles up a series of unrelated measures and calls it a single "bill," it frustrates the President's constitutional role in resisting the influence of special interests. It is often impractical to veto a major bill -- especially an appropriations bill -- because of unrelated riders that would never stand a chance on their own.

Bills of this sort can pose as much a threat to Congress as to the President. It has become an annual sport for reporters to pull peculiarities out of vast spending bills -- such as a federal grant to study cow belches, or a Lawrence Welk Museum -- and ask Congress to defend them. Quite often, members don't even know what they have voted for.

I have sought -- and will continue to seek -- a line-item veto to prevent such embarrassments and protect the American

because of the added riders and complexities of the bill.

THE WHITE HOUSE
WASHINGTON

May 9, 1991

MEMORANDUM FOR THE PRESIDENT

FROM: TONY SNOW *TS*
SUBJECT: REMARKS AT PRINCETON UNIVERSITY

On Friday, May 10 at 11 a.m., you will address 1200 attendees at a building dedication ceremony at Princeton University. Your remarks are approximately 15-18 minutes in length, and will be on teleprompter.

The changes you requested are incorporated in this draft. The speech has been prepared on speechcards, and has been formatted for the teleprompter. Necessary changes will be made on the airplane.

Hinchliffe/Blymire
May 9, 1991 6:30 P.M.
A:P7 Draft SIX

PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY
May 10, 1991
11 a.m.

Thank you, President Shapiro. Governor Florio; Members of Congress; Mrs. Shapiro; Board of Trustees Chairman Henderson; Dean Williamson; Associate Dean Morrow. I'm delighted to help dedicate this impressive complex. Though I must say I'm glad this is May, and not the first snowfall. I don't think Barbara would let me take part in your Olympics. //

Seriously, I'm honored to receive an honorary degree from Princeton. Imagine that: A son of Yale getting a Princeton degree. "Son of Yale" -- You can laugh, but you ought to hear what they call me in D.C.

Well, Princeton is a great place. You know, Washington said "no college has turned out better scholars or more estimable characters." That includes, of course, our last two Secretaries of State. Both have been outstanding public servants. Both love this university. But only one has the tattoo to prove it.///

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Eastern Europe. I'm speaking of our Constitution. In the interest of brevity, I will focus on the roles of the two branches of government in which I have had the honor to serve, the legislative and executive departments.

Politicians in those branches of government face an unpleasant challenge these days. Many people have lost faith in government because government has become incomprehensible to them. The Washington of the civics textbook seems to bear little resemblance to the Washington we read about in newspapers or magazines, or see on the television screen. What in theory is a nicely orchestrated system of checks and balances can in reality look like a three-ring mud-wrestling match, in which behemoths struggle for superiority.

We can help restore faith in government by restoring the balance of powers that forms its core. Consider the President's role. Thomas Jefferson once noted that the President "commands a view of the whole ground," while Congress necessarily adopts the views of its constituents.

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For too long, pundits and special interests have equated vision with bureaucracy. I hope one of the hallmarks of this administration will be its ability to encourage not just good government, but also a Good Society -- one that draws upon and encourages the best instincts, ambitions, and values of the American people.

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tomorrow's challenges, he also has an obligation to "preserve, protect and defend" a 200-year-old system of Constitutional government. He is the only official assigned this very great responsibility.

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reminded Congress that statutory provisions that violate the Constitution have no binding legal force.

But there's another, often overlooked, side of the veto power. Often, vetoes encourage the legislature to reconsider its actions, to act with deliberation. When I vetoed minimum-wage legislation, for instance, I sought to persuade Congress that a slightly lower rate would best serve the public interest -- and in time, Congress agreed. [Similarly, I have warned the Congress that I would veto the Brady Bill, unless it was included in the comprehensive crime package I have proposed. In this case, a veto is designed not to kill a piece of legislation. It is designed to encourage Congress to enact the best law possible.]

And when Congress bundles up a series of unrelated measures and calls it a single "bill," it frustrates the President's constitutional role in resisting the influence of special interests. It is often impractical to veto a major bill -- especially an appropriations bill -- because of unrelated riders that would never stand a chance on their own.

Bills of this sort can pose as much a threat to Congress as to the President. It has become an annual sport for reporters to pull peculiarities out of vast spending bills -- such as a federal grant to study cow belches, or a Lawrence Welk Museum -- and ask Congress to defend them. Quite often, members don't even know what they have voted for.

I have sought -- and will continue to seek -- a line-item veto to prevent such embarrassments and protect the American

people from injudicious Congressional legislation and appropriation. Right now, 44 governors have such a power. It works. The President ought to have that power, too.

In closing, let me summarize my view of the Presidency. Presidents define themselves through their exercise of presidential power. They must use their special authority to serve the whole nation, in matters of foreign and domestic policy. They must set a tone for governance -- at once leading the people and following their desires. They must preserve, protect and defend the Constitution. And they must encourage deliberative behavior on the part of Congress.

But the real power of the Presidency lies in the President's ability to frame -- through action, through example, through encouragement -- what we as a nation must do: what is required of communities and institutions -- large and small -- in schools and factories, and the hundreds of daily acts of individuals.

The great joy and challenge of the office I occupy is that the President serves not just as the unitary executive, but also as the unifying executive.

As President, I feel honor-bound to strengthen the marvelous system of government bequeathed to us, so that we may remain the freest, most decent, most prosperous nation in history.

Thank you, and may God bless the United States of America.

#

OFFICE OF CABINET AFFAIRS STAFFING MEMORANDUM

Date: 5-7-91

Due by: 1:00 Wed. May 8

Subject: Presidential Remarks: Princeton University

From: Holly Williamson

	ACTION	CONCUR	FYI		ACTION	CONCUR	FYI
HOLIDAY	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FITZHENRY	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DANZANSKY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	MCMUNN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ADAIR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BUCHHOLZ	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SCHALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CASSE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SECHLER	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
EVANS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	WETHINGTON	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FARRAR	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	WILLIAMSON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GUNN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LEFKOWITZ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JACKSON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

I am sending to Justice and Interior and Education. Please provide comments to me by 1:00 on Wednesday, May 8.
Thank you.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 5/7/91 ACTION/CONCURRENCE/COMMENT DUE BY: WEDNESDAY 5/8/91 3:00 pm

SUBJECT: PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY

	ACTION FYI			ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PETERSMEYER	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROGICH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SMITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BROMLEY	<input type="checkbox"/>	<input type="checkbox"/>	UNTERMAYER	<input type="checkbox"/>	<input type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>ROGERS</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>SNOW</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to Tony Snow, Rm. 122, x2930, no later than 3:00 pm, WEDNESDAY, MAY 8, with a copy to this office. Thank you.

RESPONSE:

PHILLIP D. BRADY
 Assistant to the President
 and Staff Secretary
 Ext. 2702

91 MAY -7 PM 3:36

Hinchliffe/Blymire
May 7, 1991 1 p.m.
A:P3 Draft Two

PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY
May 10, 1991

Thank you, President Shapiro. I'm delighted to be here to help in the dedication of this impressive complex. Though I must say I'm glad this is May, and not the first snowfall. I don't think Barbara would let me take part in your Olympics.

As I stand here, I remember a day when a young Yale first-baseman and his team met Princeton on the field of battle. I see that site is now home to your Third World Center. I guess that's appropriate -- the Third World would have been the only place I could have gotten a pro ball contract. I wish just once I could have played on a team that had a year like Pete Carril's.

Seriously, I'm honored to receive a degree from Princeton. After all, Washington said "no college has turned out better scholars or more estimable characters." Certainly it's the only school that can claim as alumni the last two Secretaries of State. Both have been outstanding public servants. And both of them love this school. But only one has the tattoo to prove it.

I'll always remember the first time I saw the globe inside the Wilson School lobby. Anywhere you touch it, you set off vibrations across the rest of its surface. I can't think of a more appropriate symbol for this nation's role in the world. When we act, we really can set off tremors across the globe. We have become accustomed to that responsibility as a nation. We see it as our special burden and our special blessing.

I would like to talk today about the source of America's greatness, its Constitution. More to the point, I will discuss the way in which our separation of powers doctrine gives our people a government that preserves for this and future generations the promise and blessings of liberty.

Most politicians today must confront an unpleasant fact: People have lost faith in government because government has become incomprehensible to them. The Washington of the civics textbook seems to bear little resemblance to the Washington we read about in newspapers or magazines, or see on the television screen. What in theory is a nicely orchestrated system of government looks more like a three-ring mud-wrestling match, in which behemoths struggle for superiority. The concept of separated powers has given way to the view that politicians and judges in Washington struggle over a single, amorphous power.

Let me suggest that we can restore faith in government by making our government more faithful to the design our founders laid out. I'm not asking that we don powdered wigs and restore the institutions as they were two centuries ago. I'm really calling for us to honor the doctrine of the separation of powers.

Let's start by discussing Congress. The founders never envisioned a Congress that would churn out hundreds of thousands of pages worth of reports, hearings, documents, laws, rules and regulations each year. They saw Congress as a rather modest branch of government, charged with doing the nation's business deliberately. They thought that state governments would assume

far greater importance in the scheme of things -- and for 150 years, they were right. As recently as the turn of the century, state and local governments appropriated ten times as much as the federal government.

W/ a modest Congress "not consistent"

Although the founders took great pains to ensure that the President could not become an elected monarch, they were most wary of Congress. James Madison, a Princeton graduate, warned that "The legislative department is everywhere extending the sphere of its activity, and drawing all power into its impetuous vortex. It is against the enterprising ambition of this department that the people ought to indulge all their jealousy and exhaust all of their precautions."

Madison did not mean to disparage Congress with this comment, any more than I wish to do so today. You may recall that he returned to Congress after his presidency, remarking that he could find no higher calling than to serve in the House of Representatives. He merely wanted to acknowledge a fact of human nature: Politicians strive naturally to accumulate power, and will stop only when prevented from doing so by law or force.

Madison did? JQ does did? But did Madison?

Consider a few ways in which Congress has tried to weaken or usurp executive authority within the realm of domestic politics:

Start with the excessive exercise of oversight powers. Thirty years ago, we devoted nearly 5 percent of our gross national product to Pentagon expenditures. Today, Pentagon spending accounts for only half as much of our GNP as it did during the early days of the Kennedy presidency. But

Congressional oversight has metastasized. During the budget process, 107 committees and subcommittees look over Defense programs and spending. Last year the Pentagon devoted 500 man years and over \$50 million just to write reports responding to Congressional queries on such items as plans for manning tugboats, and accounting for the number of military bands. Defense staff has to respond yearly to more than 750,000 Congressional staff inquiries.

only 500?

Every Cabinet agency can offer equally chilling accounts of the way in which Congress, ostensibly exercising its powers of oversight, binds an executive.

Ironically, it also ties up the legislative branch. What our founders saw as a deliberative body sometimes behaves like a legislative Tower of Babel. Congress now includes as many subcommittees -- over 300 -- as it had staff members after World War II. The average member of the House belongs to seven committees or subcommittees; the average senator, eleven. One wag around Washington says that anyone who forgets the name of a member of the House or Senate always can get by simply by addressing the politician as "Mr. Chairman or Madame Chairman." But think about it: more than half the members of Congress now have that title.

Congressional staffs, which not too long ago included only two to three assistants per representative, have grown more rapidly than any other branch of government. They formulate policy, draft laws, determine votes. This band of 40,000 costs

taxpayers more than \$300 million each year -- and each Congressional office spends an average of \$600,000 on staff.

As committees and staffs proliferate, they must find things to do. They spend a great deal of time pursuing re-election, through the special privilege of franked mail, and by developing district offices that make it possible for members to perform special favors for constituents back home. In recent years, members have started funnelling favors to out-of-state friends who contribute funds to campaign war chests. This sort of constituent service has led to such embarrassments as the Keating Five scandal.

But congressional "service" distorts government in other ways. It has become common practice, for instance, for members of Congress to attach regulations or appropriations to bills that deal with entirely different issues.

Last year, when I asked for \$800 million in aid for developing democracies in Panama and Nicaragua, one member tacked on a provision that would enable the District of Columbia government to use federal funds for abortions. Another demanded child-care legislation. The final measure included \$185 million for a correctional facility in West Virginia.

Buried in the 119-page Interior Department appropriations bill was a clause prohibiting employees of that executive department from making any record of who contacted them from the Hill, and what information they were asked to provide.

Congress has become so adept at bundling many different

bills under a single title that members often have no idea exactly what they are voting for -- and many later find themselves unable to explain such peculiarities as a federal grant to study cow belches or a Lawrence Welk Museum.

In short, the more adroit Congress becomes at performing favors or micromanaging the executive branch, the less competent it becomes with regard to its own duties. It has passed a balanced budget only once since it reformed the budget process in 1974, and it has met its deadlines for approving the 13 different appropriations bills only twice.

At the same time Congress has fallen victim to perceptions of arrogance. It has rendered itself exempt from the many rules and regulations it writes for the executive branch -- and for everyone else. Congressional personnel, for instance, are not covered by the laws that restrict -- or protect -- executive branch employees. These laws include the Freedom of Information Act. Government in the Sunshine Act. Privacy Act. Civil Rights statutes. Congress does not have to respond to queries from special prosecutors or inspectors general. In short, it has freed itself from a wide range of restraints, while awarding itself and its staff special perks.

A Congressional leader once told a member of our administration: "We can't subject congressional staff to criminal exposure for conflict of interest -- it's an infringement on their right to represent special interests." He was not joking!

A president faces a tough challenge in trying to "preserve,

protect and defend" a constitution plagued by such chaos. Fortunately, our system provides powers suited to the task.

The president's most powerful tool for preserving, protecting and defending the Constitution is the veto.

Six times in my presidency, I have vetoed bills that weaken the presidential powers. In each case, I wanted to preserve presidential powers, in accordance with my oath of office. A year from now, Congress will vote on whether to reauthorize the independent counsel statute -- a law that has done a great deal to chase good people out of executive branch service. The debate over that bill should prove interesting from the standpoint of defining and preserving presidential powers.

But vetoes serve another purpose. They provide a tool for forcing the legislature to legislate wisely and deliberately, rather than with reckless haste. I have argued in the past, for instance, that our Constitution contains what some scholars call an "implied" line-item veto. According to this theory, when Congress bundles up a series of unrelated measures and calls it a "bill," a president has the authority to veto separate measures, as if they were separate bills. Several times in my presidency, we have exercised a power much like this by refusing to honor provisions of a law that seem to violate the Constitution. We rejected nine separate passages of a State Department Authorization bill, for instance, because they unconstitutionally weakened the president's foreign policy powers.

While the notion of the inherent veto remains controversial,

I have sought -- and will continue to seek -- a line-item veto, even though I believe such a power already rests within the Constitution. The line-item veto can protect the American people from injudicious Congressional legislation and appropriation.

The second presidential power is the power to propose legislation. Every president makes regular use of this power. We recently have challenged Congress, for instance, to pass our crime and transportation packages by June 14. Such bills address national problems. They reflect a special presidential power, which Thomas Jefferson noted in his first inaugural. He described the president as the only government officer who "conducts a view of the whole ground."

Ironically, the legislative power may offer a means for confining Congressional aspirations and restoring the balance of powers. The military base-closing exercise demonstrated that in many ways Congress simply cannot reform itself without outside help. Many members will admit -- off the record, of course -- that we need to restore competition in Congressional elections. We will do our best to challenge gerrymanders, regardless of which party benefits from improperly drawn congressional boundaries. We also will try again to reform campaign financing. In the past we have proposed eliminating political action committees supported by corporations, unions or trade organizations; and preventing those organizations from paying for the overhead of administrative costs of independent PACS. We have tried to strengthen political parties by increasing the

amounts of money they may contribute to political campaigns. We would like to reduce the power of incumbency by prohibiting the personal use of excess campaign funds, paring down the franking privilege, and prohibiting politicians from building up big campaign chests by rolling campaign contributions from one cycle to another. And candidates also ought to disclose all "soft money" contributions and their sources.

Finally, we ought to restore faith in Congressional intentions by applying to Congress the statutes it applies to everyone else.

Now, we will achieve none of these reforms without making use of another, emerging power of the presidency -- a tool one constitutional scholar calls the rhetorical presidency and many commentators call the bully pulpit.

A president often must lead by example, and propose reforms that don't involve new legislation or new demands on taxpayers' earnings. Our America 2000 education strategy, for instance, does not create lots of new programs or impose new burdens on American taxpayers. It draws on people's common frustration with an educational system that must do better. It encourages people to use their common sense in creating better schools. It won't help build a new office building in Washington, but it very well may inspire people to build a better future for themselves.

This approach motivates other parts of our legislative and economic program. We have proposed, for instance, returning a number of programs to the states, where people understand their

needs and know how best to fulfill them.

For too long, pundits and special interests have equated vision with bureaucracy. This is irresponsible not only in terms of public policy, but also in terms of constitutional theory. The more a president defines his or her powers strictly in terms of legislation, the more likely it will be that Congressional and presidential responsibilities merge and our system of checks and balances will exist only in theory, not in practice.

Although I have talked a great deal about the founders today, the presidency changes constantly. Presidents define themselves by the ways in which they use their constitutional powers. They use the veto power to shape policy, protect the Constitution, and force Congress to behave in a deliberate, responsible manner. They exercise their foreign policy powers - - not just in matters of war, but also through such actions as seizing assets, maintaining diplomatic contacts, promoting free and fair trade.

Finally, and perhaps most important -- a president must serve not merely as the unitary executive, but as a unifying executive. As President, I feel a special duty to promote the values, goals, and purposes that bind us as Americans.

As President, I feel honor-bound to strengthen the marvelous system of government bequeathed to us, so that we may remain the freest, most moral, most prosperous land in history.

Thank you, and may God bless the United States of America.

#



UNITED STATES DEPARTMENT OF EDUCATION

PUBLIC AFFAIRS

May 8, 1991

OFFICE OF THE DIRECTOR

TO: Holly Williamson
Associate Director
of Cabinet Affairs
The White House

FROM: Etta Fielek
Director of Public Affairs

SUBJECT: Princeton Speech

Jon Snow
cc: Phil B
Ed H.

(Additional Comments)

We have only a few comments regarding the reference to America 2000 in the draft speech.

Page 9, third full paragraph, "A President often must...":

1. America 2000 does require legislative authority to put several new initiatives in place. Secretary Alexander told members of the Senate Labor and Human Resources Committee in testimony on America 2000 that The America 2000 Excellence in Education Act of 1991 will be ready for introduction by the end of May. However, it is accurate to say America 2000 places "no new demands on taxpayers' earnings" because the strategy seeks no funds beyond our original budget request submitted to the Congress on February 4.

2. Since several new initiatives are proposed by America 2000, it might be misleading to say this strategy does not create new programs. One way to spin that point might be: "Our America 2000 education strategy creates several new programs, including a New Generation of American Schools and Governors' Academies for Teachers and Principals, without imposing new burdens on American taxpayers."

3. Please consider adding to the fourth sentence the underlined phrase: "It encourages people to use their common sense and good old American ingenuity in creating better schools."

4. An additional recommendation on rhetoric linked directly to America 2000: Consider adding to the final sentence the underlined phrases, "It won't help build a new office building in Washington, but it very well may inspire people to build a better future for themselves, and their children, school by school, community by community."

As always, thanks for the opportunity to review this draft.

WHITE HOUSE STAFFING MEMORANDUM

91 MAY 9 P2:33

DATE: 5/9/91 ACTION/CONCURRENCE/COMMENT DUE BY: ---

SUBJECT: PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PETERSMEYER	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROGICH	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SMITH	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>ROGERS</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>BROADMAN</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
GRAY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

The attached has been forwarded to the President.

RESPONSE:

PHILLIP D. BRADY
Assistant to the President
and Staff Secretary
Ext. 2702

91 MAY -9 AM 9:36

Hinchliffe/Blymire
May 9, 1991 9 a.m.
A:P6 Draft FOUR

PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY -
May 10, 1991
11 a.m.

[[Thank you, President Shapiro. Governor Florio; Members of Congress; Mrs. Shapiro; Board of Trustees Chairman Henderson; Dean Williamson; Associate Dean Morrow.]] I'm delighted to help dedicate this impressive complex. Though I must say I'm glad this is May, and not the first snowfall. I don't think Barbara would let me take part in your Olympics. //

Seriously, I'm delighted to receive an honorary degree from Princeton. After all, Washington said "no college has turned out better scholars or more estimable characters." Certainly, it's the only school that can claim as alumni the last two Secretaries of State. Both have been outstanding public servants. Both love this ~~school~~. But only one has the tattoo to prove it.///

I'll always remember the first time I saw the globe inside the Woodrow Wilson School lobby. Anywhere you touch it, you set off vibrations across the rest of its surface. I can't think of a more appropriate symbol for this nation's role in the world. When we act, we ~~do set off tremors~~ across the globe.

I would like to talk today about an American achievement that has inspired men and women worldwide -- most recently, in Eastern Europe. I'm speaking of our Constitution, -- and in particular, ~~the separation of powers~~. In the interests of brevity, I will ~~confine~~ my remarks ~~to~~ the Constitutional

UNIVERSITY.

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TRULY INFLUENCE EVENTS

FOCUS

ON

ROLES AND

PHRASE "PRINCETON IN THE NATION'S SERVICE."

relationship between the two branches of government in which I have had the honor to serve, the legislative and executive departments.

IN THE WAKE OF A SUCCESSFUL PERSIAN GULF WAR AND REMARKABLE PRESIDENTIAL POPULARITY WE SHOULD NOT SUBMIT A LACK OF FAITH IN GOVERNMENT SPEED READS WELL WITHOUT IT.

~~Politicians in those branches of government face an unpleasant challenge these days. People have lost faith in government because government has become incomprehensible to them.~~ ^{But sometimes people find to be} The Washington of the civics textbook seems to bear little resemblance to the Washington we read about in newspapers or magazines, or see on the television screen. What in theory is a nicely orchestrated system of government, takes on the appearance in reality of a three-ring mud-wrestling match, in which behemoths struggle for superiority. The concept of separated powers has given way to the view that politicians struggle over a single, amorphous power.

stet

~~We can restore faith in government by restoring the balance of powers that forms its core.~~ ^{That perception need not exist.} Consider the President's role in this effort. Thomas Jefferson once noted that the President "commands a view of the whole ground," ^{HE AND THE VICE PRESIDENT ARE UNIQUE IN THAT THEY ARE ELECTED BY AND RESPONSIBLE TO ALL THE PEOPLE.} while Congress necessarily adopts the narrower views of its constituents. A number of important duties flow from the President's special status.

^{IT IS} For instance, the President ^{WHO IS RESPONSIBLE} bears the unique burden for guiding and directing ^{THE NATION'S} foreign policy. Our founders noted the necessity of his conducting foreign affairs with "secrecy and dispatch," when necessary. The President also ^{HAS THE CONSTITUTIONAL} serves as ^{RESPONSIBILITY OF} commander-in-chief ^{OF OUR ARMED FORCES.} as I did in the Persian Gulf.

This does not mean that the ^{PRESIDENT} executive may conduct^S foreign business in a vacuum. Indeed, ^{WE HAVE A PROUD TRADITION OF COOPERATION BETWEEN} it makes sense to work ~~with Congress wherever possible.~~ ^{THE EXECUTIVE AND LEGISLATIVE BRANCHES ON FOREIGN POLICY ISSUES.} I solicited Congressional support before entering the Gulf War, and I am working now with members of both parties to obtain extension of our fast-track trade procedures. So while a President bears special foreign policy obligations, those obligations ^{ARE BEST FULFILLED} do not imply any liberty to keep Congress ^{WITH EXTENSIVE} in the dark. ^{IONAL CONSULTATIONS.}

The president's view of the whole ground includes a second responsibility, ^{-- SHAPING THE NATION'S} which is to set a national domestic agenda. Presidents do this annually by submitting ^{ANNUAL} budgets to Congress, ^{ALONG WITH A COMPREHENSIVE LEGISLATIVE PROGRAM.} They carry this duty further by proposing legislation, developing policies, and mobilizing support for their programs.

^{A PRESIDENT'S} This sort of leadership ^{ON DOMESTIC ISSUES} doesn't necessarily require new legislation or demands on taxpayers. Our Points of Light campaign, for instance, ^{ENCOURAGES} exalts the selfless Americans who find new ways of serving their families, their neighbors, their friends -- or even strangers in need. Our policies recognize that a ~~Great Society~~ approach to government ^{AL} large programs with vast expenditures ^J do not always achieve our goals. ^{OFTEN} a Good Society, one in which people exercise their natural virtues, ^{BESTS} better strengthens our nation and builds a spirit of commitment and responsibility.

Similarly, our America 2000 education strategy involves dramatic reforms that ^{ARE NOT FOUND IN A PIECE OF LEGISLATION.} don't make dramatic new claims on taxpayer earnings. ^{THIS STRATEGY} It draws on people's common frustration with an

educational system that must do better. It encourages people to use their common sense and good old American ingenuity in creating better schools. It won't help build a new office building in Washington, but it very well may inspire people to build a better future for themselves and their children -- school by school, community by community.

Elsewhere, we have proposed turning programs back to states and localities. This enables people to craft the most appropriate solutions for the problems they confront.

DELETE
sketch? { For too long, pundits and special interests have equated vision with bureaucracy. This is irresponsible not only in terms of public policy, but also in terms of constitutional theory. The more a President defines his or her powers strictly in terms of legislation, the more likely it will be that our system of checks and balances will exist only in theory, not in practice.

The President ^{*IAL OATH INVOLVES A WELL KNOWN*} ~~shoulders a final unique~~ obligation -- to "preserve, protect and defend" the Constitution. In this context, the President has an obligation to ^{*PRESERVE AND PROTECT*} ~~ensure that Congress~~ ^{*THE DIVISION AND AUTHORITY BETWEEN THE EXECUTIVE AND LEGISLATIVE BRANCHES.*} ~~stays within its own constitutional boundaries -- which is to say, that it conduct its business thoughtfully and deliberately.~~

The chief executive pursues this duty in several ways. The most powerful tool, of course, is the veto.

Six times in my presidency, I have vetoed bills that weaken the presidential powers. In each case, I wanted to preserve presidential powers, in accordance with my oath of office.

More often, however, vetoes encourage the legislature to

reconsider its actions. When I vetoed minimum-wage legislation, for instance, I sought to persuade Congress that a slightly lower rate would best serve the public interest -- and in time, Congress agreed.

And when Congress bundles up a series of unrelated measures and calls it a "bill," a president has the authority to veto separate measures. On many occasions during my presidency, I have reminded Congress that statutory provisions that violate the Constitution have no binding legal force.

But this phenomenon of bundled legislation has another consequence: It encourages cynicism about government.

Last year, when I asked for \$800 million in aid for developing democracies in Panama and Nicaragua, some Senators tacked on a provision that would enable the District of Columbia government to use federal funds for abortions. Another Senator demanded child-care legislation.

In other cases, Congress has tried to slip restrictions on presidential powers into the fine print of large pieces of legislation. ~~This seems not only unduly sly, but it is dangerous.~~ The practice of bundling can leave members of Congress in the dark about the nature of the legislation they enact. It has become an annual sport for reporters to pull peculiarities out of vast spending bills -- such as a federal grant to study cow belches, or a Lawrence Welk Museum -- and ask Congress to defend them.

I have sought -- and will continue to seek -- a line-item

veto to prevent such embarrassments and protect the American people from injudicious Congressional legislation and appropriation.

Finally, a President must protect the powers of the presidency against predictable and perfectly natural incursions by Congress. Although our founders never envisioned a Congress that would churn out hundreds of thousands of pages worth of reports, hearings, documents, ^{AND} laws, ~~rules and regulations~~ each year, they did understand that legislators would try to accumulate power. James Madison, a Princeton graduate, warned that "The legislative department is everywhere extending the sphere of its activity, and drawing all power into its impetuous vortex... It is against the enterprising ambition of this department that the people ought to indulge all their jealousy and exhaust all of their precautions."

Consider a few ways in which Congress has tried to weaken or usurp executive authority within the realm of domestic politics: ^{NEAR ENDLESS REQUIREMENTS AND REQUESTS} Start with the ~~harassments~~ ^{CONSUME} that can waste the time and energy of the executive. Thirty years ago, we devoted nearly 9.5 percent of our gross national product to ^{DEFENSE} ~~Pentagon~~ expenditures. Today, ^{DEFENSE} ~~Pentagon~~ spending accounts for only 5 percent of our GNP. But Congressional oversight has grown ^{EXPONENTIALLY. TODAY} ~~wildly~~ [?] one hundred seven committees and subcommittees oversee Defense programs and spending. For FY 1989, the Pentagon devoted 500 man-years and over \$50 million just to write reports responding to Congressional queries on such items as plans for manning

tugboats, and accounting for the number of military bands. Defense staff has to respond yearly to more than 750,000 Congressional staff inquiries. That's just one example.

In recent years, Congress also has taken aggressive action against specific presidential powers -- including the power to appoint or remove employees who serve at the president's pleasure, the power to execute the laws Congress writes, and even the power to maintain appropriate confidentiality. Congress also has tried to micromanage the executive branch by writing into law too-specific directions about the ways in which the executive is supposed to carry out a particular law.

A President has a duty to ^{RESIST} rebuff such attempts, not only to preserve the presidency -- but also to ensure the faithful operation of our government.

In closing, let me summarize my view of the presidency. Presidents define themselves through their exercise of presidential power. They must use their special authority to serve the whole nation, in matters of foreign and domestic policy. They must set a tone for governance -- at once leading the people and following their desires. They must preserve, protect and defend the Constitution. And they must encourage deliberative behavior on the part of Congress.

But the responsibility of the President is national not just federal. To be sure we have had our share of important legislative successes. They include ^{*} a Clean Air Act that invokes the power of the market to help America breathe cleaner air, an

* A BUDGET AGREEMENT THAT REDUCES FEDERAL BORROWING REQUIREMENTS BY NEARLY \$500 BILLION OVER THE NEXT 5 YEARS.

Americans with Disabilities Act, landmark legislation that enhances the dignity of those with disabilities. A child care bill that puts more power and choice in the hands of parents when it comes to the care of their children.

But the real power of the Presidency lies in the President's ability to frame -- through action, through example, through encouragement -- what we as a nation must do: what is required of communities and institutions -- large and small -- in schools and factories, and the hundreds of daily acts of individuals.

The common thread of commitment -- individual commitment -- runs through all successful efforts to solve our most intractable problems. The individual who cares -- who is determined to change things for the better -- can and will make a difference.

The great joy and challenge of the office I occupy is that the President serves not just as the unitary executive, but also as the unifying executive -- the one promotes the values, goals, and purposes that bind us as Americans.

As President, I feel honor-bound to strengthen the marvelous system of government bequeathed to us, so that we may remain the freest, most moral, most prosperous land in history.

Thank you, and may God bless the United States of America.

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WHITE HOUSE STAFFING MEMORANDUM

DATE: 5/7/91

ACTION/CONCURRENCE/COMMENT DUE BY: WEDNESDAY 5/8/91 3:00 P

SUBJECT: PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PETERSMEYER	<input type="checkbox"/>	<input type="checkbox"/>
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GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to Tony Snow, Rm. 122, x2930, no later than 3:00 pm, WEDNESDAY, MAY 8, with a copy to this office. Thank you.

RESPONSE:

*There is good some suggestions made in this very broad as too
 But - The course headlines! (copy)
 sense with PRASHER on
 shill Bush Prime Comment etc
 AT*

PHILLIP D. BRADY
 Assistant to the President
 and Staff Secretary
 Ext. 2702

SD

91 MAY -7 PM 3:36

Hinchliffe/Blymire
May 7, 1991 1 p.m.
A:P3 Draft Two

PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY
May 10, 1991

Thank you, President Shapiro. I'm delighted to be here to help in the dedication of this impressive complex. Though I must say I'm glad this is May, and not the first snowfall. I don't think Barbara would let me take part in your Olympics.

As I stand here, I remember a day when a young Yale first-baseman and his team met Princeton on the field of battle. I see that site is now home to your Third World Center. I guess that's appropriate -- the Third World would have been the only place I could have gotten a pro ball contract. I wish just once I could have played on a team that had a year like Pete Carril's.

Seriously, I'm honored to receive a degree from Princeton. After all, Washington said "no college has turned out better scholars or more estimable characters." Certainly it's the only school that can claim as alumni the last two Secretaries of State. Both have been outstanding public servants. And both of them love this school. But only one has the tattoo to prove it.

I'll always remember the first time I saw the globe inside the Wilson School lobby. Anywhere you touch it, you set off vibrations across the rest of its surface. I can't think of a more appropriate symbol for this nation's role in the world. When we act, we really can set off tremors across the globe. We have become accustomed to that responsibility as a nation. We see it as our special burden and our special blessing.

is
this
accurate?

I would like to talk today about the source of America's greatness, its Constitution. More to the point, I will discuss the way in which our separation of powers doctrine gives our people a government that preserves for this and future generations the promise and blessings of liberty.

Most politicians today must confront an unpleasant fact: People have lost faith in government because government has become incomprehensible to them. The Washington of the civics textbook seems to bear little resemblance to the Washington we read about in newspapers or magazines, or see on the television screen. What in theory is a nicely orchestrated system of government looks more like a three-ring mud-wrestling match, in which behemoths struggle for superiority. The concept of separated powers has given way to the view that politicians and judges in Washington struggle over a single, amorphous power.

Let me suggest that we can restore faith in government by making our government more faithful to the design our founders laid out. I'm not asking that we don powdered wigs and restore the institutions as they were two centuries ago. I'm really calling for us to honor the doctrine of the separation of powers.

Let's start by discussing Congress. The founders never envisioned a Congress that would churn out hundreds of thousands of pages worth of reports, hearings, documents, laws, rules and regulations each year. They saw Congress as a rather modest branch of government, charged with doing the nation's business deliberately. They thought that state governments would assume

far greater importance in the scheme of things -- and for 150 years, they were right. As recently as the turn of the century, state and local governments appropriated ten times as much as the federal government.

Although the founders took great pains to ensure that the President could not become an elected monarch, they were most wary of Congress. James Madison, a Princeton graduate, warned that "The legislative department is everywhere extending the sphere of its activity, and drawing all power into its impetuous vortex. It is against the enterprising ambition of this department that the people ought to indulge all their jealousy and exhaust all of their precautions."

Madison did not mean to disparage Congress with this comment, any more than I wish to do so today. You may recall that he returned to Congress after his presidency, remarking that he could find no higher calling than to serve in the House of Representatives. He merely wanted to acknowledge a fact of human nature: Politicians strive naturally to accumulate power, and will stop only when prevented from doing so by law or force.

Consider a few ways in which Congress has tried to weaken or usurp executive authority within the realm of domestic politics:

Start with the excessive exercise of oversight powers. Thirty years ago, we devoted nearly 5 percent of our gross national product to Pentagon expenditures. Today, Pentagon spending accounts for only half as much of our GNP as it did during the early days of the Kennedy presidency. But

-- just 2.5% --
spell out --

Congressional oversight has metastasized. During the budget process, 107 committees and subcommittees look over Defense programs and spending. Last year the Pentagon devoted 500 man years and over \$50 million just to write reports responding to Congressional queries on such items as plans for manning tugboats, and accounting for the number of military bands. Defense staff has to respond yearly to more than 750,000 Congressional staff inquiries.

That's
3500
years...

spell out
again
good
statistics

Every Cabinet agency can offer equally chilling accounts of the way in which Congress, ostensibly exercising its powers of oversight, binds an executive.

Ironically, it also ties up the legislative branch. What our founders saw as a deliberative body sometimes behaves like a legislative Tower of Babel. Congress now includes as many subcommittees -- over 300 -- as it had staff members after World War II. The average member of the House belongs to seven committees or subcommittees; the average senator, eleven. One wag around Washington says that anyone who forgets the name of a member of the House or Senate always can get by simply by addressing the politician as "Mr. Chairman or Madame Chairman." But think about it: more than half the members of Congress now have that title.

Congressional staffs, which not too long ago included only two to three assistants per representative, have grown more rapidly than any other branch of government. They formulate policy, draft laws, determine votes. This band of 40,000 costs

taxpayers more than \$300 million each year -- and each Congressional office spends an average of \$600,000 on staff.

As committees and staffs proliferate, they must find things to do. They spend a great deal of time pursuing re-election, through the special privilege of franked mail, and by developing district offices that make it possible for members to perform special favors for constituents back home. In recent years, members have started funnelling favors to out-of-state friends who contribute funds to campaign war chests. This sort of constituent service has led to such embarrassments as the Keating Five scandal.

But congressional "service" distorts government in other ways. It has become common practice, for instance, for members of Congress to attach regulations or appropriations to bills that deal with entirely different issues.

Last year, when I asked for \$800 million in aid for developing democracies in Panama and Nicaragua, one member tacked on a provision that would enable the District of Columbia government to use federal funds for abortions. Another demanded child-care legislation. The final measure included \$185 million for a correctional facility in West Virginia.

Buried in the 119-page Interior Department appropriations bill was a clause prohibiting employees of that executive department from making any record of who contacted them from the Hill, and what information they were asked to provide.

Congress has become so adept at bundling many different

*to
have
in my
opinion*

bills under a single title that members often have no idea exactly what they are voting for -- and many later find themselves unable to explain such peculiarities as a federal grant to study cow belches or a Lawrence Welk Museum.

In short, the more adroit Congress becomes at performing favors or micromanaging the executive branch, the less competent it becomes with regard to its own duties. It has passed a balanced budget only once since it reformed the budget process in 1974, and it has met its deadlines for approving the 13 different appropriations bills only twice.

At the same time Congress has fallen victim to perceptions of arrogance. It has rendered itself exempt from the many rules and regulations it writes for the executive branch -- and for everyone else. Congressional personnel, for instance, are not covered by the laws that restrict -- or protect -- executive branch employees. These laws include the Freedom of Information Act. Government in the Sunshine Act. Privacy Act. Civil Rights statutes. Congress does not have to respond to queries from special prosecutors or inspectors general. In short, it has freed itself from a wide range of restraints, while awarding itself and its staff special perks.

A Congressional leader once told a member of our administration: "We can't subject congressional staff to criminal exposure for conflict of interest -- it's an infringement on their right to represent special interests." He was not joking!

A president faces a tough challenge in trying to "preserve,

protect and defend" a constitution plagued by such chaos. Fortunately, our system provides powers suited to the task.

The president's most powerful tool for preserving, protecting and defending the Constitution is the veto.

Six times in my presidency, I have vetoed bills that weaken the presidential powers. In each case, I wanted to preserve presidential powers, in accordance with my oath of office. A year from now, Congress will vote on whether to reauthorize the independent counsel statute -- a law that has done a great deal to chase good people out of executive branch service. The debate over that bill should prove interesting from the standpoint of defining and preserving presidential powers.

But vetoes serve another purpose. They provide a tool for forcing the legislature to legislate wisely and deliberately, rather than with reckless haste. I have argued in the past, for instance, that our Constitution contains what some scholars call an "implied" line-item veto. According to this theory, when Congress bundles up a series of unrelated measures and calls it a "bill," a president has the authority to veto separate measures, as if they were separate bills. Several times in my presidency, we have exercised a power much like this by refusing to honor provisions of a law that seem to violate the Constitution. We rejected nine separate passages of a State Department Authorization bill, for instance, because they unconstitutionally weakened the president's foreign policy powers.

While the notion of the inherent veto remains controversial,

I have sought -- and will continue to seek -- a line-item veto, even though I believe such a power already rests within the Constitution. The line-item veto can protect the American people from injudicious Congressional legislation and appropriation.

The second presidential power is the power to propose legislation. Every president makes regular use of this power. We recently have challenged Congress, for instance, to pass our crime and transportation packages by June 14. Such bills address national problems. They reflect a special presidential power, which Thomas Jefferson noted in his first inaugural. He described the president as the only government officer who "conducts a view of the whole ground."

Ironically, the legislative power may offer a means for confining Congressional aspirations and restoring the balance of powers. The military base-closing exercise demonstrated that in many ways Congress simply cannot reform itself without outside help. Many members will admit -- off the record, of course -- that we need to restore competition in Congressional elections. We will do our best to challenge gerrymanders, regardless of which party benefits from improperly drawn congressional boundaries. We also will try again to reform campaign financing. In the past we have proposed eliminating political action committees supported by corporations, unions or trade organizations; and preventing those organizations from paying for the overhead of administrative costs of independent PACS. We have tried to strengthen political parties by increasing the

amounts of money they may contribute to political campaigns. We would like to reduce the power of incumbency by prohibiting the personal use of excess campaign funds, paring down the franking privilege, and prohibiting politicians from building up big campaign chests by rolling campaign contributions from one cycle to another. And candidates also ought to disclose all "soft money" contributions and their sources.

Finally, we ought to restore faith in Congressional intentions by applying to Congress the statutes it applies to everyone else.

Now, we will achieve none of these reforms without making use of another, emerging power of the presidency -- a tool one constitutional scholar calls the rhetorical presidency and many commentators call the bully pulpit.

A president often must lead by example, and propose reforms that don't involve new legislation or new demands on taxpayers' earnings. Our America 2000 education strategy, for instance, does not create lots of new programs or impose new burdens on American taxpayers. It draws on people's common frustration with an educational system that must do better. It encourages people to use their common sense in creating better schools. It won't help build a new office building in Washington, but it very well may inspire people to build a better future for themselves.

This approach motivates other parts of our legislative and economic program. We have proposed, for instance, returning a number of programs to the states, where people understand their

needs and know how best to fulfill them.

For too long, pundits and special interests have equated vision with bureaucracy. This is irresponsible not only in terms of public policy, but also in terms of constitutional theory. The more a president defines his or her powers strictly in terms of legislation, the more likely it will be that Congressional and presidential responsibilities merge and our system of checks and balances will exist only in theory, not in practice.

Although I have talked a great deal about the founders today, the presidency changes constantly. Presidents define themselves by the ways in which they use their constitutional powers. They use the veto power to shape policy, protect the Constitution, and force Congress to behave in a deliberate, responsible manner. They exercise their foreign policy powers -- not just in matters of war, but also through such actions as seizing assets, maintaining diplomatic contacts, promoting free and fair trade.

Finally, and perhaps most important -- a president must serve not merely as the unitary executive, but as a unifying executive. As President, I feel a special duty to promote the values, goals, and purposes that bind us as Americans.

As President, I feel honor-bound to strengthen the marvelous system of government bequeathed to us, so that we may remain the freest, most moral, most prosperous land in history.

Thank you, and may God bless the United States of America.

#

Cards - Δ on plane.



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don 2000 - plus

③ Kill Great/Good

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THE WHITE HOUSE

WASHINGTON

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May 8, 1991

MEMORANDUM FOR TONY SNOW
DEPUTY ASSISTANT TO THE PRESIDENT FOR
COMMUNICATIONS, DIRECTOR OF SPEECHWRITING

FROM: NELSON LUND
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Presidential Remarks: Princeton University

As we discussed, there are some errors in the current draft of this speech and there may be other ways in which the draft could be strengthened.

(1) Page 5, last full paragraph. The clause prohibiting the recording of congressional contacts was not in the bill presented to the President. We persuaded its proponent (a Republican) to have it deleted during the legislative process. It is therefore not a good example of congressional transgression of the separation of powers principle.

(2) Pages 7-8. The President does not believe that the Constitution contains an "inherent" or "implied" line item veto, at least as that term is customarily used. It is essential that the speech not say or suggest that the President has adopted this theory.

It would also not be advisable to say that the Administration has "refused to honor" unconstitutional statutory provisions, or to characterize the President as having "rejected" nine provisions of the State Authorization Bill. Without a more detailed explanation, this is liable to cause unnecessary misunderstanding. A better way to put this point would be to say: "On more than one occasion, I have had to remind the Congress that statutory provisions violating the Constitution are not legally binding."

(3) Page 8, second full paragraph. I don't understand the first sentence of this paragraph. And the example given in the second paragraph is highly problematic, at least to the extent that the base-closing exercise is implicitly praised, because the base-closing legislation raises constitutional questions precisely on separation of powers grounds. It would seem best to delete this discussion.

(4) Pages 3-4. The example of excessive reporting requirements at DoD and other agencies does not seem to illustrate a separation of powers problem, at least as presented here. Such

reports are pretty obviously a waste of taxpayer money, but they are not by themselves an infringement on the President's authority. In order for this example to work, I think one needs to point to cases where the reporting requirements have been used to interfere with the President's ability to control his subordinates. Such cases may be hard to document.

Similarly, the criticism of the large staffs and proliferation of committees does not point to a separation of powers problem without some evidence that it has led to an infringement on one of the other branches. No examples of this are given in the draft. (Some examples are given in Jeremy Rabkin's article in the Summer 1990 issue of The Public Interest, though the examples would need to be verified by DOJ or OMB for accuracy.)

(5) Page 7, second full paragraph, first sentence. I would suggest re-wording this as follows: "Six times in my presidency, I have vetoed bills containing unconstitutional provisions infringing on the authority of the President."

(6) Page 5, first full paragraph, last sentence. Out-of-state campaign contributors are not "constituents." The sentence could be reworded to say: "This sort of "service" to campaign contributors has led . . ." It is also unlikely that this phenomenon as only appeared in recent years, as suggested in the previous sentence.

(7) Page 1, second paragraph. The joke about the Third World might cause undesirable controversy if someone decided to characterize it as racist.

(8) In general, I'm afraid that the speech comes across as something of a grab-bag of ideas without a sufficiently well-developed theme. Perhaps it would help to begin with a short discussion of the importance and meaning of separation of powers in the foreign policy context, where the principles are easiest to explain. Then the speech could move on to argue that separation of powers is also of critical importance in the domestic arena. Examples could then be given to illustrate this point.

I am attaching a copy of a draft speech that Peter Rodman was working on last year; the speech was never given, and it contains some good ideas that might be incorporated into this speech.

(9) You mentioned that this draft would be subject to major revision. If I could help out by looking at the next draft, I'd be happy to do so.

Attachment

cc: Philip D. Brady
Assistant to the President and Staff Secretary

Foreign Affairs and Democratic Leadership
Address to the Federalist Society
Saturday, January 20, 1990

It's a pleasure to be here with so many good friends on this, my first anniversary in office.

It's been a good first year, even with its ups and downs. And that includes relations with Congress.

I'm reminded of that first President named George, 200 years ago. During **his** first year, he tried the experiment of going up to the Senate in person to seek its advice and consent to some provisions of a treaty with the Creek Indians. The Senators subjected him to two days of questioning, wrangling, and debate, and never answered the questions he had put to them. He left completely frustrated, swearing "he would be damned if he ever went there again!" And he didn't.

So, a certain tension between the President and Congress is part of our tradition. It's a creative tension, for the most part -- but not always. I'd like to talk to you today about **my** philosophy of government -- my philosophy of this office, this great institution of democratic leadership.

The Separation of Powers

Your conference yesterday and today has focused on the key question: How is our system of shared and separated powers working, in a new era?

It's sometimes a clumsy, inefficient system. But the Framers of our Constitution had very good reasons for it.

First of all, they understood that the separation of powers is a vital safeguard of our liberties. Many countries have a Bill of Rights that looks good on paper. But if power is concentrated in the hands of one group or institution or party, then those rights are in jeopardy. We see that lesson being taken to heart right now all over Eastern Europe.

What's often forgotten, however, is a second point: that the unbalancing of our system of checks and balances is equally dangerous whether it's the Executive, or the courts -- or the **Congress** -- that oversteps the bounds. The Framers had a bad experience with the Articles of Confederation -- a system with an impotent Executive, in which the Continental Congress, was overwhelmingly powerful -- but also incapable of meeting dangerous challenges to the new Nation's security.

Thus, the Federalist Papers are replete with expressions of

In themselves, the
security lay in the potentially omnipotent
legislature.

3

concern about the danger of **legislative** encroachments on **Executive** power. The Executive needed "energy," and decisiveness, they wrote; only the President could act in foreign affairs with "secrecy and dispatch."¹ A government in which the Executive power was fragmented was an enfeebled, ineffective government. And that was **not** what the Framers had in mind.

There was a third reason for the separation of powers, and that was: accountability. Congressional oversight is a part of this Executive accountability -- but not the whole of it. For the Framers created, **inherent** in the Presidency, the most accountable of public offices. The President is always in the spotlight; the results of his actions are there for all to see; he is the focal point of our national political life. He cannot escape responsibility. "The buck stops here."

The more that Congress encroaches on the President's sphere of activity, the more it **diffuses** and **confuses** responsibility -- exactly as the Framers often warned against.²

Our branches of government have different jobs to do, and different competencies, in every sense of that word. Congress deliberates on issues episodically, and its judgments are fixed

¹E.g., Federalist Nos. 23, 37, 48, 64, 70.

²See, e.g., Federalist No. 70.

in law. The President must act in the world, in real time, with the consistency and boldness that give mastery over events, as we've sought to do in our European policy. A President needs the flexibility to act, sometimes quickly, as in Panama last month. And a President must lead.

✓ ^{Morand}
 The ~~General~~ Noriegas of the world don't go on recess or plan their activities according to the congressional calendar. Someday I'll tell you what it's like to have to track down the congressional leadership all over the country to brief them, as we did over Panama. The President is **always** on the job.

An organization of 535 independent-minded members, with arcane procedures for making -- and avoiding -- collective decisions, has many virtues, but focusing responsibility is not one of them. I've served there, and I know! There are now 86 committees and subcommittees in Congress dealing with foreign affairs. There are 53 committees and subcommittees dealing with the drug issue. [Check]. There can't be 536 Secretaries of State, or 536 Presidents, at one time. If the President is accountable for the failure of a policy, he needs the freedom of action to succeed.

My Philosophy of Cooperation

The only way our system can work is if each branch respects the other's proper role and prerogatives. And there has to be

cooperation. That is the spirit in which I've approached relations with Congress since I took office.

And we've had many successes, which I'm proud of:

- the Bipartisan Accord on Central America, in which we found common ground in a political strategy to advance democracy and security in that region;
- strategic force modernization, where our bipartisan consensus assures us a viable strategic deterrent into the next century and smooths the way for a START treaty;
- aid for Poland and Hungary, on which we haggled a bit over the amounts but which really represents a powerful national consensus in support of freedom;
- and on domestic issues, like the savings-and-loan rescue, minimum wage, Clean Air Act, and government ethics.

*Nothing has
happened
yet. In clear
Air*

It's often said that the micromanagement that developed in the 1970's was the product of mistrust. So, I pledged to restore trust. I promised to respect Congress' role, and its desire to be told the truth and to be listened to. I've met with the congressional leadership on a regular basis, and pledged to consult wherever possible in advance of crises, not just after

they've begun. In return, the leaders assured me they would cooperate in the same spirit, and back off from micromanagement.

The record so far? It's mixed. The pattern of good cooperation that we set at the beginning of last year has started to fray at the edges. It's time to state my concerns.

My Concerns

As I said, our system **cannot** work without respect for each other's distinct role and prerogatives. Otherwise our national interests can suffer grievously, both at home and abroad.

In the 1970's, the balance tipped too far in the direction of ~~weakening the Presidency~~ ^{Constitutional aggression}. If the Presidency was ever in fact imperial, it certainly then became imperiled. No doubt, Presidential actions in Vietnam and Watergate contributed. But restrictions on the President became embedded in our laws -- long after their immediate rationale was gone. Congress asserted itself in **unprecedented** ways; it began to dictate the tactics of foreign policy and tie the President's hands -- rendering him less **able**, indeed, to act with energy and decisiveness:

-- There's a congressional compendium of Legislation on Foreign Relations. In 1964, it was a single volume of about 660 pages. Today it's four volumes, totaling over 4,000 pages -

- with a fifth volume on treaties.

-- During Noriega's rule, Congress tried to dictate our Panama policy by passing nearly a dozen separate provisions prohibiting or conditioning U.S. aid to Panama. They were totally unnecessary, as we had no intention of aiding Noriega. Now, when circumstances have completely changed, it's a legal nightmare trying to recover our ability to provide help.

-- Congressional staffs have exploded in size -- from about 6,000 in 1955 to nearly 20,000 now [check] -- and are a major source of the problem. In fact, my next initiative with the Soviets will be to offer legislative staff exchanges to help their new Supreme Soviet learn all the tricks of micromanagement. It's only fair! The global balance of power may depend on it!

But it's no joke. In the 1970's, the weakening of the Presidency weakened the country -- and world peace. American paralysis and retreat in that period was one of the most destabilizing factors in postwar history. It raised doubts about our reliability as an ally, and our staying power. It encouraged our adversaries to imagine that the "correlation of forces" was shifting in their favor. It encouraged a Soviet military buildup and a campaign of adventurism on several continents. A heavy price was paid.

Since then, the American people have voted three times in 10 years for Presidents who vowed to reverse that trend. The people's will has changed -- yet the restrictions remain in our laws and a lot of old habits persist:

-- In the wake of Iran-Contra, an attempt was made to deny the President his constitutional flexibility on timely

notification to Congress of covert actions. Fortunately, ^{controversy} this was resolved ~~by a compromise~~ ^{by leaving the President's legal discretion unimpeded.}

-- [The FS-X project -- co-development of a new fighter plane with Japan -- was controversial. That's okay. What was not okay was the Congress's attempt to impose negotiating

instructions and internal deliberative procedures on the Executive branch. I had to ^(use my) veto ~~that resolution~~ ^{to forestall that attempt}

-- There was a bill to prohibit any U.S. official from talking to other governments in a way that might encourage them to do something that the United States ^{itself} is prohibited ^{from} ~~to~~ do ^{ing} another reaction to Iran-Contra. I can think of nothing more unconstitutional, paralyzing, and dangerous than to chill the discourse of diplomacy in this way -- imposing criminal penalties on Executive branch officials in a statute rife with ambiguity and vagueness. And so I vetoed that one too. And I'll veto it again if I have to.

Congress's role in foreign affairs has grown. That is not disputed. But its newfound power brings responsibility along with it. Some ^{innovative} ~~new~~ activities by Members of Congress, for example, can be ^{quite} valuable. The Senate Arms Control Observer Group gives us good advice as it monitors our negotiations; Mickey Leland gave his life trying to save the starving in Africa. I have a lot less respect for those who negotiated with Central American leaders in a manner implying that ^{Members of} Congress, not the President, represented this country ^{abroad}, and that the foreign policy of the United States Government could be ignored.³

Some of these disputes have been resolved; some not. But if there is to be a new spirit of trust, there shouldn't be constant challenges. I will resist them.

I ^{am} ~~consider myself~~ just a temporary occupant of this office, beholden to its future as well as its past, sworn to pass it on to my successors unimpaired. *This is not just my policy or my desire, but my constitutional obligation.*

We **all** have a stake in this. It would be a tragedy if the opposition party, despairing after losing a few elections, should act as if it felt no stake in the long-run viability of this institution. It would be a mistake, in every way. As a good

³See, e.g., John M. Barry, The Ambition and the Power (Doubleday, 1989), especially pages 369-376.

Republican I shouldn't say this, but some day they may win the White House. And, as a good conservative in loyal opposition, I wouldn't want to see the powers of the office diminished even then. *It's not a question of turf, and it's not just politics! it's about the fundamental structure of our government.*

A few years ago, at the height of Iran-Contra, Senator Boren wrote a very wise article asking if America could ever speak with one voice again. "With each new breakdown of bipartisan consensus and trust [he wrote] comes a new list of congressional restrictions on the executive branch. With new restrictions come new initiatives by the White House aimed at evading what are viewed as unwise limitations upon the prerogatives of the commander in chief. Executive evasions breed more congressional distrust and the cycle continues, paralleling the arms race in its destructive and irrational escalation."⁴

I want to break that cycle. Whether it's on Central America or intelligence oversight or treaty interpretation -- and three major arms control treaties ^{should be} ~~are~~ coming down the road in the next year or two -- we've got to work out a healthy habit of accommodation, one that lets me do the job I'm sworn to do.

Today, I renew my pledge: I'm for dialogue and cooperation.

And I call on Congress to respond in kind. The alternatives -- a series of enervating confrontations -- will injure the Presidency and the nation, and I can assure you that it will not ~~be~~ and be a profitable exercise for those in Congress who are tempted to abuse their powers.

⁴Sen. David Boren, "Can America Have One Voice Again?", Washington Post, Feb. 19, 1987. p. A27.

~~I can also assure you~~ but it will also in the end ~~be~~ backfire against those who put their own political ~~notions~~ ahead of their responsibilities as Americans.

The Genius of Our System

✓ The genius of our Constitution has been its ability to adapt to historical necessity. We've had strong Presidents with a bold view of their office, who led the Nation in response to great challenges -- the Civil War, our emergence as a world power, the Great Depression, and ^{the War against Fascism} ~~two World Wars~~. Today, our challenges are different but in their own way can be equally fateful.

The pattern of world politics that we've been accustomed to over four decades, especially in Europe, is coming apart. This could pose new dangers if not managed with wisdom and skill; it offers a historic opportunity to reshape the world if Western statesmanship is up to the task. Our adversaries are making critical decisions -- about their military posture, and their role in the world. Firm Western policies over 40 years have changed Soviet calculations -- but it all hangs in the balance. American power is no longer overwhelmingly preponderant, as it was for a brief period when Europe and Asia lay prostrate after World War II. We are still the leader, but our leadership must display new qualities of vision and imagination, constancy and discipline. A President hobbled by ^{a thousand petty} ~~Gulliver-like~~ restraints and ^{incessant} micromanagement -- throwbacks to a bygone era -- will be handicapped in ~~both~~ confronting the dangers and seizing the opportunities.

The American people want vigorous leadership, to shape the future. That's **today's** historical necessity. That's my responsibility as President. With a new spirit of trust and practice of cooperation, that's the job I intend to do.

This memorandum provides an overview of the ways Congress most often intrudes or attempts to intrude into the functions and responsibilities assigned by the Constitution to the Executive Branch. It highlights ten types of legislative provisions commonly included in proposed legislation that weaken the Presidency. It is important that all of us be familiar with each of these forms of encroachment on the Executive's constitutional authority. Only by consistently and forcefully resisting such congressional incursions can Executive Branch prerogatives be preserved. Of course, the methods of intruding on Executive power are limited only by Congress' imagination; thus, our ten examples are illustrative rather than exhaustive. This Office is always pleased to assist in reviewing legislation for any possible encroachments on the President's authority.

1. Interference with the President's Appointment Power

The Appointments Clause is an essential aspect of separation of powers. By permitting the President or his direct subordinates to appoint the officials within the Executive Branch, the Appointments Clause helps ensure that those who make policy are accountable to the President.

a. The Appointments, Incompatibility and Ineligibility Clauses

The Appointments Clause of the Constitution, Art. II, § 2, cl. 2, provides that "Officers of the United States" must be

appointed by the President with the advice and consent of the Senate, or, where authorized by Congress, by the President alone, the courts, or the Heads of Departments. These methods of appointment are exclusive; officers of the United States therefore cannot be appointed by Congress, or by congressional officers. Buckley v. Valeo, 424 U.S. 1, 126, 141 (1976). Moreover, the scope of the term "officer" is broad: anyone who "exercis[es] significant authority pursuant to the laws of the United States" or who performs "a significant governmental duty . . . pursuant to the laws of the United States" is an officer of the United States, Buckley v. Valeo, 424 U.S. at 126, 141, and therefore must be appointed pursuant to the Appointments Clause.

Notwithstanding the requirements of the Appointments Clause, Congress frequently establishes and directs commissions, agencies, boards and other entities to perform operational responsibilities, and requires appointment of their members in a manner incompatible with the Appointments Clause. President Reagan repeatedly had to stress, in signing bills into law, that such commissions may perform only advisory, investigative, informative, or ceremonial functions, and may not perform regulatory, enforcement, or other executive responsibilities.¹

Similar problems have frequently arisen in connection with commemorative commissions, where the violation of the Appointments Clause frequently has been compounded by making Members of the Senate or House members of those commissions, in violation of the Incompatibility Clause of the Constitution, Art. I, § 6, cl. 2. Pursuant to that Clause, no person holding any office of the United States may be a Member of either House of Congress.² Members of Congress may constitutionally participate on such commissions only in an advisory or ceremonial capacity.³ Where the members of a commission appointed in violation of the

¹ An example of such a signing statement relates to the United States Commission on Civil Rights Act of November 30, 1983, 19 Weekly Comp. Pres. Doc. 1626, 1627 (1983).

² The appointment of Members of the Senate or the House to newly created positions also violates the Ineligibility Clause, that part of Art. I, § 6, cl. 2, pursuant to which "No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time."

³ See, e.g., signing statement dated September 29, 1983, relating to the establishment of the Commission on the Bicentennial of the United States Constitution, 19 Weekly Comp. Pres. Doc. 1362 (1983).

Appointments or Incompatibility Clauses constitute a majority of the Commission, the Commission itself may perform only advisory or ceremonial functions.⁴ Any proposal to establish a new Commission should be reviewed carefully to determine if its duties include executive functions. If they do, the members of the Commission must be appointed pursuant to the Appointments Clause.

b. Other Inroads on the President's Appointment Power

Congress also frequently imposes such significant limitations on whom the President may appoint that Congress effectively makes the appointment itself. For example, Congress often legislatively directs the President to nominate an official from among individuals named in lists submitted by the Speaker of the House and the President Pro Tempore of the Senate or other officers of Congress. Such requirements are an unconstitutional attempt to share in the appointment authority which is textually committed to the President alone. The requirement that the President (or other Executive officials) appoint persons who will exercise significant authority under the laws of the United States from lists submitted by State Governors or other persons not appointed in accordance with the Appointments Clause suffers from the same constitutional defect.⁵

Congress also imposes impermissible qualifications requirements on principal officers. For instance, Congress will require that a fixed number of members of certain commissions be from a particular political party. These requirements also violate the Appointments Clause. The only congressional check that the Constitution places on the President's power to appoint "principal officers" is the advice and consent of the Senate. As Justice Kennedy recently wrote for himself and two other members of the Court:

By its terms, the [Appointments] Clause divides the appointment power into two separate spheres: the President's power to 'nominate,' and the Senate's power to give or withhold its 'Advice and Consent.' No role whatsoever is given either to the Senate or to Congress as a whole in the process of choosing the person who will be nominated for [the] appointment.

⁴ See, e.g., signing statement dated August 27, 1984, relating to the establishment of a Commission on the Commemoration of the First Legal Holiday Celebrating the Birth of Martin Luther King, Jr., 20 Weekly Comp. Pres. Doc. 1192 (1984).

⁵ In fact, a person who is given the authority to draft such lists from which an appointment must be made would be exercising significant authority for purposes of the Appointments Clause.

Public Citizen v. United States Department of Justice, 57 U.S.L.W. 4793, 4805 (U.S. June 23, 1989) (Kennedy, J., concurring).

c. Delegation of Federal Executive Power

One of the gravest new threats to Executive Branch power is Congress' growing penchant for assigning the Executive power to persons who are not part of the Executive Branch. We believe the assignment of such powers poses a substantial threat to the Executive Branch, regardless whether the power is assigned to members of the Legislative Branch, State officials, or private citizens. The assignment of such powers away from the Executive Branch necessarily weakens the Executive Branch in relation to the Legislative and Judicial Branches, and it raises substantial Appointments Clause and other separation of powers questions.

One current example of Congress assigning Executive Branch power can be found in the so-called "qui tam" provisions, such as those found in the False Claims Act, 31 U.S.C. §§ 3729 et seq. In these qui tam provisions, Congress authorizes any person to prosecute -- on behalf of the United States and in the name of the United States -- a civil fraud action for treble damages and penalties against any person who allegedly makes a false claim to the United States Government. The qui tam plaintiff is empowered to sue on the Government's behalf even if he has sustained no personal injury. As a bounty for prosecuting the fraud, the qui tam plaintiff receives up to 30 percent of any damages and penalties recovered, with the balance paid into the United States Treasury.

We believe such provisions must be vigorously resisted. The power to litigate the claims of the United States is committed by the Constitution to the Executive Branch. It is well established that "conducting civil litigation in the courts of the United States for vindicating public rights" is at the core of Executive power and "may be discharged only by persons who are 'Officers of the United States'." Buckley, 424 U.S. at 140 (emphasis added). See also United States v. San Jacinto Tin Co., 125 U.S. 273, 279 (1888) (the Attorney General "is undoubtedly the officer who has charge of the institution and conduct of the pleas of the United States, and of the litigation which is necessary to establish the rights of the government"); Confiscation Cases, 74 U.S. (7 Wall.) 454, 458-459 (1868) ("[S]o far as the interests of the United States are concerned, [all suits] are subject to the direction, and within the control of, the Attorney General.").

2. Hybrid Commissions

Congress often creates commissions composed of members or appointees of the Legislative and Executive Branches. These commissions are not clearly a part of either Branch. As noted above, if the Commission is to exercise significant authority, the Constitution requires that its members be appointed pursuant to the Appointments Clause. Even if its functions are merely advisory, however, we believe that the establishment of such hybrid commissions is inconsistent with the tripartite system of government established by the Framers of our Constitution. Thus, the Department of Justice has frequently included in its bill comments the following:

The creation of a Commission that is not clearly legislative, judicial, or executive, tends to erode the structural separation of powers. As established by this bill, the Commission could not be considered to be a part of any of the three Branches and would be in the difficult position of having to serve two masters. Although the Branches of Government are not "hermetically sealed" from one another, (Immigration and Naturalization Service v. Chadha, 462 U.S. 921 (1983)), the separation of powers suggests that each branch maintain its separate identity, and that functions be clearly assigned among the separate branches. The Commission does not mesh with this constitutional structure.

In many instances, the problems created by a hybrid commission are aggravated by the fact that the commission's membership is to contain more representatives of the Legislative Branch than of the Executive Branch. In such cases, the Department has to the imbalance, made an additional objection in our bill comments to the following effect:

In any event, the representation on the Commission of the Executive and Legislative Branches lacks the proper balance. According to the bill, the Commission would comprise one member of the Executive branch, twelve Members of Congress, and five members from the private sector. In our view, the proper relationship between the two co-equal Branches would require that they be equally represented on a Commission of this type in terms of numbers as well as rank.

3. Attempts to Constrain the Removal Power

The President, as the head of a unitary Executive Branch, has a duty to "take Care that the Laws be faithfully executed," U.S. Const., Art. II, § 3, to coordinate and supervise his subordinates, and to ensure that the Executive Branch speaks with one voice. See generally Myers v. United States, 272 U.S. 52, 163-64 (1926). The President's power to remove subordinates is essential to carrying out these responsibilities. The constitutional limitations on congressional restrictions on the President's removal authority "ensure that Congress does not interfere with the President's exercise of the 'executive power' and his constitutionally appointed duty to 'take care that the laws be faithfully executed' under Article II." Morrison v. Olson, 108 S. Ct. 2597, 2618 (1988).

A recent example of Congress considering a bill that would severely undermine the President's ability to faithfully execute the laws is the proposal to make the Social Security Administration an independent agency by limiting the President's removal powers with respect to its officers. There are literally hundreds of other examples and variations on the theme of restrictions on the President's removal power. Because the power to remove is the power to control, restrictions on removal power strike at the heart of the President's power to direct the Executive Branch and perform his constitutional duties. In particular, the inability to remove officers erodes significantly the President's responsibility to "take care that the Laws be faithfully executed."

We recognize that the Court upheld restrictions on the Executive Branch's authority to remove an Independent Counsel in Morrison v. Olson. The Court stated that the constitutionality of a "for cause" removal provision turns on whether the removal restrictions "impede the President's ability to perform his constitutional duty," and that the functions of the officer whose removal is limited must be analyzed in that light. Id. at 2619. The Court relied upon three primary points in upholding the "for cause" removal restrictions on the Independent Counsel. The Court reasoned that the "for cause" removal provision was constitutional because the Independent Counsel: (1) is an inferior officer under the Appointments Clause; (2) enjoys only limited jurisdiction and tenure; and (3) lacks policymaking or significant administrative authority.

A comparison of the status and functions of the independent counsel, and the status and functions of the officers proposed to be subject to removal restrictions will often show the proposed restriction to be distinguishable from Morrison. Moreover, the Independent Counsel was performing a function -- the prosecution of high level government officials -- where there was perceived

to be a conflict of interest within the Executive Branch. Whether distinguishable or not, the power of the Executive Branch will be best preserved by vigorous opposition to such restrictions.

4. Micromanagement of the Executive Branch

There has recently been an unabashed willingness by Congress to micromanage foreign affairs and Executive Branch internal deliberations. For example, S.J. Res. 113, concerning the FSX aircraft, contained detailed provisions intruding into internal Executive Branch deliberations, including specific directives to a particular Executive agency to solicit and consider comments or recommendations from another agency and to make certain recommendations to the President. It also required that the President consider these recommendations. Such provisions clearly constitute an inappropriate intrusion by Congress into Executive Branch management and an encroachment on the President's authority with respect to deliberations incident to the exercise of Executive power. Similarly, bills that require a particular Executive agency to be excluded from a policy or executive decision unconstitutionally infringe upon the unitary Executive and must, therefore, be resisted. Finally, bills that prohibit Executive agencies from taking actions to reorganize or consolidate offices within their agencies or that prohibit agencies from expending funds on activities that are clearly part of the agency's mission constitute an indefensible interference with the day-to-day management of the Executive departments.

While Congress has a free hand in determining what laws the President is to enforce, we do not believe that Congress is constitutionally entitled to dictate how the Executive Branch is to execute the law. Congress' recent interest in determining the precise organizational structure of Executive Branch departments and the chain of command with respect to internal deliberations seriously threatens the Executive Branch's ability to effectively and efficiently fulfill its obligations. If continued, this pattern would result in the Executive Branch being substantially controlled and administered by the Legislative Branch.

5. Attempts to Gain Access to Sensitive Executive Branch Information

Congress consistently attempts to obtain access to the most sensitive Executive Branch information and is not always receptive to arguments that the Executive Branch, like Congress and the courts, must enjoy some measure of protection for confidential exchanges of information if it is to function

effectively. Last month, this Office provided you with a memorandum that focused on Executive Privilege. In addition to overt efforts to obtain privileged information, Congress often includes in bills language that purports to require that "all information" or "all reports" regarding a specific subject be made available to a particular congressional committee or other entity that is not part of the Executive Branch. Such efforts should be resisted, however, as an unconstitutional encroachment on the President's constitutional responsibility to protect certain information. Therefore, it should always be recommended that such provisions include the phrase "to the extent permitted by law." A typical statement of this Department's position regarding a requirement to make available any or all information and reports is as follows:

The Department objects to the breadth of this amendment and its failure to recognize the President's constitutional right and duty to withhold from disclosure certain information. The President must retain the authority to withhold in the public interest information whose disclosure might significantly impair the conduct of foreign relations, the national security, the deliberative processes of the Executive Branch or the performance of its constitutional duties. Accordingly, the Department recommends that the committees' right to obtain such information be qualified by the phrase "to the extent permitted by law."

6. Concurrent Reporting Requirements

In the past year, Congress has increased significantly its use of concurrent reporting requirements in an effort to insert itself into the Executive Branch decisionmaking process. A concurrent reporting requirement requires an agency simultaneously to transmit to Congress a budget recommendation or legislative proposal that it transmits to OMB or the White House.

In some instances, a concurrent reporting requirement has even been applied within a department. For example, in 1982 Congress attempted to require the FAA Administrator to transmit to Congress any budget recommendations or legislative proposals that were transmitted by the Administrator to the Secretary of Transportation. We advised that this provision was unconstitutional.⁶

⁶ Memorandum for John Fowler, General Counsel, Department of Transportation, from Theodore B. Olson, Assistant Attorney General, Office of Legal Counsel, re: Statutory Requirements for (continued...)

Concurrent reporting requirements may breach the separation of powers by disrupting the chain of command within the Executive Branch and preventing the President from exercising his constitutionally guaranteed right of supervision and control over Executive Branch officials. Moreover, such provisions infringe upon the President's authority as head of a unitary Executive to control the presentation of the Executive Branch's views to Congress. Accordingly, such concurrent reporting requirements should be opposed. However, if enacted, the requirement to transmit reports to Congress should be construed as applying only to "final" recommendations that have been reviewed and approved by the appropriate superiors within the Executive Branch, including OMB, and if necessary, the President.

7. Legislative Vetoes

In INS v. Chadha, 462 U.S. 919 (1983), the Supreme Court held that Congress may only exercise legislative power by passing a bill and presenting it to the President. Thus, the Court held unconstitutional a statutory provision that allowed one House to veto and overrule a decision made by the Attorney General with respect to a deportation. Congress must abide by a delegation of authority to an Executive Branch official, such as whom to deport, until that delegation is legislatively altered or revoked. Attempts to make particular Executive Branch decisions contingent upon congressional action or to take binding actions without compliance with the constitutional requirement of presentment are unconstitutional. Efforts to "veto" Executive action without complying with the presentment requirement are known as "legislative vetoes." Despite the presentment requirement, Congress has continued to include some forms of legislative veto devices in legislation. Chadha, however, clearly stands for the proposition that Congress can only affect the obligations and duties of others through the legislative process and that bills requiring an Executive official to take, or not to take, a particular action must be presented to the President. Any legislation that subjects Executive action to veto or approval by the Houses of Congress or their committees is unconstitutional.

6 (...continued)
the FAA Administration to Provide Certain Budget Information and Legislative Recommendations Directly to Congress (November 5, 1982).

8. Requirements that Legislation be Submitted to Congress

Under Art. II, § 3 of the Constitution, the President is directed to recommend for legislative consideration "such Measures as he shall judge necessary and expedient" Despite this Clause, Congress frequently attempts by statute to control the Executive's legislative priorities by requiring that the President or his subordinates recommend legislative measures on certain subjects. Because the President has plenary exclusive authority to determine whether and when he should propose legislation, any bill purporting to require the submission of recommendations is unconstitutional. If enacted, such "requirements" should be construed as only a recommendation to the President that he submit legislative proposals.

9. Attempts to Restrict the President's Foreign Affairs Powers

Since the 1970s, Congress has increasingly attempted to assert itself in the area of foreign affairs at the expense of the authority traditionally exercised by the President.⁷ The President has the responsibility, under the Constitution, to determine the form and manner in which the United States will

⁷ The history of recent congressional action in this area was succinctly summarized in the following excerpt from an article by Senator John G. Tower, Chairman of the Senate Armed Services Committee.

The 1970's were marked by a rash of Congressionally initiated foreign policy legislation that limited the President's range of options on a number of foreign policy issues. The thrust of the legislation was to restrict the President's ability to dispatch troops abroad in a crisis, and to proscribe his authority in arms sales, trade, human rights, foreign assistance and intelligence operations. During this period, over 150 separate prohibitions and restrictions were enacted on Executive Branch authority to formulate and implement foreign policy. Not only was much of this legislation ill conceived, if not actually unconstitutional, it has served in a number of instances to be detrimental to the national security and foreign policy interests of the United States.

Tower, "Congress Versus the President: The Formulation and Implementation of American Foreign Policy," 60 Foreign Affairs, 229, 234 (Winter, 1981/82).

maintain relations with foreign nations. E.g., II, §§ 1-3; Haig v. Agee, 453 U.S. 280, 291-92 (1981); Carr, 369 U.S. 186, 212-213 (1962); United States v. Wright Export Corp., 299 U.S. 304, 319-20. (1936). It has been recognized that the President, both personally and through his subordinates in the Executive Branch, determines and articulates the Nation's foreign policy. See Stamer, 10 Annals of Cong. 613 (1800); Curtiss-Wright, 299 U.S. 304, 319-20. (1936). The President [is] the sole organ of the federal government in the field of international relations -- a function which does not require as a basis for its exercise an act of Congress. This authority encompasses the authority to negotiate treaties on such terms as the President deems advisable and to discuss any issue with another sovereign nation and to recommend to it such courses of action as the President believes are in the Nation's interest.

Accordingly, provisions that would prohibit officers or employees of the United States Government from soliciting funds or material assistance from foreign governments (including any instrumentalities or agency thereof), foreign persons, or United States persons, for the purpose of furthering any military, foreign policy, or intelligence activity are unconstitutional. Similarly, any provision that purports to prohibit, or to require, consultation between the United States and another sovereign nation would be unconstitutional. No limitations on the President's authority to discuss certain issues with foreign governments, or to recommend or concur in courses of action taken by other nations, should be sanctioned.

10. Restrictions on the President's Power to Make Recess Appointments

In addition to frequent attempts to place restrictions on the power of the President to appoint officers of the United States under the Appointments Clause, Congress has occasionally attempted to constrain his power under Art. II, § 2, cl. 3 to "fill up all vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session." Thus, for example, a provision in an appropriations bill several years ago purported to mandate continued funding for grantees of the Legal Services Corporation unless action was taken by directors confirmed by the Senate. This provision interfered with the President's recess appointment power to the extent that it purported to disable recess appointees from performing functions that could be performed by directors confirmed by the Senate. This trend is dangerous for presidential powers because the recess appointment power is an important counterbalance to the power of the Senate. By refusing to confirm appointees, the Senate can cripple the President's

ability to enforce the law. The recess appointment power is an important resource for the President, therefore, and must be preserved.

THE WHITE HOUSE

WASHINGTON

91 MAY -9 PM 12: 28

May 9, 1991

MEMORANDUM FOR PHILLIP D. BRADY
ASSISTANT TO THE PRESIDENT AND STAFF SECRETARY

FROM: NELSON LUND *N.L.*
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Presidential Remarks: Princeton University

N.B.
As we discussed there is one critical change that needs to be made in draft FOUR (May 9, 9 a.m.).

The first sentence of the first full paragraph on page 5 should be revised along the following lines:

"And when Congress bundles up a series of unrelated measures and calls it a single bill, it frustrates the President's constitutional role in resisting the influence of the special interests. It is often impractical to veto a major bill (especially an appropriations bill) because of unrelated riders that would never stand a chance on their own."

The second sentence of that paragraph ("On many occasions during my presidency, . . .") should be moved so that it becomes the second sentence of the last full paragraph on page 4 (i.e. after ". . . presidential powers." and before "In each case, . . .").

I would also like to offer a few other less significant suggestions:

(1) Page 2, second full paragraph, first line: insert "help" between "can" and "restore". (In the current draft, the claim seems to be a bit of an overstatement.)

(2) Page 3, first paragraph, last line. Insert the word "unnecessarily" at the end of the sentence. (There are many occasions on which Congress must be kept in the dark, and the President has jealously guarded his ability to do that when necessary.)

(3) Page 7, end of carryover paragraph. The following might usefully be added:

"These excessive reporting requirements are not just a waste of time and money. They are also a device that congressional staff can use to harass Executive branch

employees with agendas inconsistent with the President's program."

(4) Page 7, first full paragraph, next-to-last line. The term "too-specific" might be replaced with "overly specific."

(5) Page 8, first line. The term "civil rights" could be inserted between "landmark" and "legislation". (Just this morning, the President characterized the ADA as a civil rights law.)

Thanks for giving me a chance to look at this draft.

THE WHITE HOUSE

WASHINGTON

May 7, 1991

MEMORANDUM FOR TONY SNOW

FROM: ROGER B. PORTER *RBP*
SUBJECT: Princeton University Speech

Our discussion yesterday regarding the President's address at Princeton University this Friday was useful. I really do enjoy working on speeches with you.

The Princeton address provides an opportunity for the President to outline some of his views of the Presidency. This is not the first time the President will have done so at Princeton. On April 3, 1987, he delivered a major address to a conference of presidential scholars at Princeton that is full of some excellent material. A copy is attached.

Some at Princeton may well remember this address. Since it articulates many of the themes that have characterized his presidency, I think we should consider drawing from it extensively.

Setting the National Agenda

One of its organizing themes is three central tasks that the President has in setting the national agenda. These include:

- Articulating a set of goals or objectives for where the nation should go (the vision thing);
- Developing a coherent set of policies to achieve those goals; and
- Mobilizing support for those policies.

The President has an excellent record in each of these three dimensions.

The Distinction Between Foreign and Domestic Policy

We also talked about the distinction between foreign and domestic policy. There is a clear perception of the President and foreign policy. He is the architect of our foreign policy.

He has visibly served as commander-in-chief with respect to both Panama and the Persian Gulf War. Moreover, he has demonstrated a remarkable capacity to put and keep together international coalitions.

Throughout the process he consulted regularly with the Congress and was persuasive in securing congressional approval for implementing the United Nations resolutions. Here he is and looks decisive and in control.

On domestic policy the picture is less clear because the power of Congress is greater. Funds cannot be spent without congressional authorization and appropriations. The give and take of our political system is more visible and more ardently engaged in by members of Congress.

It is the President who has provided the direction and goals for the nation -- enhancing economic growth, investing in the future, increased power and opportunity for individuals and communities, and a kinder, gentler nation.

It is the President who has advanced proposals designed to achieve those objectives. The budget agreement, the clean air act, the Americans with Disabilities Act, child care, immigration reform, the farm bill, and the savings and loan legislation are illustrative of presidential initiatives that were enacted during the last session of the Congress.

They required that the President mobilize support in the country and to build coalitions in the Congress.

Furthermore, he continues to serve as what Alexander Hamilton called "the energizing element," through the initiatives he has advanced -- the crime bill, the surface transportation bill, the excellence in education act, the banking reform legislation, and the National Energy Strategy.

Presidential Leadership and the Bully Pulpit

We should take care to note that a president's domestic responsibilities and leadership is not confined to simply passing legislation. Nor is a simple legislative scorecard (on which George Bush looks extremely good) an appropriate measure of presidential leadership.

For some presidential leadership involves energizing the country to work on problems all across the country. The challenges facing our education system are not soluble through a top down approach. We will successfully meet these challenges by engaging parents, students, teachers, administrators, and community leaders.

On education the President has visited schools all across the country and held scores of meetings with parents, students, educators, and business and labor leaders. He convened the nation's governors in a Summit Conference on Education, a conference that produced a joint statement that lead to the National Education Goals. It is these goals, jointly developed with the nation's governors, that are driving reform, restructuring, and innovation in our schools today.

Similarly, the President's Points of Light Initiative is making a differences in communities all across the country. Through his example and through his rhetoric he has challenged the country to pursue a path of service. And it is working.

Again, through his example and his rhetoric, he is successfully advancing the cause of prevention in health. The emphasis that fitness and exercise has received is being noted and followed throughout the country.

Tension Between the President and the Congress

Another theme that would fit well in this speech is examining the appropriate role of the President and the Congress. The President's role in foreign and domestic policy is outlined above and in his 1987 Princeton speech.

Congress also has an important role to play in considering broad policies and in exercising appropriate oversight. The fast track authority is a classic illustration of the appropriate relationship between the President and the Congress.

In granting the fast track authority, the President and his administration and the Congress have extensive discussions and hearings about the nature of the negotiations and our objectives. This enables the Congress to know and understand the type of agreement the Administration will seek to negotiate.

During the negotiations we continue a pattern of consultations between the administration's negotiators and members of Congress.

After the agreement is negotiated, the Congress again has the opportunity of approving or disapproving the agreement. But, it cannot change or amend the agreement. Under this arrangement it is possible for us as a nation to engage other nations in a meaningful negotiation. It would be impossible for a foreign government to negotiate with 535 members of Congress.

But there is a useful and appropriate role played by the Congress.

There are numerous examples of attempts to micromanage the executive branch. Without going into extensive details two or three illustrations should help make the point that micromanaging the implementation of legislation is a far cry from what the Founders intended, and of what makes sense.

I will happily review the draft you are completing, but hope these comments are helpful in the meantime as you work on the next draft.

cc: Phillip Brady

George Bush for President

CONTACT: ALIXE GLEN
(202) 842-19

FOR IMMEDIATE RELEASE
Friday, April 3, 1987

CONTACT: 202/ 456-2127

EXCERPTS FROM REMARKS BY
VICE PRESIDENT GEORGE BUSH
PRINCETON UNIVERSITY
PRINCETON, NEW JERSEY
APRIL 3, 1987

It is a great honor for me to address this distinguished audience of presidential scholars. No American institution has received more attention or closer scrutiny than the office of the the Chief Executive of the United States, and much of the best scholarly work on the Presidency has been done by the people assembled here tonight.

I understand that today you discussed the individual Presidencies of our last 9 Chief Executives. My purpose this evening is not to concentrate on personalities or individual Presidencies, but to look at the institution. I'd like to share some of my own personal insights about the modern Presidency based on my experiences as a United States Congressman, Director of the CIA, and as Vice President for the past 6 years.

Looking back at the birth of our nation, one can understand why our Founding Fathers were reluctant to entrust broad powers to a single man, given the strong sentiment among American colonists against the imperial rule of King George III. Yet the office defined in the Constitution made one man both Chief Executive and Commander-in-Chief of the armed forces, and made it impossible to remove him except for treason, bribery, "or other high crimes and misdemeanors." In the words of South Carolina colonist Pierce Butler, the powers of the President were made "full great."

The 39 men who have assumed those powers have tailored the office to fit their own unique skills, strengths, weaknesses, and idiosyncracies.

Thomas Jefferson described the Presidency as "a splendid misery." Woodrow Wilson lamented that: "The more I succeed in directing things the more I am depended on for leadership." And Harry Truman, always blunt and colorful said: "Being a President is like riding a tiger. A man has to keep on riding or be swallowed."

Several years ago, it was popular to question whether the Presidency was too big for one person. You don't hear that kind of talk anymore. President Reagan has shown that one man can indeed do the job -- a superb job, I might add. But even this President would agree that the office remains what it's been for past Presidents: a burden, sometimes a delight, always a tiger.

Above all else, a President must be the source of leadership, spirit, and action. The President must speak for

America and set her national agenda. And although the President can shape events in this way, he must also respect and reflect the desires of his countrymen. This is the paradox of public office, and especially the high office of the Presidency: One must serve the people but must be willing to lead them -- sometimes in new or controversial directions.

The President occupies a unique position in the American political system. He and the Vice President are the only officials chosen by the entire electorate. Their constituency is the nation. The President is the focus of intense scrutiny. His range of responsibilities knows virtually no bounds.

It is the President who is the focus of political leadership and administrative authority in the Federal government. He has both the opportunity and the responsibility to decide where the nation must go.

The President must initiate a coherent set of broad policies, both foreign and domestic. He must determine the priorities of the nation's interests. In developing these policies, he must weigh competing claims, formulate a consistent strategy and reach sound consensus.

Finally, the President must mobilize support for his policies by consistently reiterating his central themes. The communications revolution has focused increased attention on the President as the single most powerful figure in an age in which television places a premium on individuals instead of institutions. The President must not only point the direction and chart the path, he must educate and persuade the country to follow.

When President Reagan was elected in 1980, the themes were clear: achieve peace through strength, hold down taxes and government spending, deregulate, free up the marketplace, get the government off the people's backs. The President moved the country forward using those themes as guideposts.

As America prepares for the 21st century, the themes might well be similar, but the emphasis may be different.

For example, jobs and opportunity will be at the top of the agenda. But the question will be: Jobs and opportunity in what kind of America?

I would say it must be a literate America. An America targeted to eliminate the threat of AIDS and the narcotics problem. An America that is more competitive and, yes, tolerant, too.

On the international side, we must still seek peace through strength, but with an added dimension -- the reduction of nuclear weapons. Why not fulfill the dream of eliminating chemical weapons? Why not make the '90's a turning point by doing what is morally right -- putting weapons at risk and not people. Let's leave mutually assured destruction behind so that we can live in a world of mutually assured survival.

I use these themes as examples. What I'm saying is that we can build on our past even as we are forging new partnerships and solving new problems.

Back in 1985, when Chernenko died, I was the first American official to meet with Gorbachev. I had the opportunity to talk with him and take his measure, so to speak. He is a new kind of Soviet leader -- tough, more open, more Western and more knowledgeable about the world than his predecessors. That's good, I think, because it allows us to have a broader, more meaningful dialogue.

If Gorbachev truly solidifies his position, whoever is President in the future will face new challenges. His presidency will be judged at least in part by his success in dealing with the Soviets.

But my broader point about presidential leadership is this: The President must set big goals for the nation, he must make policy decisions to achieve those goals, and he must then mobilize support by spelling out the themes of what he's trying to accomplish.

I have watched and worked with several Presidents. It's a demanding and difficult job, to be sure. To be successful a President must, in my view, excel in three critical areas.

First, the President must develop an overall strategy for addressing the nation's major problems. The Chief Executive cannot respond to every need, nor cure every ill. To the extent that he becomes involved in every problem that is pressed on him, the President will squander his limited resources. He must set priorities. The President must intervene selectively.

Second, the President must think hard and carefully about how he fulfills his various roles. A President's organizational structure determines not only the quality of advice he receives, but also the prospects for implementing those decisions once they are made.

Newly-elected Presidents during their pre-inauguration days almost invariably proclaim their commitment to openness in their decision-making and to an enlarged role for cabinet and agency heads. But presidential enthusiasm for closely engaging departmental officials in their policy deliberations frequently wanes.

However, the choice for the President is not simply between a disorderly democracy in his staffing arrangements or a highly centralized staff structure. If the President is to govern effectively, he must reach out for advice while also maintaining an orderly process:

He must systematically engage the resources, the experience, and the support of departments and agencies. And for the President to work effectively with the Congress, the White House staff must be sensitive to the role of the legislative branch.

No matter how large his personal staff, the President cannot hope to duplicate within his White House the resources and expertise that exists in the executive branch as a whole. His challenge is to harness that expertise and to exhort his senior officials to view the problems of their departments and agencies within a broader context.

The President does not need a White House staff of advocates who are anxious to tinker with the levers of government. He needs

a select number of honest brokers who are skillful in managing people and processes, and who have a willingness to forgo the limelight.

In addition to developing an overall strategy and an organizational structure for his Presidency, the Chief Executive must use his office to build support for his policies. Early in this century, Theodore Roosevelt hailed the Presidency as a "bully pulpit." He recognized, as did Franklin Roosevelt, the importance of using the prestige and powers of the Presidency to shape discussion and national debate on crucial issues, and at the same time, to build public confidence and trust in government.

FDR used his fireside chats not only to communicate to the American people what he was doing to cope with the nation's problems, but he also gave his listeners a sense of hope and an attachment to him as the country's Chief Executive. He gladly accepted the role of public educator.

Ronald Reagan has skillfully communicated his sense of the nation's priorities, and the rationale behind his programs. He successfully focused the nation's attention on his economic recovery program, reducing unnecessary government spending and interference, and rebuilding the nation's defenses so that our foreign policy could proceed from a position of strength.

Yesterday, President Reagan and I went to Capitol Hill to win support for his veto of the highway bill. As you know, we lost. But the President's intervention had less to do with the merits of the bill than with the broader principle of holding down government spending so that we can meet the Gramm-Rudman deficit reduction targets.

I have talked tonight about the process for a successful Presidency. I would like to turn now to the personal side of the Presidency, to the personal qualities the job requires.

To be successful, a President must have a clear sense of our national interests and objectives. The American people rely heavily on the President to articulate an agenda, and to point the direction he believes our country needs to follow.

The President must understand the appropriate role for our country in the community of nations and as a world leader. He must set our domestic and economic priorities by charting a path that will enhance the quality of life in our country. Finally, the President must balance the appropriate role for the public and private sectors to ensure America remains competitive in an increasingly global economy.

The Chief Executive must have competence and wise judgement, seasoned by experience. It is unreasonable to expect any President will be an expert in all the issues that require his attention and decision. But it is appropriate to expect our Chief Executive to be able to make wise decisions on the basis of a thorough examination of all viable alternatives and after considering reliable information and sound arguments. To do that, the Chief Executive must be a good listener. He must respect the opinions of others. He must be tolerant of differing views without losing sight of his own strong convictions.

He must also have the capacity to govern. The capacity to govern requires attracting, assembling and leading the strongest team possible. It requires the ability to deal effectively with the leaders of other nations. It requires a feel for our governmental processes and an ability to work together with other elected leaders in pursuit of common goals.

Finally, the capacity to govern requires someone with a reservoir of inner resources: stamina, perseverance, courage and commitment.

In closing, let me say the Presidency is filled with both great challenges and great opportunities. Americans look to their President for a sense of direction, someone with a strategy for where we are going in both domestic and foreign affairs. In responding, the President must keep his eyes riveted on his fundamental roles in determining the priorities of the nation's interests, in constructing a coherent strategy and program for achieving these objectives, and in mobilizing support for those policies.

The President can enhance his effectiveness by doing three things. He must focus on the major issues. He must organize a coherent decision-making process. And he must use the resources of his office to educate and generate support for his programs.

The job of Chief Executive of the United States requires experience, competence, tolerance, wise judgment and persistence. In the challenging days ahead as we move toward the 21st century, the nation deserves no less.

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PRINCETON UNIVERSITY
MAY 10, 1991
11 A.M.

Photocopy-GB Handwriting

THANK YOU, PRESIDENT SHAPIRO. GOVERNOR FLORIO;
MEMBERS OF CONGRESS; MRS. SHAPIRO; BOARD OF TRUSTEES
CHAIRMAN HENDERSON; DEAN WILLIAMSON; ASSOCIATE DEAN
MORROW. I'M DELIGHTED TO HELP DEDICATE THIS IMPRESSIVE
COMPLEX. THOUGH I MUST SAY I'M GLAD THIS IS MAY, AND
NOT THE FIRST SNOWFALL. I DON'T THINK BARBARA WOULD
LET ME TAKE PART IN YOUR OLYMPICS. //

SERIOUSLY, I'M HONORED TO RECEIVE AN HONORARY
DEGREE FROM PRINCETON. IMAGINE THAT: A SON OF YALE
GETTING A PRINCETON DEGREE. "SON OF YALE" -- YOU CAN
LAUGH, BUT YOU OUGHT TO HEAR WHAT THEY CALL ME IN D.C.

WELL, PRINCETON IS A GREAT PLACE. YOU KNOW,
WASHINGTON SAID "NO COLLEGE HAS TURNED OUT BETTER
SCHOLARS OR MORE ESTIMABLE CHARACTERS." THAT INCLUDES,
OF COURSE, OUR LAST TWO SECRETARIES OF STATE. BOTH
HAVE BEEN OUTSTANDING PUBLIC SERVANTS. BOTH LOVE THIS
UNIVERSITY. BUT ONLY ONE HAS THE TATTOO TO PROVE
IT.///

*I am proud to be here at the
dedication of these magnificent buildings
in the Social Science Complex*

I'LL ALWAYS REMEMBER THE FIRST TIME I SAW THE GLOBE INSIDE THE WOODROW WILSON SCHOOL LOBBY. ANYWHERE YOU TOUCH IT, YOU SET OFF VIBRATIONS ACROSS THE REST OF ITS SURFACE. I CAN'T THINK OF A MORE APPROPRIATE SYMBOL FOR THIS NATION'S ROLE IN THE WORLD. WHEN WE ACT, WE DO SET OFF TREMORS ACROSS THE GLOBE.

Professor is blessed with real expertise in the study of the Presidency. ~~Faded~~ I salute Prof _____ and

I WOULD LIKE TO TALK TODAY ABOUT AN AMERICAN ACHIEVEMENT THAT HAS INSPIRED MEN AND WOMEN WORLDWIDE -- MOST RECENTLY, IN EASTERN EUROPE. I'M SPEAKING OF OUR CONSTITUTION. IN THE INTEREST OF BREVITY, I WILL FOCUS ON THE ROLES OF THE TWO BRANCHES OF GOVERNMENT IN WHICH I HAVE HAD THE HONOR TO SERVE, THE LEGISLATIVE AND EXECUTIVE DEPARTMENTS.

it is with some tenacity that I give this talk.

*Fred Greenstein
[GREEN-STEIN]*

CONSIDER THE PRESIDENT'S ROLE. THOMAS JEFFERSON ONCE NOTED THAT THE PRESIDENT "COMMANDS A VIEW OF THE WHOLE GROUND," WHILE CONGRESS NECESSARILY ADOPTS THE VIEWS OF ITS CONSTITUENTS.

THE PRESIDENT AND VICE PRESIDENT ARE THE ONLY OFFICIALS ELECTED TO SERVE THE ENTIRE NATION. IT IS THE PRESIDENT WHO IS RESPONSIBLE FOR GUIDING AND DIRECTING THE NATION'S FOREIGN POLICY. THE EXECUTIVE BRANCH ALONE MAY CONDUCT INTERNATIONAL NEGOTIATIONS, APPOINT AMBASSADORS, AND CONDUCT FOREIGN POLICY. OUR FOUNDERS NOTED THE NECESSITY OF PERFORMING THIS DUTY WITH "SECRECY AND DISPATCH," WHEN NECESSARY. THE PRESIDENT ALSO SERVES AS COMMANDER-IN-CHIEF OF OUR ARMED FORCES -- AS I DID IN THE PERSIAN GULF.

THIS DOES NOT MEAN THAT THE EXECUTIVE MAY CONDUCT FOREIGN BUSINESS IN A VACUUM. I HAVE GREAT RESPECT FOR CONGRESS AND I PREFER TO WORK COOPERATIVELY WITH IT WHEREVER POSSIBLE. THOUGH I FELT THE PRESIDENT HAD THE INHERENT POWER TO COMMIT OUR FORCES TO BATTLE, I SOLICITED CONGRESSIONAL SUPPORT BEFORE ENTERING THE GULF WAR. SO WHILE A PRESIDENT BEARS SPECIAL FOREIGN POLICY OBLIGATIONS, THOSE OBLIGATIONS DO NOT IMPLY ANY LIBERTY TO KEEP CONGRESS UNNECESSARILY IN THE DARK.

THE PRESIDENT'S VIEW OF THE WHOLE GROUND INCLUDES A SECOND RESPONSIBILITY -- SHAPING THE NATION'S DOMESTIC AGENDA. PRESIDENTS DO THIS BY SUBMITTING ANNUAL BUDGETS TO CONGRESS, ALONG WITH A COMPREHENSIVE LEGISLATIVE PROGRAM.

WE HAVE HAD OUR SHARE OF IMPORTANT LEGISLATIVE SUCCESSES. THEY INCLUDE A BUDGET AGREEMENT THAT REDUCES OUR BORROWING REQUIREMENTS BY NEARLY 500 BILLION DOLLARS OVER THE NEXT 5 YEARS, A CLEAN AIR ACT THAT INVOKES THE POWER OF THE MARKET TO HELP AMERICA BREATHE CLEANER AIR, AN AMERICANS WITH DISABILITIES ACT, LANDMARK CIVIL RIGHTS LEGISLATION THAT ENHANCES THE DIGNITY OF THOSE WITH DISABILITIES. A CHILD CARE BILL THAT PUTS MORE POWER AND CHOICE IN THE HANDS OF PARENTS WHEN IT COMES TO THE CARE OF THEIR CHILDREN.

BUT PRESIDENTS MAY ENCOURAGE CHANGE THROUGH MEANS OTHER THAN LEGISLATION. OUR POINTS OF LIGHT CAMPAIGN, FOR INSTANCE, ENCOURAGES THE TRADITIONAL AMERICAN VIRTUE OF PRIVATE SERVICE. SIMILARLY, OUR AMERICA 2000 EDUCATION STRATEGY -- WHICH HAS BEEN WELL-RECEIVED ACROSS THE LAND -- INVOLVES DRAMATIC REFORMS THAT DON'T MAKE DRAMATIC NEW CLAIMS ON TAXPAYER EARNINGS. IT DRAWS ON PEOPLE'S COMMON FRUSTRATION WITH AN EDUCATIONAL SYSTEM THAT MUST DO BETTER. IT ENCOURAGES PEOPLE TO USE THEIR COMMON SENSE AND GOOD OLD AMERICAN INGENUITY IN CREATING BETTER SCHOOLS. IT WON'T HELP BUILD A NEW OFFICE BUILDING IN WASHINGTON, BUT IT VERY WELL MAY INSPIRE PEOPLE TO BUILD A BETTER FUTURE FOR THEMSELVES AND THEIR CHILDREN -- SCHOOL BY SCHOOL, COMMUNITY BY COMMUNITY.

ELSEWHERE, WE HAVE PROPOSED TURNING PROGRAMS BACK TO STATES AND LOCALITIES. THIS ENABLES PEOPLE TO CRAFT THE MOST APPROPRIATE SOLUTIONS FOR THE PROBLEMS THEY CONFRONT.

THE POINT IS SIMPLE: YOU DON'T ALWAYS NEED TO PROPOSE A NEW PROGRAM TO PURSUE A NATIONAL GOAL. OFTEN A PRESIDENT CAN LEAD BY ENCOURAGING THE VALUES OF SERVICE, BY HELPING FOSTER A NATIONAL SPIRIT OF COMMITMENT AND RESPONSIBILITY.

FOR TOO LONG, PUNDITS AND SPECIAL INTERESTS HAVE EQUATED VISION WITH BUREAUCRACY. I HOPE ONE OF THE HALLMARKS OF THIS ADMINISTRATION WILL BE ITS ABILITY TO ENCOURAGE NOT JUST GOOD GOVERNMENT, BUT ALSO A GOOD SOCIETY -- ONE THAT DRAWS UPON AND ENCOURAGES THE BEST INSTINCTS, AMBITIONS, AND VALUES OF THE AMERICAN PEOPLE.

THE COMMON THREAD OF COMMITMENT -- INDIVIDUAL COMMITMENT -- RUNS THROUGH ALL SUCCESSFUL EFFORTS TO SOLVE OUR MOST INTRACTABLE PROBLEMS. THE INDIVIDUAL WHO CARES -- WHO IS DETERMINED TO CHANGE THINGS FOR THE BETTER -- CAN AND WILL MAKE A DIFFERENCE. AND ALL OF US AS AMERICANS OUGHT TO DEDICATE OURSELVES TO MAKING A DIFFERENCE.

WHILE A PRESIDENT MUST TAKE ON TODAY'S PROBLEMS AND TOMORROW'S CHALLENGES, HE ALSO HAS AN OBLIGATION TO "PRESERVE, PROTECT AND DEFEND" A 200-YEAR-OLD SYSTEM OF CONSTITUTIONAL GOVERNMENT.

THE MOST COMMON CHALLENGE TO PRESIDENTIAL POWERS COMES FROM A PREDICTABLE SOURCE, CONGRESS. ALTHOUGH OUR FOUNDERS NEVER ENVISIONED A CONGRESS THAT WOULD CHURN OUT HUNDREDS OF THOUSANDS OF PAGES WORTH OF REPORTS, HEARINGS, DOCUMENTS, AND LAWS EACH YEAR, THEY DID UNDERSTAND THAT LEGISLATORS WOULD TRY TO ACCUMULATE POWER. JAMES MADISON, A PRINCETON GRADUATE, WARNED THAT "THE LEGISLATIVE DEPARTMENT IS EVERYWHERE EXTENDING THE SPHERE OF ITS ACTIVITY, AND DRAWING ALL POWER INTO ITS IMPETUOUS VORTEX."

SOMETIMES THIS SORT OF COMPETITION FALLS ENTIRELY WITHIN THE BOUNDS OF THE CONSTITUTION. BUT, CONSIDER THE UNNECESSARY REQUESTS AND REQUIREMENTS THAT CAN WASTE THE TIME AND ENERGY OF THE EXECUTIVE. THIRTY YEARS AGO, WE DEVOTED NEARLY 9.5 PERCENT OF OUR GROSS NATIONAL PRODUCT TO DEFENSE EXPENDITURES. TODAY, DEFENSE SPENDING ACCOUNTS FOR ONLY 5.3 PERCENT OF OUR GNP. BUT CONGRESSIONAL OVERSIGHT HAS GROWN EXPONENTIALLY. ONE HUNDRED SEVEN COMMITTEES AND SUBCOMMITTEES OVERSEE DEFENSE PROGRAMS AND SPENDING. FOR FY 1989, THE PENTAGON DEVOTED 500 MAN-YEARS AND OVER \$50 MILLION JUST TO WRITE REPORTS RESPONDING TO CONGRESSIONAL QUERIES ON SUCH ITEMS AS PLANS FOR MANNING TUGBOATS, AND ACCOUNTING FOR THE NUMBER OF MILITARY BANDS. DEFENSE STAFF HAS TO RESPOND YEARLY TO MORE THAN 750,000 CONGRESSIONAL STAFF INQUIRIES. OTHER EXECUTIVE AGENCIES EXHAUST THEIR TIME AND ENERGY, OFTEN GIVING IDENTICAL TESTIMONY TO A WHOLE BATTERY OF SUBCOMMITTEES AND COMMITTEES.

OVERSIGHT, WHEN PROPERLY EXERCISED, HELPS KEEP THE EXECUTIVE ACCOUNTABLE. BUT WHEN IT PROLIFERATES WILDLY, IT CAN CONFUSE THE PUBLIC AND MAKE IT MORE DIFFICULT FOR CONGRESS AND THE PRESIDENT TO DO THEIR JOBS PROPERLY.

THE CHIEF EXECUTIVE ALSO PRESERVES, PROTECTS, AND DEFENDS THE CONSTITUTION THROUGH THE USE OF THE VETO POWER.

SIX TIMES IN MY PRESIDENCY, I HAVE VETOED BILLS THAT WOULD HAVE WEAKENED THE PRESIDENTIAL POWERS. IN ONE CASE, FOR INSTANCE, CONGRESS WANTED TO MAKE THE PRESIDENT DISCLOSE A WIDE VARIETY OF SENSITIVE DIPLOMATIC CONTACTS AND DISCUSSIONS, AS WELL AS PRIVATE DISCUSSIONS WITHIN THE EXECUTIVE BRANCH -- AND WOULD HAVE THREATENED TO IMPOSE CRIMINAL SANCTIONS ON A WIDE RANGE OF NORMAL DIPLOMATIC ACTIVITIES. I NOTED IN MY VETO MESSAGE THAT "THE RESULT WOULD BE A DANGEROUS TIMIDITY AND DISARRAY IN THE CONDUCT OF U.S. FOREIGN POLICY. SUCH A RESULT IS WHOLLY CONTRARY TO THE ALLOCATION OF POWERS UNDER THE CONSTITUTION."

ELSEWHERE, CONGRESS ALSO HAS TAKEN AGGRESSIVE ACTION AGAINST SPECIFIC PRESIDENTIAL POWERS -- INCLUDING THE POWER TO APPOINT OR REMOVE EMPLOYEES WHO SERVE AT THE PRESIDENT'S PLEASURE. IT SOMETIMES TRIES TO MICROMANAGE EXECUTIVE-BRANCH ACTIVITIES BY WRITING TOO-SPECIFIC DIRECTIONS FOR CARRYING OUT A PARTICULAR LAW. WHEN THIS HAPPENS, THE PRESIDENT HAS A CONSTITUTIONAL OBLIGATION TO PROTECT HIS OFFICE -- AND TO VETO THE LEGISLATION. IN ADDITION, ON MANY OCCASIONS DURING MY PRESIDENCY, I HAVE STATED THAT STATUTORY PROVISIONS THAT VIOLATE THE CONSTITUTION HAVE NO BINDING LEGAL FORCE.

BUT THERE'S ANOTHER, OFTEN OVERLOOKED, SIDE OF THE VETO POWER. OFTEN, VETOES ENCOURAGE THE LEGISLATURE TO RECONSIDER ITS ACTIONS. WHEN I VETOED MINIMUM-WAGE LEGISLATION, FOR INSTANCE, I SOUGHT TO PERSUADE CONGRESS THAT A SLIGHTLY LOWER RATE WOULD BEST SERVE THE PUBLIC INTEREST -- AND IN TIME, CONGRESS AGREED.

AND WHEN CONGRESS BUNDLES UP A SERIES OF UNRELATED MEASURES AND CALLS IT A SINGLE "BILL," IT FRUSTRATES THE PRESIDENT'S CONSTITUTIONAL ROLE IN RESISTING THE INFLUENCE OF SPECIAL INTERESTS. IT IS OFTEN IMPRACTICAL TO VETO A MAJOR BILL -- ESPECIALLY AN APPROPRIATIONS BILL -- BECAUSE OF UNRELATED RIDERS THAT WOULD NEVER STAND A CHANCE ON THEIR OWN.

BILLS OF THIS SORT CAN POSE AS MUCH A THREAT TO CONGRESS AS TO THE PRESIDENT. IT HAS BECOME AN ANNUAL SPORT FOR REPORTERS TO PULL PECULIARITIES OUT OF VAST SPENDING BILLS -- SUCH AS A FEDERAL GRANT TO STUDY COW BELCHES, OR A LAWRENCE WELK MUSEUM -- AND ASK CONGRESS TO DEFEND THEM. QUITE OFTEN, MEMBERS DON'T EVEN KNOW WHAT THEY HAVE VOTED FOR.

Because of the added riders

and the complexity of the whole bill

I HAVE SOUGHT -- AND WILL CONTINUE TO SEEK -- A LINE-ITEM VETO TO PREVENT SUCH EMBARRASSMENTS AND PROTECT THE AMERICAN PEOPLE FROM INJUDICIOUS APPROPRIATIONS. RIGHT NOW, 43 GOVERNORS HAVE SUCH A POWER. IT WORKS. THE PRESIDENT OUGHT TO HAVE THAT POWER, TOO.

Photocopy-GB Handwriting

IN CLOSING, LET ME SUMMARIZE MY VIEW OF THE PRESIDENCY. PRESIDENTS DEFINE THEMSELVES THROUGH THEIR EXERCISE OF PRESIDENTIAL POWER. THEY MUST USE THEIR SPECIAL AUTHORITY TO SERVE THE WHOLE NATION, IN MATTERS OF FOREIGN AND DOMESTIC POLICY. THEY MUST SET A TONE FOR GOVERNANCE -- AT ONCE LEADING THE PEOPLE AND FOLLOWING THEIR DESIRES. THEY MUST PRESERVE, PROTECT AND DEFEND THE CONSTITUTION. AND THEY MUST ENCOURAGE DELIBERATIVE BEHAVIOR ON THE PART OF CONGRESS.

BUT THE REAL POWER OF THE PRESIDENCY LIES IN THE PRESIDENT'S ABILITY TO FRAME -- THROUGH ACTION, THROUGH EXAMPLE, THROUGH ENCOURAGEMENT -- WHAT WE AS A NATION MUST DO: WHAT IS REQUIRED OF COMMUNITIES AND INSTITUTIONS -- LARGE AND SMALL -- IN SCHOOLS AND FACTORIES, AND THE HUNDREDS OF DAILY ACTS OF INDIVIDUALS.

THE GREAT JOY AND CHALLENGE OF THE OFFICE I OCCUPY IS THAT THE PRESIDENT SERVES NOT JUST AS THE UNITARY EXECUTIVE, BUT ALSO AS THE UNIFYING EXECUTIVE.

AS PRESIDENT, I FEEL HONOR-BOUND TO STRENGTHEN THE MARVELOUS SYSTEM OF GOVERNMENT BEQUEATHED TO US, SO THAT WE MAY REMAIN THE FREEST, MOST DECENT, MOST PROSPEROUS NATION IN HISTORY.

THANK YOU, AND MAY GOD BLESS THE UNITED STATES OF AMERICA.

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- Δ invisible
- led other fonts reduces spaces plims
- still some depth of color (need darker monitors?)

~~where did glow 2
go to school?~~

91 MAY -9 AM 9:36

Hinchliffe/Blymire
May 9, 1991 9 a.m.
A:P6 Draft FOUR

PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY
May 10, 1991
11 a.m.

[[Thank you, President Shapiro. Governor Florio; Members of Congress; Mrs. Shapiro; Board of Trustees Chairman Henderson; Dean Williamson; Associate Dean Morrow.]] I'm delighted to help dedicate this impressive complex. Though I must say I'm glad this is May, and not the first snowfall. I don't think Barbara would let me take part in your Olympics. //

What I mean

Seriously, I'm ^{honored} delighted to receive an honorary degree from Princeton. *(I imagine this son of Yale getting a Princeton degree. Son of Yale - you can laugh but you ought to hear what they call me in D.C.)* After all, Washington said, "no college has turned out better scholars or more estimable characters." Certainly, it's the only school that can claim as alumni the last two Secretaries of State. Both have been outstanding public servants. Both love this school. But only one has the tattoo to prove it.///

I'll always remember the first time I saw the globe inside the Woodrow Wilson School lobby. Anywhere you touch it, you set off vibrations across the rest of its surface. I can't think of a more appropriate symbol for this nation's role in the world. When we act, we do set off tremors across the globe.

I would like to talk today about an American achievement that has inspired men and women worldwide -- most recently, in Eastern Europe. I'm speaking of our Constitution -- and in particular, the separation of powers. In the interests of brevity, I will confine my remarks to the Constitutional

relationship between the two branches of government in which I have had the honor to serve, the legislative and executive departments.

Politicians in those branches of government face an unpleasant challenge these days. ^{Many} People have lost faith in government because government has become incomprehensible to them. The Washington of the civics textbook seems to bear little resemblance to the Washington we read about in newspapers or magazines, or see on the television screen. What in theory is a nicely orchestrated system of government, takes on the appearance in reality of a three-ring mud-wrestling match, in which behemoths struggle for superiority. The concept of separated powers has given way to the view that politicians struggle over a single, amorphous power.

We can restore faith in government by restoring the balance of powers that forms its core. Consider the President's role in this effort. Thomas Jefferson once noted that the President "commands a view of the whole ground," while Congress necessarily adopts the narrower views of its constituents. A number of important duties flow from the President's special status.

For instance, the President bears the unique burden for guiding and directing foreign policy. Our founders noted the necessity of his conducting foreign affairs with "secrecy and dispatch," when necessary. The President also serves as commander-in-chief -- as I did in the Persian Gulf.

3 *Though I felt the President had the inherent power to commit our forces to battle,*

This does not mean that the executive may conduct foreign business in a vacuum. Indeed, it makes sense to work cooperatively with Congress wherever possible. I solicited Congressional support before entering the Gulf War, and I am working now with members of both parties to obtain extension of our fast-track trade procedures. ~~So while~~ ^{but} a President bears special foreign policy obligations, [^] those obligations do not imply any liberty to keep Congress in the dark.

The president's view of the whole ground includes a second responsibility, which is to set a national domestic agenda. Presidents do this annually by submitting budgets to Congress. They carry this duty further by proposing legislation, developing policies, and mobilizing support for their programs.

This sort of leadership doesn't necessarily require new legislation or demands on taxpayers. Our Points of Light campaign, for instance, encourages private service. It exalts the selfless Americans who find new ways of serving their families, their neighbors, their friends -- or even strangers in need. Our policies recognize that ~~a Great Society approach to government~~ -- large programs with vast expenditures -- do not always achieve our goals. Often a Good Society, one in which people exercise their natural virtues, better strengthens our nation and builds a spirit of commitment and responsibility.

Similarly, our America 2000 education strategy, ^{which has been well received across the land,} involves dramatic reforms that don't make dramatic new claims on taxpayer earnings. It draws on people's common frustration with an

educational system that must do better. It encourages people to use their common sense and good old American ingenuity in creating better schools. It won't help build a new office building in Washington, but it very well may inspire people to build a better future for themselves and their children -- school by school, community by community.

Elsewhere, we have proposed turning programs back to states and localities. This enables people to craft the most appropriate solutions for the problems they confront.

For too long, pundits and special interests have equated vision with bureaucracy. This is irresponsible not only in terms of public policy, but also in terms of constitutional theory. The more a President defines his or her powers strictly in terms of legislation, the more likely it will be that our system of checks and balances will exist only in theory, not in practice.

The President shoulders a final unique obligation -- to "preserve, protect and defend" the Constitution. In this context, the President has an obligation to ^{try to} ensure that Congress stays within its own constitutional boundaries -- ~~which is to say, that it conduct its business thoughtfully and deliberately.~~ no

The chief executive pursues this duty in several ways. The most powerful tool, of course, is the veto.

Six times in my presidency, I have vetoed bills that weaken the presidential powers. In each case, I wanted to preserve presidential powers, in accordance with my oath of office.

More often, however, vetoes encourage the legislature to

reconsider its actions. When I vetoed minimum-wage legislation, for instance, I sought to persuade Congress that a slightly lower rate would best serve the public interest -- and in time, Congress agreed.

And when Congress bundles up a series of unrelated measures and calls it a "bill," a president has the authority to veto separate measures. On many occasions during my presidency, I have reminded Congress that statutory provisions that violate the Constitution have no binding legal force.

But this phenomenon of bundled legislation has another consequence: It encourages cynicism about government.

Last year, when I asked for \$800 million in aid for developing democracies in Panama and Nicaragua, some Senators tacked on a provision that would enable the District of Columbia government to use ~~federal funds for abortions~~. Another Senator demanded child-care legislation. NO

In other cases, Congress has tried to slip restrictions on presidential powers into the fine print of large pieces of legislation. This seems not only unduly sly, but it is dangerous. The practice of bundling can leave members of Congress in the dark about the nature of the legislation they enact. It has become an annual sport for reporters to pull peculiarities out of vast spending bills -- such as a federal grant to study cow belches, or a Lawrence Welk Museum -- and ask Congress to defend them.

I have sought -- and will continue to seek -- a line-item

X Governors have such
authority; They use it to cut back
on water & works.

veto to prevent such embarrassments and protect the American people from injudicious Congressional legislation and appropriation.

Finally, a President must protect the powers of the presidency against predictable and perfectly natural incursions by Congress. Although our founders never envisioned a Congress that would churn out hundreds of thousands of pages worth of reports, hearings, documents, laws, rules and regulations each year, they did understand that legislators would try to accumulate power. James Madison, a Princeton graduate, warned that "The legislative department is everywhere extending the sphere of its activity, and drawing all power into its impetuous vortex... It is against the enterprising ambition of this department that the people ought to indulge all their jealousy and exhaust all of their precautions."

Consider a few ways in which Congress has tried to weaken or usurp executive authority within the realm of domestic politics:

Start with the harassments that can waste the time and energy of the executive. Thirty years ago, we devoted nearly 9.5 percent of our gross national product to Pentagon expenditures. Today, Pentagon spending accounts for only 5 percent of our GNP. But Congressional oversight has grown wildly. One hundred seven committees and subcommittees oversee Defense programs and spending. For FY 1989, the Pentagon devoted 500 man-years and over \$50 million just to write reports responding to Congressional queries on such items as plans for manning

tugboats, and accounting for the number of military bands. Defense staff has to respond yearly to more than 750,000 Congressional staff inquiries. That's just one example.

In recent years, Congress also has taken aggressive action against specific presidential powers -- including the power to appoint or remove employees who serve at the president's pleasure, the power to execute the laws Congress writes, and even the power to maintain appropriate confidentiality. Congress also has tried to micromanage the executive branch by writing into law too-specific directions about the ways in which the executive is supposed to carry out a particular law.

A President has a duty to rebuff such attempts, not only to preserve the presidency -- but also to ensure the faithful operation of our government.

In closing, let me summarize my view of the presidency. Presidents define themselves through their exercise of presidential power. They must use their special authority to serve the whole nation, in matters of foreign and domestic policy. They must set a tone for governance -- at once leading the people and following their desires. They must preserve, protect and defend the Constitution. And they must encourage deliberative behavior on the part of Congress.

But the responsibility of the President is national not just federal. To be sure we have had our share of important legislative successes. They include a Clean Air Act that invokes the power of the market to help America breathe cleaner air, an

Americans with Disabilities Act, landmark legislation that enhances the dignity of those with disabilities. A child care bill that puts more power and choice in the hands of parents when it comes to the care of their children.

But the real power of the Presidency lies in the President's ability to frame -- through action, through example, through encouragement -- what we as a nation must do: what is required of communities and institutions -- large and small -- in schools and factories, and the hundreds of daily acts of individuals.

The common thread of commitment -- individual commitment -- runs through all successful efforts to solve our most intractable problems. The individual who cares -- who is determined to change things for the better -- can and will make a difference.

The great joy and challenge of the office I occupy is that the President serves not just as the unitary executive, but also as the unifying executive -- the one ^{who} promotes the values, goals, and purposes that bind us as Americans. 7

As President, I feel honor-bound to strengthen the marvelous system of government bequeathed to us, so that we may remain the freest, most moral, most prosperous land in history.

Thank you, and may God bless the United States of America.

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WHITE HOUSE STAFFING MEMORANDUM

DATE: 5/7/91 ACTION/CONCURRENCE/COMMENT DUE BY: WEDNESDAY 5/8/91 3:00 pm

SUBJECT: PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PETERSMEYER	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROGICH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SMITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BROMLEY	<input type="checkbox"/>	<input type="checkbox"/>	UNTERMAYER	<input type="checkbox"/>	<input type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SNOW	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to Tony Snow, Rm. 122, x2930, no later than 3:00 pm, WEDNESDAY, MAY 8, with a copy to this office. Thank you.

RESPONSE:

PHILLIP D. BRADY
 Assistant to the President
 and Staff Secretary
 Ext. 2702

91 MAY -7 PM 3: 36

Hinchliffe/Blymire
May 7, 1991 1 p.m.
A:P3 Draft Two

PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY
May 10, 1991 - -

Thank you, President Shapiro. I'm delighted to be here to help in the dedication of this impressive complex. Though I must say I'm glad this is May, and not the first snowfall. I don't think Barbara would let me take part in your Olympics.

As I stand here, I remember a day when a young Yale first-baseman and his team met Princeton on the field of battle. I see that site is now home to your Third World Center. I guess that's appropriate -- the Third World would have been the only place I could have gotten a pro ball contract. I wish just once I could have played on a team that had a year like Pete Carril's.

Seriously, I'm honored to receive a degree from Princeton. After all, Washington said "no college has turned out better scholars or more estimable characters." Certainly it's the only school that can claim as alumni the last two Secretaries of State. Both have been outstanding public servants. And both of them love this school. But only one has the tattoo to prove it.

I'll always remember the first time I saw the globe inside the Wilson School lobby. Anywhere you touch it, you set off vibrations across the rest of its surface. I can't think of a more appropriate symbol for this nation's role in the world. When we act, we really can set off tremors across the globe. We have become accustomed to that responsibility as a nation. We see it as our special burden and our special blessing.

I would like to talk today about the source of America's greatness, its Constitution. More to the point, I will discuss the way in which our separation of powers doctrine gives our people a government that preserves for this and future generations the promise and blessings of liberty.

Most politicians today must confront an unpleasant fact: People have lost faith in government because government has become incomprehensible to them. The Washington of the civics textbook seems to bear little resemblance to the Washington we read about in newspapers or magazines, or see on the television screen. What in theory is a nicely orchestrated system of government looks more like a three-ring mud-wrestling match, in which behemoths struggle for superiority. The concept of separated powers has given way to the view that politicians and judges in Washington struggle over a single, amorphous power.

Let me suggest that we can restore faith in government by making our government more faithful to the design our founders laid out. I'm not asking that we don powdered wigs and restore the institutions as they were two centuries ago. I'm really calling for us to honor the doctrine of the separation of powers.

Let's start by discussing Congress. The founders never envisioned a Congress that would churn out hundreds of thousands of pages worth of reports, hearings, documents, laws, rules and regulations each year. They saw Congress as a rather modest branch of government, charged with doing the nation's business deliberately. They thought that state governments would assume

far greater importance in the scheme of things -- and for 150 years, they were right. As recently as the turn of the century, state and local governments appropriated ten times as much as the federal government.

Although the founders took great pains to ensure that the President could not become an elected monarch, they were most wary of Congress. James Madison, a Princeton graduate, warned that "The legislative department is everywhere extending the sphere of its activity, and drawing all power into its impetuous vortex. It is against the enterprising ambition of this department that the people ought to indulge all their jealousy and exhaust all of their precautions."

Madison did not mean to disparage Congress with this comment, any more than I wish to do so today. You may recall that he returned to Congress after his presidency, remarking that he could find no higher calling than to serve in the House of Representatives. He merely wanted to acknowledge a fact of human nature: Politicians strive naturally to accumulate power, and will stop only when prevented from doing so by law or force.

Consider a few ways in which Congress has tried to weaken or usurp executive authority within the realm of domestic politics:

Start with the excessive exercise of oversight powers. Thirty years ago, we devoted nearly 5 percent of our gross national product to Pentagon expenditures. Today, Pentagon spending accounts for only half as much of our GNP as it did during the early days of the Kennedy presidency. But

Congressional oversight has metastasized. During the budget process, 107 committees and subcommittees look over Defense programs and spending. Last year the Pentagon devoted 500 man years and over \$50 million just to write reports responding to Congressional queries on such items as plans for manning tugboats, and accounting for the number of military bands. Defense staff has to respond yearly to more than 750,000 Congressional staff inquiries.

Every Cabinet agency can offer equally chilling accounts of the way in which Congress, ostensibly exercising its powers of oversight, binds an executive.

Ironically, it also ties up the legislative branch. What our founders saw as a deliberative body sometimes behaves like a legislative Tower of Babel. Congress now includes as many subcommittees -- over 300 -- as it had staff members after World War II. The average member of the House belongs to seven committees or subcommittees; the average senator, eleven. One wag around Washington says that anyone who forgets the name of a member of the House or Senate always can get by simply by addressing the politician as "Mr. Chairman or Madame Chairman." But think about it: more than half the members of Congress now have that title.

Congressional staffs, which not too long ago included only two to three assistants per representative, have grown more rapidly than any other branch of government. They formulate policy, draft laws, determine votes. This band of 40,000 costs

taxpayers more than \$300 million each year -- and each Congressional office spends an average of \$600,000 on staff.

As committees and staffs proliferate, they must find things to do. They spend a great deal of time pursuing re-election, through the special privilege of franked mail, and by developing district offices that make it possible for members to perform special favors for constituents back home. In recent years, members have started funnelling favors to out-of-state friends who contribute funds to campaign war chests. This sort of constituent service has led to such embarrassments as the Keating Five scandal.

But congressional "service" distorts government in other ways. It has become common practice, for instance, for members of Congress to attach regulations or appropriations to bills that deal with entirely different issues.

Last year, when I asked for \$800 million in aid for developing democracies in Panama and Nicaragua, one member tacked on a provision that would enable the District of Columbia government to use federal funds for abortions. Another demanded child-care legislation. The final measure included \$185 million for a correctional facility in West Virginia.

Buried in the 119-page Interior Department appropriations bill was a clause prohibiting employees of that executive department from making any record of who contacted them from the Hill, and what information they were asked to provide.

Congress has become so adept at bundling many different

bills under a single title that members often have no idea exactly what they are voting for -- and many later find themselves unable to explain such peculiarities as a federal grant to study cow belches or a Lawrence Welk Museum.

In short, the more adroit Congress becomes at performing favors or micromanaging the executive branch, the less competent it becomes with regard to its own duties. It has passed a balanced budget only once since it reformed the budget process in 1974, and it has met its deadlines for approving the 13 different appropriations bills only twice.

At the same time Congress has fallen victim to perceptions of arrogance. It has rendered itself exempt from the many rules and regulations it writes for the executive branch -- and for everyone else. Congressional personnel, for instance, are not covered by the laws that restrict -- or protect -- executive branch employees. These laws include the Freedom of Information Act. Government in the Sunshine Act. Privacy Act. Civil Rights statutes. Congress does not have to respond to queries from special prosecutors or inspectors general. In short, it has freed itself from a wide range of restraints, while awarding itself and its staff special perks.

A Congressional leader once told a member of our administration: "We can't subject congressional staff to criminal exposure for conflict of interest -- it's an infringement on their right to represent special interests." He was not joking!

A president faces a tough challenge in trying to "preserve,

protect and defend" a constitution plagued by such chaos. Fortunately, our system provides powers suited to the task.

The president's most powerful tool for preserving, protecting and defending the Constitution is the veto.

Six times in my presidency, I have vetoed bills that weaken the presidential powers. In each case, I wanted to preserve presidential powers, in accordance with my oath of office. A year from now, Congress will vote on whether to reauthorize the independent counsel statute -- a law that has done a great deal to chase good people out of executive branch service. The debate over that bill should prove interesting from the standpoint of defining and preserving presidential powers.

But vetoes serve another purpose. They provide a tool for forcing the legislature to legislate wisely and deliberately, rather than with reckless haste. I have argued in the past, for instance, that our Constitution contains what some scholars call an "implied" line-item veto. According to this theory, when Congress bundles up a series of unrelated measures and calls it a "bill," a president has the authority to veto separate measures, as if they were separate bills. Several times in my presidency, we have exercised a power much like this by refusing to honor provisions of a law that seem to violate the Constitution. We rejected nine separate passages of a State Department Authorization bill, for instance, because they unconstitutionally weakened the president's foreign policy powers.

While the notion of the inherent veto remains controversial,

I have sought -- and will continue to seek -- a line-item veto, even though I believe such a power already rests within the Constitution. The line-item veto can protect the American people from injudicious Congressional legislation and appropriation.

The second presidential power is the power to propose legislation. Every president makes regular use of this power. We recently have challenged Congress, for instance, to pass our crime and transportation packages by June 14. Such bills address national problems. They reflect a special presidential power, which Thomas Jefferson noted in his first inaugural. He described the president as the only government officer who "conducts a view of the whole ground."

Ironically, the legislative power may offer a means for confining Congressional aspirations and restoring the balance of powers. The military base-closing exercise demonstrated that in many ways Congress simply cannot reform itself without outside help. Many members will admit -- off the record, of course -- that we need to restore competition in Congressional elections. We will do our best to challenge gerrymanders, regardless of which party benefits from improperly drawn congressional boundaries. We also will try again to reform campaign financing. In the past we have proposed eliminating political action committees supported by corporations, unions or trade organizations; and preventing those organizations from paying for the overhead of administrative costs of independent PACS. We have tried to strengthen political parties by increasing the

amounts of money they may contribute to political campaigns. We would like to reduce the power of incumbency by prohibiting the personal use of excess campaign funds, paring down the franking privilege, and prohibiting politicians from building up big campaign chests by rolling campaign contributions from one cycle to another. And candidates also ought to disclose all "soft-money" contributions and their sources.

Finally, we ought to restore faith in Congressional intentions by applying to Congress the statutes it applies to everyone else.

Now, we will achieve none of these reforms without making use of another, emerging power of the presidency -- a tool one constitutional scholar calls the rhetorical presidency and many commentators call the bully pulpit.

A president often must lead by example, and propose reforms that don't involve new legislation or new demands on taxpayers' earnings. Our America 2000 education strategy, for instance, does not create lots of new programs or impose new burdens on American taxpayers. It draws on people's common frustration with an educational system that must do better. It encourages people to use their common sense in creating better schools. It won't help build a new office building in Washington, but it very well may inspire people to build a better future for themselves.

This approach motivates other parts of our legislative and economic program. We have proposed, for instance, returning a number of programs to the states, where people understand their

needs and know how best to fulfill them.

For too long, pundits and special interests have equated vision with bureaucracy. This is irresponsible not only in terms of public policy, but also in terms of constitutional theory. The more a president defines his or her powers strictly in terms of legislation, the more likely it will be that Congressional and presidential responsibilities merge and our system of checks and balances will exist only in theory, not in practice.

Although I have talked a great deal about the founders today, the presidency changes constantly. Presidents define themselves by the ways in which they use their constitutional powers. They use the veto power to shape policy, protect the Constitution, and force Congress to behave in a deliberate, responsible manner. They exercise their foreign policy powers - - not just in matters of war, but also through such actions as seizing assets, maintaining diplomatic contacts, promoting free and fair trade.

Finally, and perhaps most important -- a president must serve not merely as the unitary executive, but as a unifying executive. As President, I feel a special duty to promote the values, goals, and purposes that bind us as Americans.

As President, I feel honor-bound to strengthen the marvelous system of government bequeathed to us, so that we may remain the freest, most moral, most prosperous land in history.

Thank you, and may God bless the United States of America.

#

WHITE HOUSE STAFFING MEMORANDUM

91 MAY 8 P3:54

DATE: 5/7/91 ACTION/CONCURRENCE/COMMENT DUE BY: WEDNESDAY 5/8/91 3:00 pm

SUBJECT: PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY

	ACTION FYI			ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PETERSMEYER	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROGICH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SMITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BROMLEY	<input type="checkbox"/>	<input type="checkbox"/>	UNTERMAYER	<input type="checkbox"/>	<input type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>ROGERS</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>SNOW</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to Tony Snow, Rm. 122, x2930, no later than 3:00 pm, WEDNESDAY, MAY 8, with a copy to this office. Thank you.

RESPONSE:

All comments. Thanks.

Holly Williamson

5-8-91

PHILLIP D. BRADY
Assistant to the President
and Staff Secretary
Ext. 2702

(I have not seen all of Ed's comments yet, but have mailed their primary concern. I will forward others when I receive them.)

✓
(OCA)

Please note: A suggested addition: Princeton's ROTC program recently won recognition as the finest in the country, ROTC was founded by Woodrow Wilson. There will be a number of ROTC students in the audience.

Hinchliffe/Blymire
May 7, 1991 1 p.m.
A:P3 Draft Two

91 MAY -7 PM 3:36

**PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY
May 10, 1991**

No it wasn't.
WW was POTUS
in 1916 when it
was founded.
N.B. -> This request
came from some dude
at NEA. I've
already discussed
this w/ JGardner.
CMB

Thank you, President Shapiro. I'm delighted to be here to help in the dedication of this impressive complex. Though I must say I'm glad this is May, and not the first snowfall. I don't think Barbara would let me take part in your Olympics.

As I stand here, I remember a day when a young Yale first-baseman and his team met Princeton on the field of battle. I see that site is now home to your Third World Center. I guess that's appropriate -- the Third World would have been the only place I could have gotten a pro ball contract. I wish just once I could have played on a team that had a year like Pete Carril's.

Seriously, I'm honored to receive a degree from Princeton. After all, Washington said "no college has turned out better scholars or more estimable characters." Certainly it's the only school that can claim as alumni the last two Secretaries of State. Both have been outstanding public servants. And both of them love this school. But only one has the tattoo to prove it.

I'll always remember the first time I saw the globe inside the Wilson School lobby. Anywhere you touch it, you set off vibrations across the rest of its surface. I can't think of a more appropriate symbol for this nation's role in the world. When we act, we really can set off tremors across the globe. We have become accustomed to that responsibility as a nation. We see it as our special burden and our special blessing.

✓
(OCA)

See possible insert for this paragraph
(attached)

I would like to talk today about the source of America's greatness, its Constitution. More to the point, I will discuss the way in which our separation of powers doctrine gives our people a government that preserves for this and future generations the promise and blessings of liberty.

Most politicians today must confront an unpleasant fact: People have lost faith in government because government has become incomprehensible to them. The Washington of the civics textbook seems to bear little resemblance to the Washington we read about in newspapers or magazines, or see on the television screen. What in theory is a nicely orchestrated system of government looks more like a three-ring mud-wrestling match, in which behemoths struggle for superiority. The concept of separated powers has given way to the view that politicians and judges in Washington struggle over a single, amorphous power.

Let me suggest that we can restore faith in government by making our government more faithful to the design our founders laid out. I'm not asking that we don powdered wigs and restore the institutions as they were two centuries ago. I'm really calling for us to honor the doctrine of the separation of powers.

literally ✓
Restore (Justice)

Let's start by discussing Congress. The founders never envisioned a Congress that would churn out hundreds of thousands of pages worth of reports, hearings, documents, laws, rules and regulations each year. They saw Congress as a rather modest branch of government, charged with doing the nation's business deliberately. They thought that state governments would assume

Possible insert top of page 2 :

"To paraphrase an old television commercial, 'when America speaks, the world listens.' America's greatness flows from its power to influence others not only through rhetoric, but also by its own example -- as we have recently witnessed in Eastern Europe. Today I would like to speak about the source of America's greatness -- our Constitutional structure of government, and in particular, the separation of powers. More to the point, I will discuss the inter-relationship of the two branches of government in which I have served -- the Legislative and Executive branches."

✓ (Justice)

that they would be "laboratories of democracy"

far greater importance in the scheme of things -- and for 150 years, they were right. As recently as the turn of the century, state and local governments appropriated ten times as much as the federal government.

Although the founders took great pains to ensure that the President could not become an elected monarch, they were most wary of Congress. James Madison, a Princeton graduate, warned that "The legislative department is everywhere extending the sphere of its activity, and drawing all power into its impetuous vortex. It is against the enterprising ambition of this department that the people ought to indulge all their jealousy and exhaust all of their precautions."

Madison did not mean to disparage Congress with this comment, any more than I wish to do so today. You may recall that he returned to Congress after his presidency, remarking that he could find no higher calling than to serve in the House of Representatives. He merely wanted to acknowledge a fact of human nature: Politicians strive naturally to accumulate power, and will stop only when prevented from doing so by law or force.

Consider a few ways in which Congress has tried to weaken or usurp executive authority within the realm of domestic politics:

Start with the excessive exercise of oversight powers. Thirty years ago, we devoted nearly 5 percent of our gross national product to Pentagon expenditures. Today, Pentagon spending accounts for only half as much of our GNP as it did during the early days of the Kennedy presidency. But

Congressional oversight has metastasized. During the budget process, 107 committees and subcommittees look over Defense programs and spending. Last year the Pentagon devoted 500 man years and over \$50 million just to write reports responding to Congressional queries on such items as plans for manning tugboats, and accounting for the number of military bands. Defense staff has to respond yearly to more than 750,000 Congressional staff inquiries.

Every Cabinet agency can offer equally chilling accounts of the way in which Congress, ostensibly exercising its powers of oversight, binds an executive.

Ironically, it also ties up the legislative branch. What our founders saw as a deliberative body sometimes behaves like a legislative Tower of Babel. Congress now includes as many subcommittees -- over 300 -- as it had staff members after World War II. The average member of the House belongs to seven committees or subcommittees; the average senator, eleven. One wag around Washington says that anyone who forgets the name of a member of the House or Senate always can get by simply by addressing the politician as "Mr. Chairman or Madame Chairman." But think about it: more than half the members of Congress now have that title.

Congressional staffs, which not too long ago included only two to three assistants per representative, have grown more rapidly than any other branch of government. They formulate policy, draft laws, determine votes. This band of 40,000 costs

taxpayers more than \$300 million each year -- and each Congressional office spends an average of \$600,000 on staff.

As committees and staffs proliferate, they must find things to do. They spend a great deal of time pursuing re-election, through the special privilege of franked mail, and by developing district offices that make it possible for members to perform special favors for constituents back home. In recent years, members have started funnelling favors to out-of-state friends who contribute funds to campaign war chests. This sort of constituent service has led to such embarrassments as the Keating Five scandal.

But congressional "service" distorts government in other ways. It has become common practice, for instance, for members of Congress to attach regulations or appropriations to bills that deal with entirely different issues.

Last year, when I asked for \$800 million in aid for developing democracies in Panama and Nicaragua, one member tacked on a provision that would enable the District of Columbia government to use federal funds for abortions. Another demanded child-care legislation. The final measure included \$185 million for a correctional facility in West Virginia.

Buried in the ~~119-page~~ Interior Department appropriations bill was a clause prohibiting employees of that executive department from making any record of who contacted them from the Hill, and what information they were asked to provide.

Congress has become so adept at bundling many different

See
Interior's
memo
attached.
This is
incorrect.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

May 8, 1991

NOTE TO: HOLLY WILLIAMSON
OFFICE OF CABINET AFFAIRS

FROM: Knute Knudson *Knute Knudson/C*
Deputy Chief of Staff

SUBJECT: Comments on proposed Presidential Remarks -
Princeton University

With regard to the subject speech, specifically page 5, last paragraph, the statement "...119-page Interior Department appropriations bill..." is incorrect. The clause was in section 119 of the bill; the bill itself contained very few pages. Therefore, it is suggested that the statement be rewritten as follows:

"Buried in the 56-page law for Interior Department appropriations was a clause prohibiting..."

We have no other concerns with the speech as written.

If you have any questions, please do not hesitate to give me a call.

bills under a single title that members often have no idea exactly what they are voting for -- and many later find themselves unable to explain such peculiarities as a federal grant to study cow belches or a Lawrence Welk Museum.

In short, the more adroit Congress becomes at performing favors or micromanaging the executive branch, the less competent it becomes with regard to its own duties. It has passed a balanced budget only once since it reformed the budget process in 1974, and it has met its deadlines for approving the 13 different appropriations bills only twice.

✓ The Abandoned When they passed a balanced budget

At the same time Congress has fallen victim to perceptions of arrogance. It has rendered itself exempt from the many rules and regulations it writes for the executive branch -- and for everyone else. Congressional personnel, for instance, are not covered by the laws that restrict -- or protect -- executive branch employees. These laws include the Freedom of Information Act. Government in the Sunshine Act. Privacy Act. ^{Even the} Civil Rights statutes. Congress does not have to respond to queries from special prosecutors or inspectors general. In short, it has freed itself from a wide range of restraints, while awarding itself and its staff special perks.

✓ OCA

A Congressional leader once told a member of our administration: "We can't subject congressional staff to criminal exposure for conflict of interest -- it's an infringement on their right to represent special interests." He was not joking!

A president faces a tough challenge in trying to "preserve,

protect and defend" a constitution plagued by such chaos. Fortunately, our system provides powers suited to the task.

The president's most powerful tool for preserving, protecting and defending the Constitution is the veto.

Six times in my presidency, I have vetoed bills that ^{would have} weaken the presidential powers. In each case, I wanted to preserve presidential powers, in accordance with my oath of office. A year from now, Congress will vote on whether to reauthorize the independent counsel statute -- a law that has done a great deal to ^{discourage} ~~chase~~ good people ^{from} ~~enter~~ executive branch service. The debate over that bill should prove ^{illuminating} ~~interesting~~ from the standpoint of ^(Justice) defining and preserving presidential powers.

But vetoes serve another purpose. They provide a tool for forcing the legislature to legislate wisely and deliberately, rather than with reckless haste. I have argued in the past, for instance, that our Constitution contains what some scholars call an "implied" line-item veto. According to this theory, when Congress bundles up a series of unrelated measures and calls it a "bill," a president has the authority to veto separate measures, ^{because they are ineffect} ~~as if they were~~ separate bills. Several times in my presidency, we have exercised a power much like this by refusing to honor provisions of a law that seem to violate the Constitution. We rejected nine separate passages of a State Department Authorization bill, for instance, because they unconstitutionally weakened the president's foreign policy powers.

While the notion of the inherent veto remains controversial,

✓ OCA

✓ (Justice)
Chase makes it sound like people were doing some - thing wrong.

✓ (Justice)
They are [≅] bills - an important distinction.

I have sought -- and will continue to seek -- a line-item veto, even though I believe such a power ^{may} already rest ^e within the Constitution. The line-item veto can protect the American people from injudicious Congressional legislation and appropriation.

The second presidential power is the power to propose legislation. Every president makes regular use of this power. We recently have challenged Congress, for instance, to pass our crime and transportation packages by June 14. Such bills address national problems. They reflect a special presidential power, which Thomas Jefferson noted in his first inaugural. He described the president as the only government officer who "conducts a view of the whole ground."

Ironically, the legislative power may offer a means for confining Congressional aspirations and restoring the balance of powers. The military base-closing exercise demonstrated that in many ways Congress simply cannot reform itself without outside help. Many members will admit -- off the record, of course -- that we need to restore competition in Congressional elections. We will do our best to challenge gerrymanders, regardless of which party benefits from improperly drawn congressional boundaries. We also will try again to reform campaign financing. In the past we have proposed eliminating political action committees supported by corporations, unions or trade organizations; and preventing those organizations from paying for the overhead of administrative costs of independent PACS. We have tried to strengthen political parties by increasing the

✓(Justice)
This is
where we are
legally.

✓
The AB
wondered if
you wanted
to include
term limitations?

amounts of money they may contribute to political campaigns. We would like to reduce the power of incumbency by prohibiting the personal use of excess campaign funds, paring down the franking privilege, and prohibiting politicians from building up big campaign chests by rolling campaign contributions from one cycle to another. And candidates also ought to disclose all "soft money" contributions and their sources.

Finally, we ought to restore faith in Congressional intentions by applying to Congress the statutes it applies to everyone else.

Now, we will achieve none of these reforms without making use of another, emerging power of the presidency -- a tool one constitutional scholar calls the rhetorical presidency and many commentators call the bully pulpit.

✓ (Education)
It will require
legislation -
A Bill is in the
works. Also
Amer. 2000 does
create some
new programs.
Granted the
emphasis is
on the cruise
but be aware
there are
some new
programs
being created.

A president often must lead by example, and propose reforms that don't involve new legislation or new demands on taxpayers' earnings. Our America 2000 education strategy, for instance, does not create lots of new programs or impose new burdens on American taxpayers. It draws on people's common frustration with an educational system that must do better. It encourages people to use their common sense in creating better schools. It won't help build a new office building in Washington, but it very well may inspire people to build a better future for themselves.

This approach motivates other parts of our legislative and economic program. We have proposed, for instance, returning a number of programs to the states, where people understand their

needs and know how best to fulfill them.

✓
(CA)

For too long, ^{the success of our programs has been measured not by} ~~pundits and special interests have equated~~ ^{their outcomes, but by their inputs -- by how much money we spend on them.} ~~vision with bureaucracy.~~ This is irresponsible not only in terms of public policy, but also in terms of constitutional theory.

The more a president defines his or her powers strictly in terms of legislation, the more likely it will be that Congressional and presidential responsibilities merge and our system of checks and balances will exist only in theory, not in practice.

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Thank you, and may God bless the United States of America.

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WHITE HOUSE STAFFING MEMORANDUM

91 MAY 8 P 4: 39

DATE: 5/7/91 ACTION/CONCURRENCE/COMMENT DUE BY: WEDNESDAY 5/8/91 3:00 pm

SUBJECT: PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PETERSMEYER	<input type="checkbox"/>	<input type="checkbox"/>
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BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SMITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SNOW	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to Tony Snow, Rm. 122, x2930, no later than 3:00 pm, WEDNESDAY, MAY 8, with a copy to this office. Thank you.

RESPONSE:

See comments

PHILLIP D. BRADY
Assistant to the President
and Staff Secretary
Ext. 2702

91 MAY -7 PM 3:36

Hinchliffe/Blymire
May 7, 1991 1 p.m.
A:P3 Draft Two

PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY
May 10, 1991

Thank you, President Shapiro. I'm delighted to be here to help in the dedication of this impressive complex. Though I must say I'm glad this is May, and not the first snowfall. I don't think Barbara would let me take part in your Olympics.

As I stand here, I remember a day when a young Yale first-baseman and his team met Princeton on the field of battle. I see that site is now home to your Third World Center. I guess that's appropriate -- the Third World would have been the only place I could have gotten a pro ball contract. I wish just once I could have played on a team that had a year like Pete Carril's.

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I'll always remember the first time I saw the globe inside the Wilson School lobby. Anywhere you touch it, you set off vibrations across the rest of its surface. I can't think of a more appropriate symbol for this nation's role in the world. When we act, we really can set off tremors across the globe. We have become accustomed to that responsibility as a nation. We see it as our special burden and our special blessing.

I would like to talk today about the source of America's greatness, its Constitution. More to the point, I will discuss the way in which our separation of powers doctrine gives our people a government that preserves for this and future generations the promise and blessings of liberty.

Most politicians today must confront an unpleasant fact: People have lost faith in government because government has become incomprehensible to them. The Washington of the civics textbook seems to bear little resemblance to the Washington we read about in newspapers or magazines, or see on the television screen. What in theory is a nicely orchestrated system of government looks more like a three-ring mud-wrestling match, in which behemoths struggle for superiority. The concept of separated powers has given way to the view that politicians and judges in Washington struggle over a single, amorphous power.

Let me suggest that we can restore faith in government by making our government more faithful to the design our founders laid out. I'm not asking that we don powdered wigs and restore the institutions as they were two centuries ago. I'm really calling for us to honor the doctrine of the separation of powers.

Let's start by discussing Congress. The founders never envisioned a Congress that would churn out hundreds of thousands of pages worth of reports, hearings, documents, laws, rules and regulations each year. They saw Congress as a rather modest branch of government, charged with doing the nation's business deliberately. They thought that state governments would assume

far greater importance in the scheme of things -- and for 150 years, they were right. As recently as the turn of the century, state and local governments appropriated ten times as much as the federal government.

Although the founders took great pains to ensure that the President could not become an elected monarch, they were most wary of Congress. James Madison, a Princeton graduate, warned that "The legislative department is everywhere extending the sphere of its activity, and drawing all power into its impetuous vortex. It is against the enterprising ambition of this department that the people ought to indulge all their jealousy and exhaust all of their precautions."

Madison did not mean to disparage Congress with this comment, any more than I wish to do so today. You may recall that he returned to Congress after his presidency, remarking that he could find no higher calling than to serve in the House of Representatives. He merely wanted to acknowledge a fact of human nature: Politicians strive naturally to accumulate power, and will stop only when prevented from doing so by law or force.

Note:
Adams went back but not sure about Madison
Scully
45178

Consider a few ways in which Congress has tried to weaken or usurp executive authority within the realm of domestic politics:

Start with the excessive exercise of oversight powers.

Thirty years ago, we devoted ^{over 9.5} ~~nearly 5~~ percent of our gross national product to ^{National Defense} ~~Pentagon~~ expenditures. Today, ^{Defense} ~~Pentagon~~ spending accounts for ^{about 5 percent} ~~only half as much~~ of our GNP ^{roughly half as much} ~~as it did~~ during the early days of the Kennedy presidency. But

Howard
44657

Congressional oversight has metastasized. During the budget process, 107 committees and subcommittees look over Defense programs and spending. Last year the Pentagon devoted 500 man years and over \$50 million just to write reports responding to Congressional queries on such items as plans for manning tugboats, and accounting for the number of military bands. Defense staff has to respond yearly to more than 750,000 Congressional staff inquiries.

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it's lower
Howard
X4657

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Recommend against this -- while true, we ended up supporting this item. Also, it's Sen. Byrd. Schwartz/Hale X3120

must delete Hale X3120

bills under a single title that members often have no idea exactly what they are voting for -- and many later find themselves unable to explain such peculiarities as a federal grant to study cow belches or a Lawrence Welk Museum.

In short, the more adroit Congress becomes at performing favors or micromanaging the executive branch, the less competent it becomes with regard to its own duties. It has passed a balanced budget only once since it reformed the budget process in 1974, and it has met its deadlines for approving the 13 different appropriations bills only twice.

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*Martin
f 4804*

Six times in my presidency, I have vetoed bills that weaken ~~the~~ presidential powers. In each case, I wanted to preserve presidential powers, in accordance with my oath of office. A year from now, Congress will vote on whether to reauthorize the independent counsel statute -- a law that has done a great deal to chase good people out of executive branch service. The debate over that bill should prove interesting from the standpoint of defining and preserving presidential powers.

But vetoes serve another purpose. They provide a tool for forcing the legislature to legislate wisely and deliberately, rather than with reckless haste. I have argued in the past, for instance, that our Constitution contains what some scholars call an "implied" line-item veto. According to this theory, when Congress bundles up a series of unrelated measures and calls it a "bill," a president has the authority to veto separate measures, as if they were separate bills. Several times in my presidency, we have exercised a power much like this by refusing to honor provisions of a law that seem to violate the Constitution. We rejected nine separate passages of a State Department
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While the notion of the inherent veto remains controversial,

I have sought -- and will continue to seek -- a line-item veto, even though I believe such a power already rests within the Constitution. The line-item veto can protect the American people from injudicious Congressional legislation and appropriation.

The second presidential power is the power to propose legislation. Every president makes regular use of this power. We recently have challenged Congress, for instance, to pass our crime and transportation packages by June 14. Such bills address national problems. They reflect a special presidential power, which Thomas Jefferson noted in his first inaugural. He described the president as the only government officer who "conducts a view of the whole ground."

~~June 14~~
June 19?
Schwarz
Hale
4/3/21

Ironically, the legislative power may offer a means for confining Congressional aspirations and restoring the balance of powers. The military base-closing exercise demonstrated that in many ways Congress simply cannot reform itself without outside help. Many members will admit -- off the record, of course -- that we need to restore competition in Congressional elections. We will do our best to challenge gerrymanders, regardless of which party benefits from improperly drawn congressional boundaries. We also will try again to reform campaign financing. In the past we have proposed eliminating political action committees supported by corporations, unions or trade organizations; and preventing those organizations from paying for the overhead ^{or} administrative costs of independent PACS. We have tried to strengthen political parties by increasing the

Markin ✓

amounts of money they may contribute to political campaigns. We would like to reduce the power of incumbency by prohibiting the personal use of excess campaign funds, paring down the franking privilege, and prohibiting politicians from building up big campaign chests by rolling campaign contributions from one cycle to another. And candidates also ought to disclose all "soft money" contributions and their sources.

Finally, we ought to restore faith in Congressional intentions by applying to Congress the statutes it applies to everyone else.

Now, we will achieve none of these reforms without making use of another, emerging power of the presidency -- a tool one constitutional scholar calls the rhetorical presidency and many commentators call the bully pulpit.

A president often must lead by example, and propose reforms that don't involve new legislation or new demands on taxpayers' earnings. Our ~~America~~ 2000 education strategy, for instance, does not create lots of new programs or impose new burdens on American taxpayers. It draws on people's common frustration with an educational system that must do better. It encourages people to use their common sense in creating better schools. It won't help build a new office building in Washington, but it very well may inspire people to build a better future for themselves.

This approach motivates other parts of our legislative and economic program. We have proposed, for instance, returning a number of programs to the states, where people understand their

Notes
That America
2000 will
Require
Some
Legislation
Martin
4/8/64



needs and know how best to fulfill them.

For too long, pundits and special interests have equated vision with bureaucracy. This is irresponsible not only in terms of public policy, but also in terms of constitutional theory. The more a president defines his or her powers strictly in terms of legislation, the more likely it will be that Congressional and presidential responsibilities merge and our system of checks and balances will exist only in theory, not in practice.

Although I have talked a great deal about the founders today, the presidency changes constantly. Presidents define themselves by the ways in which they use their constitutional powers. They use the veto power to shape policy, protect the Constitution, and force Congress to behave in a deliberate, responsible manner. They exercise their foreign policy powers -- not just in matters of war, but also through such actions as seizing assets, maintaining diplomatic contacts, promoting free and fair trade.

Finally, and perhaps most important -- a president must serve not merely as the unitary executive, but as a unifying executive. As President, I feel a special duty to promote the values, goals, and purposes that bind us as Americans.

As President, I feel honor-bound to strengthen the marvelous system of government bequeathed to us, so that we may remain the freest, most moral, most prosperous land in history.

Thank you, and may God bless the United States of America.

#

THE WHITE HOUSE

WASHINGTON

May 8, 1991 91 MAY 8 P3:23

MEMORANDUM FOR TONY SNOW

FROM:

DORRANCE SMITH *DS*

SUBJECT:

Presidential Remarks: Princeton University

More balanced, even-handedness necessary; too one-sided. We should discuss areas of cooperation as they demonstrate government working -- Fast Track comes to mind. Also, some mention of the role that congress played vis-A-vis "Desert Storm" should be included. It would stand out if not included.

I'd also borrow from the Michigan speech and continue the theme of Good Society vs. Great Society. That would help tie these speeches together. It would be thematically helpful to keep alive notions like, "...we cannot federalize virtue" from speech to speech.

cc: Phil Brady

WHITE HOUSE STAFFING MEMORANDUM

DATE: 5/7/91 ACTION/CONCURRENCE/COMMENT DUE BY: WEDNESDAY 5/8/91 3:00 pm

SUBJECT: PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY

	ACTION FYI			ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PETERSMEYER	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROGICH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SMITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BROMLEY	<input type="checkbox"/>	<input type="checkbox"/>	UNTERMAYER	<input type="checkbox"/>	<input type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SNOW	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to Tony Snow, Rm. 122, x2930, no later than 3:00 pm, WEDNESDAY, MAY 8, with a copy to this office. Thank you.

RESPONSE:

PHILLIP D. BRADY
 Assistant to the President
 and Staff Secretary
 Ext. 2702

91 MAY -7 PM 3:36

Hinchliffe/Blymire
May 7, 1991 1 p.m.
A:P3 Draft Two

PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY
May 10, 1991

Thank you, President Shapiro. I'm delighted to be here to help in the dedication of this impressive complex. Though I must say I'm glad this is May, and not the first snowfall. I don't think Barbara would let me take part in your Olympics.

As I stand here, I remember a day when a young Yale first-baseman and his team met Princeton on the field of battle. I see that site is now home to your Third World Center. I guess that's appropriate -- the Third World would have been the only place I could have gotten a pro ball contract. I wish just once I could have played on a team that had a year like Pete Carril's.

Seriously, I'm honored to receive a degree from Princeton. After all, Washington said "no college has turned out better scholars or more estimable characters." Certainly it's the only school that can claim as alumni the last two Secretaries of State. Both have been outstanding public servants. And both of them love this school. But only one has the tattoo to prove it.

I'll always remember the first time I saw the globe inside the Wilson School lobby. Anywhere you touch it, you set off vibrations across the rest of its surface. I can't think of a more appropriate symbol for this nation's role in the world. When we act, we really can set off tremors across the globe. We have become accustomed to that responsibility as a nation. We see it as our special burden and our special blessing.

I would like to talk today about the source of America's greatness, its Constitution. More to the point, I will discuss the way in which our separation of powers doctrine gives our people a government that preserves for this and future generations the promise and blessings of liberty.

Most politicians today must confront an unpleasant fact: People have lost faith in government because government has become incomprehensible to them. The Washington of the civics textbook seems to bear little resemblance to the Washington we read about in newspapers or magazines, or see on the television screen. What in theory is a nicely orchestrated system of government looks more like a three-ring mud-wrestling match, in which behemoths struggle for superiority. The concept of separated powers has given way to the view that politicians and judges in Washington struggle over a single, amorphous power.

Let me suggest that we can restore faith in government by making our government more faithful to the design our founders laid out. I'm not asking that we don powdered wigs and restore the institutions as they were two centuries ago. I'm really calling for us to honor the doctrine of the separation of powers.

Let's start by discussing Congress. The founders never envisioned a Congress that would churn out hundreds of thousands of pages worth of reports, hearings, documents, laws, rules and regulations each year. They saw Congress as a rather modest branch of government, charged with doing the nation's business deliberately. They thought that state governments would assume

far greater importance in the scheme of things -- and for 150 years, they were right. As recently as the turn of the century, state and local governments appropriated ten times as much as the federal government.

Although the founders took great pains to ensure that the President could not become an elected monarch, they were most wary of Congress. James Madison, a Princeton graduate, warned that "The legislative department is everywhere extending the sphere of its activity, and drawing all power into its impetuous vortex. It is against the enterprising ambition of this department that the people ought to indulge all their jealousy and exhaust all of their precautions."

Madison did not mean to disparage Congress with this comment, any more than I wish to do so today. You may recall that he returned to Congress after his presidency, remarking that he could find no higher calling than to serve in the House of Representatives. He merely wanted to acknowledge a fact of human nature: Politicians strive naturally to accumulate power, and will stop only when prevented from doing so by law or force.

Consider a few ways in which Congress has tried to weaken or usurp executive authority within the realm of domestic politics:

Start with the excessive exercise of oversight powers. Thirty years ago, we devoted nearly 5 percent of our gross national product to Pentagon expenditures. Today, Pentagon spending accounts for only half as much of our GNP as it did during the early days of the Kennedy presidency. But

Congressional oversight has metastasized. During the budget process, 107 committees and subcommittees look over Defense programs and spending. Last year the Pentagon devoted 500 man years and over \$50 million just to write reports responding to Congressional queries on such items as plans for manning tugboats, and accounting for the number of military bands. Defense staff has to respond yearly to more than 750,000 Congressional staff inquiries.

Every Cabinet agency can offer equally chilling accounts of the way in which Congress, ostensibly exercising its powers of oversight, binds an executive.

Ironically, it also ties up the legislative branch. What our founders saw as a deliberative body sometimes behaves like a legislative Tower of Babel. Congress now includes as many subcommittees -- over 300 -- as it had staff members after World War II. The average member of the House belongs to seven committees or subcommittees; the average senator, eleven. One wag around Washington says that anyone who forgets the name of a member of the House or Senate always can get by simply by addressing the politician as "Mr. Chairman or Madame Chairman." But think about it: more than half the members of Congress now have that title.

Congressional staffs, which not too long ago included only two to three assistants per representative, have grown more rapidly than any other branch of government. They formulate policy, draft laws, determine votes. This band of 40,000 costs

*I'M
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*plug
line items
Veto*

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*Show Col this
Pres Law for*

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Thank you, and may God bless the United States of America.

#

THE WHITE HOUSE
WASHINGTON

Date: 5/8

TO: *Tony / Beth*

FROM: **JOHN S. GARDNER**
Special Assistant to the President
and Assistant Staff Secretary

- Information
- Action
- Let's Discuss

Pls. see comments from me and Phil.

Thanks JG

Hinchliffe/Blymire
May 7, 1991 1 p.m.
A:P3 Draft Two

91 MAY -7 PM 3:36

91 MAY 8 AIO: 27

PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY
May 10, 1991

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→ *Sorry to be humorless, but I think making jokes about Third World anything will be poorly received.*

I would like to talk today about ~~the~~ ^{me} source of America's greatness, its Constitution. More to the point, I will discuss the way in which our separation of powers doctrine gives our people a government that preserves for this and future generations the promise and blessings of liberty.

Most politicians today must confront an unpleasant fact: People have lost faith in government because government has become incomprehensible to them. The Washington of the civics textbook seems to bear little resemblance to the Washington we read about in newspapers or magazines, or see on the television screen. What in theory is a nicely orchestrated system of government looks more like a three-ring [?] (mud-wrestling match), in which behemoths struggle for superiority. The concept of separated powers has given way to the view that politicians and judges in Washington struggle over a single, amorphous power.

Let me suggest that we can restore faith in government by making our government more faithful to the design our founders laid out. I'm not asking that we don powdered wigs and restore the institutions as they were two centuries ago. I'm really calling for us to honor the doctrine of the separation of powers.

Let's start by ~~discussing~~ ^{considering [discussing implies we want a response]} Congress. The founders never envisioned a Congress that would churn out hundreds of thousands of pages worth of reports, hearings, documents, laws, rules and regulations each year. They saw Congress as a rather modest branch of government, charged with doing the nation's business deliberately. They thought that state governments would assume

This is almost
3 half on history under
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far greater importance in the scheme of things -- and for 150 years, they were right. As recently as the turn of the century, state and local governments appropriated ten times as much as the federal government.

Although the founders took great pains to ensure that the President could not become an elected monarch, they were most wary of Congress. James Madison, a Princeton graduate, warned that "The legislative department is everywhere extending the sphere of its activity, and drawing all power into its impetuous vortex. It is against the enterprising ambition of this department that the people ought to indulge all their jealousy and exhaust all of their precautions."

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→ ? Wasn't that J.Q. Adams?

Congressional oversight has metastasized. During the budget process, 107 committees and subcommittees look over Defense programs and spending. Last year the Pentagon devoted 500 man years and over \$50 million just to write reports responding to Congressional queries on such items as plans for manning tugboats, and accounting for the number of military bands. Defense staff has to respond yearly to more than 750,000 Congressional staff inquiries.

Every Cabinet agency can offer equally chilling accounts of the way in which Congress, ostensibly exercising its powers of oversight, binds ~~an~~ ^{the} executive. *[it's the whole branch, not just Bush]*

Ironically, it also ties up the legislative branch. What our founders saw as a deliberative body sometimes behaves like a legislative Tower of Babel. Congress now includes as many subcommittees -- over 300 -- as it had staff members after World War II. The average member of the House belongs to seven committees or subcommittees; the average senator, eleven. One wag around Washington says that anyone who forgets the name of a member of the House or Senate always can get by simply by addressing the politician as "Mr. Chairman or Madame Chairman." But think about it: more than half the members of Congress now have that title.

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- ① Do we want to take on Byrd?
 ② Was this in the veto message as an objection?

Committees do very little of this - you may want to delete

bills under a single title that members often have no idea exactly what they are voting for -- and many later find themselves unable to explain such peculiarities as a federal grant to study cow belches or a Lawrence Welk Museum.

In short, the more adroit Congress becomes at performing favors or micromanaging the executive branch, the less competent it becomes with regard to its own duties. It has passed a balanced budget only once since it reformed the budget process in 1974, and it has met its deadlines for approving the 13 different appropriations bills only twice.

[I thought last balanced budget was FY 69]

At the same time Congress has fallen victim to perceptions of arrogance. It has rendered itself exempt from the many rules and regulations it writes for the executive branch -- and for everyone else. Congressional personnel, for instance, are not covered by the laws that restrict -- or protect -- executive branch employees. These laws include the Freedom of Information Act. Government in the Sunshine Act. Privacy Act. Civil Rights statutes. Congress does not have to respond to queries from special prosecutors or inspectors general. In short, it has freed itself from a wide range of restraints, while awarding itself and its staff special perks.

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Let's not use the Carter punctuation here!

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The president's most powerful tool for preserving, protecting and defending the Constitution is the veto.

Six times in my presidency, I have vetoed bills that weaken the presidential powers. In each case, I wanted to preserve presidential powers, in accordance with my oath of office. A year from now, Congress will vote on whether to reauthorize the independent counsel statute -- a law that has done a great deal to chase good people out of executive branch service. The debate over that bill should prove interesting from the standpoint of defining and preserving presidential powers.

But vetoes serve another purpose. They provide a tool for forcing the legislature to legislate wisely and deliberately, rather than with reckless haste. [I have argued in the past, for instance, that our Constitution contains what some scholars call an "implied" line-item veto. According to this theory, when Congress bundles up a series of unrelated measures and calls it a "bill," a president has the authority to veto separate measures, as if they were separate bills. Several times in my presidency, we have exercised a power much like this by refusing to honor provisions of a law that seem to violate the Constitution. We rejected nine separate passages of a State Department Authorization bill, for instance, because they unconstitutionally weakened the president's foreign policy powers.]

While the notion of the inherent veto remains controversial,

This is a separate issue - linking the two weakens an view that the President must enforce the ~~the~~ Constitution. The pollen ~~has~~ here was the provisions themselves, not their "bundling."

*This just heightens
the contradiction.*

I have sought -- and will continue to seek -- a line-item veto, ~~even though I believe such a power already rests within the~~ Constitution. The line-item veto can protect the American people from injudicious Congressional legislation and appropriation.

The second presidential power is the power to propose legislation. Every president makes regular use of this power. We recently have challenged Congress, for instance, to pass our crime and transportation packages by June 14. Such bills address national problems. They reflect a special presidential power, which Thomas Jefferson noted in his first inaugural. He described the president as the only government officer who "conducts a view of the whole ground."

Ironically, the legislative power may offer a means for confining Congressional aspirations and restoring the balance of powers. The military base-closing exercise demonstrated that in many ways Congress simply cannot reform itself without outside help. Many members will admit -- off the record, of course -- that we need to restore competition in Congressional elections. We will do our best to challenge gerrymanders, regardless of which party benefits from improperly drawn congressional boundaries. We also will try again to reform campaign financing. In the past we have proposed eliminating political action committees supported by corporations, unions or trade organizations; and preventing those organizations from paying for the overhead of administrative costs of independent PACS. We have tried to strengthen political parties by increasing the

amounts of money they may contribute to political campaigns. We would like to reduce the power of incumbency by prohibiting the personal use of excess campaign funds, paring down the franking privilege, and prohibiting politicians from building up big campaign chests by rolling campaign contributions from one cycle to another. And candidates also ought to disclose all "soft money" contributions and their sources.

Finally, we ought to restore faith in Congressional intentions by applying to Congress the statutes it applies to everyone else.

Now, we will achieve none of these reforms without making use of another, emerging power of the presidency -- a tool one constitutional scholar calls the rhetorical presidency and many commentators call the bully pulpit.

A president often must lead by example, and propose reforms that don't involve new legislation or new demands on taxpayers' earnings. Our America 2000 education strategy, for instance, does not create lots of new programs or impose new burdens on American taxpayers. It draws on people's common frustration with an educational system that must do better. It encourages people to use their common sense in creating better schools. It won't help build a new office building in Washington, but it very well may inspire people to build a better future for themselves.

This approach motivates other parts of our legislative and economic program. We have proposed, for instance, returning a number of programs to the states, where people understand their

needs and know how best to fulfill them.

For too long, pundits and special interests have equated vision with bureaucracy. This is irresponsible not only in terms of public policy, but also in terms of constitutional theory. The more a president defines his or her powers strictly in terms of legislation, the more likely it will be that Congressional and presidential responsibilities merge and our system of checks and balances will exist only in theory, not in practice.

Although I have talked a great deal about the founders today, the presidency changes constantly. Presidents define themselves by the ways in which they use their constitutional powers. ^{-- and their power to persuade.} They use the veto power to shape policy, protect the Constitution, and force Congress to behave in a deliberate, responsible manner. They exercise their foreign policy powers - - not just in matters of war, but also through such actions as seizing assets, maintaining diplomatic contacts, promoting free and fair trade.

Finally, and perhaps most important -- a president must serve not merely as the unitary executive, but as a unifying executive. As President, I feel a special duty to promote the values, goals, and purposes that bind us as Americans.

As President, I feel honor-bound to strengthen the marvelous system of government bequeathed to us, so that we may remain the freest, most moral, most prosperous land in history.

Thank you, and may God bless the United States of America.

#

people from injudicious Congressional legislation and appropriation. Right now, 44 governors have such a power. It works. The President ought to have that power, too.

Some believe
I already have
that power under
the Constitution

In closing, let me summarize my view of the Presidency. Presidents define themselves through their exercise of presidential power. They must use their special authority to serve the whole nation, in matters of foreign and domestic policy. They must set a tone for governance -- at once leading the people and following their desires. They must preserve, protect and defend the Constitution. And they must encourage deliberative behavior on the part of Congress.

But the real power of the Presidency lies in ^athe President's ability to frame -- through action, through example, through encouragement -- what we as a nation must do: what is required of communities and institutions -- large and small -- in schools and factories, and the hundreds of daily acts of individuals.

The great joy and challenge of the office I occupy is that the President serves not just as the unitary executive, but also ^{hopefully} as the unifying executive.

As President, I feel honor-bound to strengthen the marvelous system of government bequeathed to us, so that we may remain the freest, most decent, most prosperous ^{caring} nation in ^{the} history ^{of the world}.

Thank you, and may God bless the United States of America.

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THE WHITE HOUSE
WASHINGTON

MASTER

May 9, 1991

MEMORANDUM FOR THE PRESIDENT

FROM: TONY SNOW *TS*
SUBJECT: REMARKS AT PRINCETON UNIVERSITY

On Friday, May 10 at 11 a.m., you will address 1200 attendees at a building dedication ceremony at Princeton University. Your remarks are approximately 15-18 minutes in length, and will be on teleprompter.

The changes you requested are incorporated in this draft. The speech has been prepared on speechcards, and has been formatted for the teleprompter. Necessary changes will be made on the airplane.

Hinchliffe/Blymire
May 9, 1991 6:30 P.M.
A:P7 Draft SIX

PRESIDENTIAL REMARKS: PRINCETON UNIVERSITY
May 10, 1991
11 a.m.

Thank you, President Shapiro. Governor Florio; Members of Congress; Mrs. Shapiro; Board of Trustees Chairman Henderson; Dean Williamson; Associate Dean Morrow. I'm delighted to help dedicate this impressive complex. Though I must say I'm glad this is May, and not the first snowfall. I don't think Barbara would let me take part in your Olympics. //

Seriously, I'm honored to receive an honorary degree from Princeton. Imagine that: A son of Yale getting a Princeton degree. "Son of Yale" -- You can laugh, but you ought to hear what they call me in D.C.

Well, Princeton is a great place. You know, Washington said "no college has turned out better scholars or more estimable characters." That includes, of course, our last two Secretaries of State. Both have been outstanding public servants. Both love this university. But only one has the tattoo to prove it.///

I'll always remember the first time I saw the globe inside the Woodrow Wilson School lobby. Anywhere you touch it, you set off vibrations across the rest of its surface. I can't think of a more appropriate symbol for this nation's role in the world. When we act, we do set off tremors across the globe.

I would like to talk today about an American achievement that has inspired men and women worldwide -- most recently, in

Eastern Europe. I'm speaking of our Constitution. In the interest of brevity, I will focus on the roles of the two branches of government in which I have had the honor to serve, the legislative and executive departments.

Politicians in those branches of government face an unpleasant challenge these days. Many people have lost faith in government because government has become incomprehensible to them. The Washington of the civics textbook seems to bear little resemblance to the Washington we read about in newspapers or magazines, or see on the television screen. What in theory is a nicely orchestrated system of checks and balances can in reality look like a three-ring mud-wrestling match, in which behemoths struggle for superiority.

We can help restore faith in government by restoring the balance of powers that forms its core. Consider the President's role. Thomas Jefferson once noted that the President "commands a view of the whole ground," while Congress necessarily adopts the views of its constituents.

~~Because~~ the President and Vice President are the only officials elected to serve the entire nation, ^{It is the President who is responsible for} ~~the burden for~~ guiding and directing the nation's foreign policy. ~~falls upon the executive.~~ The executive branch alone may conduct international negotiations, appoint ambassadors, and conduct foreign policy. Our founders noted the necessity of performing this duty with "secrecy and dispatch," when necessary. The President also serves as commander-in-chief of our armed forces -- as I did in

the Persian Gulf.

This does not mean that the executive may conduct foreign business in a vacuum. I have great respect for Congress and I prefer to work cooperatively with it wherever possible. Though I felt the President had the inherent power to commit our forces to battle, I solicited Congressional support before entering the Gulf War. So while a President bears special foreign policy obligations, those obligations do not imply any liberty to keep Congress unnecessarily in the dark.

The president's view of the whole ground includes a second responsibility -- shaping the nation's domestic agenda. Presidents do this by submitting annual budgets to Congress, along with a comprehensive legislative program.

We have had our share of important legislative successes. They include a Clean Air Act that invokes the power of the market to help America breathe cleaner air, an Americans with Disabilities Act, landmark civil rights legislation that enhances the dignity of those with disabilities. A child care bill that puts more power and choice in the hands of parents when it comes to the care of their children.

But Presidents may encourage change through means other than legislation. Our Points of Light campaign, for instance, encourages the traditional American virtue of private service. Similarly, our America 2000 education strategy -- which has been well-received across the land -- involves dramatic reforms that don't make dramatic new claims on taxpayer earnings. It draws on

↳ budget agreement that ~~includes~~ reduces our borrowing requirements by ^{nearly} 500 billion over the next 5 years, dollars

(P.5)
(C.9)

people's common frustration with an educational system that must do better. It encourages people to use their common sense and good old American ingenuity in creating better schools. It won't help build a new office building in Washington, but it very well may inspire people to build a better future for themselves and their children -- school by school, community by community.

Elsewhere, we have proposed turning programs back to states and localities. This enables people to craft the most appropriate solutions for the problems they confront.

The point is simple: You don't always need to propose a new program to pursue a national goal. Often a President can lead by encouraging the values of service, by helping foster a national spirit of commitment and responsibility.

For too long, pundits and special interests have equated vision with bureaucracy. I hope one of the hallmarks of this administration will be its ability to encourage not just good government, but also a Good Society -- one that draws upon and encourages the best instincts, ambitions, and values of the American people.

The common thread of commitment -- individual commitment -- runs through all successful efforts to solve our most intractable problems. The individual who cares -- who is determined to change things for the better -- can and will make a difference. And all of us as Americans ought to dedicate ourselves to making a difference.

While a President must take on today's problems and

tomorrow's challenges, he also has an obligation to "preserve, protect and defend" a 200-year-old system of Constitutional government. ~~He is the only official assigned this very great responsibility.~~

The most common challenge to Presidential powers comes from a predictable source, Congress. Although our founders never envisioned a Congress that would churn out hundreds of thousands of pages worth of reports, hearings, documents, and laws each year, they did understand that legislators would try to accumulate power. James Madison, a Princeton graduate, warned that "The legislative department is everywhere extending the sphere of its activity, and drawing all power into its impetuous vortex."

Sometimes this sort of competition falls entirely within the bounds of the Constitution. ^{But,} Consider the ^{unnecessary requests and requirements} harassments that can waste the time and energy of the executive. Thirty years ago, we devoted nearly 9.5 percent of our gross national product to ^{defense} Pentagon expenditures. Today, ^{defense} Pentagon spending accounts for only ^{5.3} 5 percent of our GNP. But Congressional oversight has grown exponentially. One hundred seven committees and subcommittees oversee Defense programs and spending. For FY 1989, the Pentagon devoted 500 man-years and over \$50 million just to write reports responding to Congressional queries on such items as plans for manning tugboats, and accounting for the number of military bands. Defense staff has to respond yearly to more than 750,000 Congressional staff inquiries. Other executive agencies exhaust

(p. 9
back-up)

their time and energy, often giving identical testimony to a whole battery of subcommittees and committees.

Oversight, when properly exercised, helps keep the executive accountable. But when it proliferates wildly, it can confuse the public and make it more difficult for Congress and the President to do their jobs properly.

The chief executive also preserves, protects, and defends the Constitution through the use of the veto power.

Six times in my presidency, I have vetoed bills that would have weakened the presidential powers. In one case, for instance, Congress wanted to make the President disclose a wide variety of sensitive diplomatic contacts and discussions, as well as private discussions within the executive branch -- and would have threatened to impose criminal sanctions on a wide range of normal diplomatic activities. I noted in my veto message that "The result would be a dangerous timidity and disarray in the conduct of U.S. foreign policy. Such a result is wholly contrary to the allocation of powers under the Constitution."

Elsewhere, Congress also has taken aggressive action against specific presidential powers -- including the power to appoint or remove employees who serve at the president's pleasure. It sometimes tries to micromanage executive-branch activities by writing too-specific directions for carrying out a particular law. When this happens, the President has a constitutional obligation to protect his office -- and to veto the legislation. In addition, on many occasions during my presidency, I have

(P. 11) ^{stated to the}
 reminded Congress that statutory provisions that violate the Constitution have no binding legal force.

(P. 12) But there's another, often overlooked, side of the veto power. Often, vetoes encourage the legislature to reconsider its actions, ~~to act with deliberation.~~ When I vetoed minimum-wage legislation, for instance, I sought to persuade Congress that a slightly lower rate would best serve the public interest -- and in time, Congress agreed. [Similarly, I have warned the Congress that I would veto the Brady Bill, unless it was included in the comprehensive crime package I have proposed. In this case, a veto is designed not to kill a piece of legislation. It is designed to encourage Congress to enact the best law possible.] *delete*

(P. 12) And when Congress bundles up a series of unrelated measures and calls it a single "bill," it frustrates the President's constitutional role in resisting the influence of special interests. It is often impractical to veto a major bill -- especially an appropriations bill -- because of unrelated riders that would never stand a chance on their own.

Bills of this sort can pose as much a threat to Congress as to the President. It has become an annual sport for reporters to pull peculiarities out of vast spending bills -- such as a federal grant to study cow belches, or a Lawrence Welk Museum -- and ask Congress to defend them. Quite often, members don't even know what they have voted for.

I have sought -- and will continue to seek -- a line-item veto to prevent such embarrassments and protect the American

(P. 13)

people from injudicious ~~Congressional legislation and~~ appropriation. Right now, ⁴³44 governors have such a power. It works. The President ought to have that power, too.

In closing, let me summarize my view of the Presidency. Presidents define themselves through their exercise of presidential power. They must use their special authority to serve the whole nation, in matters of foreign and domestic policy. They must set a tone for governance -- at once leading the people and following their desires. They must preserve, protect and defend the Constitution. And they must encourage deliberative behavior on the part of Congress.

But the real power of the Presidency lies in the President's ability to frame -- through action, through example, through encouragement -- what we as a nation must do: what is required of communities and institutions -- large and small -- in schools and factories, and the hundreds of daily acts of individuals.

The great joy and challenge of the office I occupy is that the President serves not just as the unitary executive, but also as the unifying executive.

As President, I feel honor-bound to strengthen the marvelous system of government bequeathed to us, so that we may remain the freest, most decent, most prosperous nation in history.

Thank you, and may God bless the United States of America.

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PRINCETON UNIVERSITY
MAY 10, 1991
11 A.M.

THANK YOU, PRESIDENT SHAPIRO. GOVERNOR FLORIO;
MEMBERS OF CONGRESS; MRS. SHAPIRO; BOARD OF TRUSTEES
CHAIRMAN HENDERSON; DEAN WILLIAMSON; ASSOCIATE DEAN
MORROW. I'M DELIGHTED TO HELP DEDICATE THIS IMPRESSIVE
COMPLEX. THOUGH I MUST SAY I'M GLAD THIS IS MAY, AND
NOT THE FIRST SNOWFALL. I DON'T THINK BARBARA WOULD
LET ME TAKE PART IN YOUR OLYMPICS. //

SERIOUSLY, I'M HONORED TO RECEIVE AN HONORARY
DEGREE FROM PRINCETON. IMAGINE THAT: A SON OF YALE
GETTING A PRINCETON DEGREE. "SON OF YALE" -- YOU CAN
LAUGH, BUT YOU OUGHT TO HEAR WHAT THEY CALL ME IN D.C.

WELL, PRINCETON IS A GREAT PLACE. YOU KNOW,
WASHINGTON SAID "NO COLLEGE HAS TURNED OUT BETTER
SCHOLARS OR MORE ESTIMABLE CHARACTERS." THAT INCLUDES,
OF COURSE, OUR LAST TWO SECRETARIES OF STATE. BOTH
HAVE BEEN OUTSTANDING PUBLIC SERVANTS. BOTH LOVE THIS
UNIVERSITY. BUT ONLY ONE HAS THE TATTOO TO PROVE
IT.///

I'LL ALWAYS REMEMBER THE FIRST TIME I SAW THE GLOBE INSIDE THE WOODROW WILSON SCHOOL LOBBY. ANYWHERE YOU TOUCH IT, YOU SET OFF VIBRATIONS ACROSS THE REST OF ITS SURFACE. I CAN'T THINK OF A MORE APPROPRIATE SYMBOL FOR THIS NATION'S ROLE IN THE WORLD. WHEN WE ACT, WE DO SET OFF TREMORS ACROSS THE GLOBE.

I WOULD LIKE TO TALK TODAY ABOUT AN AMERICAN ACHIEVEMENT THAT HAS INSPIRED MEN AND WOMEN WORLDWIDE -- MOST RECENTLY, IN EASTERN EUROPE. I'M SPEAKING OF OUR CONSTITUTION. IN THE INTEREST OF BREVITY, I WILL FOCUS ON THE ROLES OF THE TWO BRANCHES OF GOVERNMENT IN WHICH I HAVE HAD THE HONOR TO SERVE, THE LEGISLATIVE AND EXECUTIVE DEPARTMENTS.

CONSIDER THE PRESIDENT'S ROLE. THOMAS JEFFERSON ONCE NOTED THAT THE PRESIDENT "COMMANDS A VIEW OF THE WHOLE GROUND," WHILE CONGRESS NECESSARILY ADOPTS THE VIEWS OF ITS CONSTITUENTS.

THE PRESIDENT AND VICE PRESIDENT ARE THE ONLY OFFICIALS ELECTED TO SERVE THE ENTIRE NATION. IT IS THE PRESIDENT WHO IS RESPONSIBLE FOR GUIDING AND DIRECTING THE NATION'S FOREIGN POLICY. THE EXECUTIVE BRANCH ALONE MAY CONDUCT INTERNATIONAL NEGOTIATIONS, APPOINT AMBASSADORS, AND CONDUCT FOREIGN POLICY. OUR FOUNDERS NOTED THE NECESSITY OF PERFORMING THIS DUTY WITH "SECRECY AND DISPATCH," WHEN NECESSARY. THE PRESIDENT ALSO SERVES AS COMMANDER-IN-CHIEF OF OUR ARMED FORCES -- AS I DID IN THE PERSIAN GULF.

THIS DOES NOT MEAN THAT THE EXECUTIVE MAY CONDUCT FOREIGN BUSINESS IN A VACUUM. I HAVE GREAT RESPECT FOR CONGRESS AND I PREFER TO WORK COOPERATIVELY WITH IT WHEREVER POSSIBLE. THOUGH I FELT THE PRESIDENT HAD THE INHERENT POWER TO COMMIT OUR FORCES TO BATTLE, I SOLICITED CONGRESSIONAL SUPPORT BEFORE ENTERING THE GULF WAR. SO WHILE A PRESIDENT BEARS SPECIAL FOREIGN POLICY OBLIGATIONS, THOSE OBLIGATIONS DO NOT IMPLY ANY LIBERTY TO KEEP CONGRESS UNNECESSARILY IN THE DARK.

THE PRESIDENT'S VIEW OF THE WHOLE GROUND INCLUDES A SECOND RESPONSIBILITY -- SHAPING THE NATION'S DOMESTIC AGENDA. PRESIDENTS DO THIS BY SUBMITTING ANNUAL BUDGETS TO CONGRESS, ALONG WITH A COMPREHENSIVE LEGISLATIVE PROGRAM.

WE HAVE HAD OUR SHARE OF IMPORTANT LEGISLATIVE SUCCESSES. THEY INCLUDE A BUDGET AGREEMENT THAT REDUCES OUR BORROWING REQUIREMENTS BY NEARLY 500 BILLION DOLLARS OVER THE NEXT 5 YEARS, A CLEAN AIR ACT THAT INVOKES THE POWER OF THE MARKET TO HELP AMERICA BREATHE CLEANER AIR, AN AMERICANS WITH DISABILITIES ACT, LANDMARK CIVIL RIGHTS LEGISLATION THAT ENHANCES THE DIGNITY OF THOSE WITH DISABILITIES. A CHILD CARE BILL THAT PUTS MORE POWER AND CHOICE IN THE HANDS OF PARENTS WHEN IT COMES TO THE CARE OF THEIR CHILDREN.

BUT PRESIDENTS MAY ENCOURAGE CHANGE THROUGH MEANS OTHER THAN LEGISLATION. OUR POINTS OF LIGHT CAMPAIGN, FOR INSTANCE, ENCOURAGES THE TRADITIONAL AMERICAN VIRTUE OF PRIVATE SERVICE. SIMILARLY, OUR AMERICA 2000 EDUCATION STRATEGY -- WHICH HAS BEEN WELL-RECEIVED ACROSS THE LAND -- INVOLVES DRAMATIC REFORMS THAT DON'T MAKE DRAMATIC NEW CLAIMS ON TAXPAYER EARNINGS. IT DRAWS ON PEOPLE'S COMMON FRUSTRATION WITH AN EDUCATIONAL SYSTEM THAT MUST DO BETTER. IT ENCOURAGES PEOPLE TO USE THEIR COMMON SENSE AND GOOD OLD AMERICAN INGENUITY IN CREATING BETTER SCHOOLS. IT WON'T HELP BUILD A NEW OFFICE BUILDING IN WASHINGTON, BUT IT VERY WELL MAY INSPIRE PEOPLE TO BUILD A BETTER FUTURE FOR THEMSELVES AND THEIR CHILDREN -- SCHOOL BY SCHOOL, COMMUNITY BY COMMUNITY.

ELSEWHERE, WE HAVE PROPOSED TURNING PROGRAMS BACK TO STATES AND LOCALITIES. THIS ENABLES PEOPLE TO CRAFT THE MOST APPROPRIATE SOLUTIONS FOR THE PROBLEMS THEY CONFRONT.

THE POINT IS SIMPLE: YOU DON'T ALWAYS NEED TO PROPOSE A NEW PROGRAM TO PURSUE A NATIONAL GOAL. OFTEN A PRESIDENT CAN LEAD BY ENCOURAGING THE VALUES OF SERVICE, BY HELPING FOSTER A NATIONAL SPIRIT OF COMMITMENT AND RESPONSIBILITY.

FOR TOO LONG, PUNDITS AND SPECIAL INTERESTS HAVE EQUATED VISION WITH BUREAUCRACY. I HOPE ONE OF THE HALLMARKS OF THIS ADMINISTRATION WILL BE ITS ABILITY TO ENCOURAGE NOT JUST GOOD GOVERNMENT, BUT ALSO A GOOD SOCIETY -- ONE THAT DRAWS UPON AND ENCOURAGES THE BEST INSTINCTS, AMBITIONS, AND VALUES OF THE AMERICAN PEOPLE.

THE COMMON THREAD OF COMMITMENT -- INDIVIDUAL COMMITMENT -- RUNS THROUGH ALL SUCCESSFUL EFFORTS TO SOLVE OUR MOST INTRACTABLE PROBLEMS. THE INDIVIDUAL WHO CARES -- WHO IS DETERMINED TO CHANGE THINGS FOR THE BETTER -- CAN AND WILL MAKE A DIFFERENCE. AND ALL OF US AS AMERICANS OUGHT TO DEDICATE OURSELVES TO MAKING A DIFFERENCE.

WHILE A PRESIDENT MUST TAKE ON TODAY'S PROBLEMS AND TOMORROW'S CHALLENGES, HE ALSO HAS AN OBLIGATION TO "PRESERVE, PROTECT AND DEFEND" A 200-YEAR-OLD SYSTEM OF CONSTITUTIONAL GOVERNMENT.

THE MOST COMMON CHALLENGE TO PRESIDENTIAL POWERS COMES FROM A PREDICTABLE SOURCE, CONGRESS. ALTHOUGH OUR FOUNDERS NEVER ENVISIONED A CONGRESS THAT WOULD CHURN OUT HUNDREDS OF THOUSANDS OF PAGES WORTH OF REPORTS, HEARINGS, DOCUMENTS, AND LAWS EACH YEAR, THEY DID UNDERSTAND THAT LEGISLATORS WOULD TRY TO ACCUMULATE POWER. JAMES MADISON, A PRINCETON GRADUATE, WARNED THAT "THE LEGISLATIVE DEPARTMENT IS EVERYWHERE EXTENDING THE SPHERE OF ITS ACTIVITY, AND DRAWING ALL POWER INTO ITS IMPETUOUS VORTEX."

SOMETIMES THIS SORT OF COMPETITION FALLS ENTIRELY WITHIN THE BOUNDS OF THE CONSTITUTION. BUT, CONSIDER THE UNNECESSARY REQUESTS AND REQUIREMENTS THAT CAN WASTE THE TIME AND ENERGY OF THE EXECUTIVE. THIRTY YEARS AGO, WE DEVOTED NEARLY 9.5 PERCENT OF OUR GROSS NATIONAL PRODUCT TO DEFENSE EXPENDITURES. TODAY, DEFENSE SPENDING ACCOUNTS FOR ONLY 5.3 PERCENT OF OUR GNP. BUT CONGRESSIONAL OVERSIGHT HAS GROWN EXPONENTIALLY. ONE HUNDRED SEVEN COMMITTEES AND SUBCOMMITTEES OVERSEE DEFENSE PROGRAMS AND SPENDING. FOR FY 1989, THE PENTAGON DEVOTED 500 MAN-YEARS AND OVER \$50 MILLION JUST TO WRITE REPORTS RESPONDING TO CONGRESSIONAL QUERIES ON SUCH ITEMS AS PLANS FOR MANNING TUGBOATS, AND ACCOUNTING FOR THE NUMBER OF MILITARY BANDS. DEFENSE STAFF HAS TO RESPOND YEARLY TO MORE THAN 750,000 CONGRESSIONAL STAFF INQUIRIES. OTHER EXECUTIVE AGENCIES EXHAUST THEIR TIME AND ENERGY, OFTEN GIVING IDENTICAL TESTIMONY TO A WHOLE BATTERY OF SUBCOMMITTEES AND COMMITTEES.

ELSEWHERE, CONGRESS ALSO HAS TAKEN AGGRESSIVE ACTION AGAINST SPECIFIC PRESIDENTIAL POWERS -- INCLUDING THE POWER TO APPOINT OR REMOVE EMPLOYEES WHO SERVE AT THE PRESIDENT'S PLEASURE. IT SOMETIMES TRIES TO MICROMANAGE EXECUTIVE-BRANCH ACTIVITIES BY WRITING TOO-SPECIFIC DIRECTIONS FOR CARRYING OUT A PARTICULAR LAW. WHEN THIS HAPPENS, THE PRESIDENT HAS A CONSTITUTIONAL OBLIGATION TO PROTECT HIS OFFICE -- AND TO VETO THE LEGISLATION. IN ADDITION, ON MANY OCCASIONS DURING MY PRESIDENCY, I HAVE STATED THAT STATUTORY PROVISIONS THAT VIOLATE THE CONSTITUTION HAVE NO BINDING LEGAL FORCE.

BUT THERE'S ANOTHER, OFTEN OVERLOOKED, SIDE OF THE VETO POWER. OFTEN, VETOES ENCOURAGE THE LEGISLATURE TO RECONSIDER ITS ACTIONS. WHEN I VETOED MINIMUM-WAGE LEGISLATION, FOR INSTANCE, I SOUGHT TO PERSUADE CONGRESS THAT A SLIGHTLY LOWER RATE WOULD BEST SERVE THE PUBLIC INTEREST -- AND IN TIME, CONGRESS AGREED.

AND WHEN CONGRESS BUNDLES UP A SERIES OF UNRELATED MEASURES AND CALLS IT A SINGLE "BILL," IT FRUSTRATES THE PRESIDENT'S CONSTITUTIONAL ROLE IN RESISTING THE INFLUENCE OF SPECIAL INTERESTS. IT IS OFTEN IMPRACTICAL TO VETO A MAJOR BILL -- ESPECIALLY AN APPROPRIATIONS BILL -- BECAUSE OF UNRELATED RIDERS THAT WOULD NEVER STAND A CHANCE ON THEIR OWN.

BILLS OF THIS SORT CAN POSE AS MUCH A THREAT TO CONGRESS AS TO THE PRESIDENT. IT HAS BECOME AN ANNUAL SPORT FOR REPORTERS TO PULL PECULIARITIES OUT OF VAST SPENDING BILLS -- SUCH AS A FEDERAL GRANT TO STUDY COW BELCHES, OR A LAWRENCE WELK MUSEUM -- AND ASK CONGRESS TO DEFEND THEM. QUITE OFTEN, MEMBERS DON'T EVEN KNOW WHAT THEY HAVE VOTED FOR.

I HAVE SOUGHT -- AND WILL CONTINUE TO SEEK -- A LINE-ITEM VETO TO PREVENT SUCH EMBARRASSMENTS AND PROTECT THE AMERICAN PEOPLE FROM INJUDICIOUS APPROPRIATIONS. RIGHT NOW, 43 GOVERNORS HAVE SUCH A POWER. IT WORKS. THE PRESIDENT OUGHT TO HAVE THAT POWER, TOO.

IN CLOSING, LET ME SUMMARIZE MY VIEW OF THE PRESIDENCY. PRESIDENTS DEFINE THEMSELVES THROUGH THEIR EXERCISE OF PRESIDENTIAL POWER. THEY MUST USE THEIR SPECIAL AUTHORITY TO SERVE THE WHOLE NATION, IN MATTERS OF FOREIGN AND DOMESTIC POLICY. THEY MUST SET A TONE FOR GOVERNANCE -- AT ONCE LEADING THE PEOPLE AND FOLLOWING THEIR DESIRES. THEY MUST PRESERVE, PROTECT AND DEFEND THE CONSTITUTION. AND THEY MUST ENCOURAGE DELIBERATIVE BEHAVIOR ON THE PART OF CONGRESS.

BUT THE REAL POWER OF THE PRESIDENCY LIES IN THE PRESIDENT'S ABILITY TO FRAME -- THROUGH ACTION, THROUGH EXAMPLE, THROUGH ENCOURAGEMENT -- WHAT WE AS A NATION MUST DO: WHAT IS REQUIRED OF COMMUNITIES AND INSTITUTIONS -- LARGE AND SMALL -- IN SCHOOLS AND FACTORIES, AND THE HUNDREDS OF DAILY ACTS OF INDIVIDUALS.

THE GREAT JOY AND CHALLENGE OF THE OFFICE I OCCUPY IS THAT THE PRESIDENT SERVES NOT JUST AS THE UNITARY EXECUTIVE, BUT ALSO AS THE UNIFYING EXECUTIVE.

AS PRESIDENT, I FEEL HONOR-BOUND TO STRENGTHEN THE
MARVELOUS SYSTEM OF GOVERNMENT BEQUEATHED TO US, SO
THAT WE MAY REMAIN THE FREEST, MOST DECENT, MOST
PROSPEROUS NATION IN HISTORY.

THANK YOU, AND MAY GOD BLESS THE UNITED STATES OF
AMERICA.

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PRINCETON UNIVERSITY \ MAY 10, 1991 \ 11 A.M.

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- 2 -

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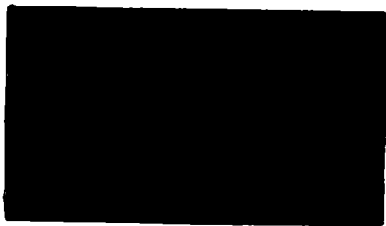
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PRINCETON UNIVERSITY
MAY 10, 1991
11 A.M.

THANK YOU, PRESIDENT SHAPIRO. GOVERNOR FLORIO;
MEMBERS OF CONGRESS; MRS. SHAPIRO; BOARD OF TRUSTEES
CHAIRMAN HENDERSON; DEAN WILLIAMSON; ASSOCIATE DEAN
MORROW. I'M DELIGHTED TO HELP DEDICATE THIS IMPRESSIVE
COMPLEX. THOUGH I MUST SAY I'M GLAD THIS IS MAY, AND
NOT THE FIRST SNOWFALL. I DON'T THINK BARBARA WOULD
LET ME TAKE PART IN YOUR OLYMPICS. //

SERIOUSLY, I'M HONORED TO RECEIVE AN HONORARY
DEGREE FROM PRINCETON. IMAGINE THAT: A SON OF YALE
GETTING A PRINCETON DEGREE. "SON OF YALE" -- YOU CAN
LAUGH, BUT YOU OUGHT TO HEAR WHAT THEY CALL ME IN D.C.

WELL, PRINCETON IS A GREAT PLACE. YOU KNOW,
WASHINGTON SAID "NO COLLEGE HAS TURNED OUT BETTER
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