

George W. Bush Presidential Library

Collection: Executive Clerk, Office of the

Series: Saunders, G. Timothy (Tim) - Bill Files

Folder Title: 05/13/2002 [H.R. 2646] [771208]
[2]

Withdrawn/Redacted Material

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Memorandum	[Draft] Farm Security and Rural Investment Act of 2002 - To: POTUS - From: Nancy Dorn	7	05/10/2002	P5;
002	Memorandum	[Draft] Farm Security and Rural Investment Act of 2002 - To: POTUS - From: Nancy Dorn	7	05/10/2002	P5;
003	Memorandum	[Draft] Farm Security and Rural Investment Act of 2002 - To: POTUS - From: Nancy Dorn	7	05/10/2002	P5;
004	Letter	[Views of the Office of Science and Technology re: H. R. 2646] - To: Mitchell E. Daniels, Jr. - From: John Marburger	1	05/10/2002	P5;
005	Letter	[Views of the United States Department of the Interior re: H. R. 2646] - To: Mitchell E. Daniels, Jr. - From: Rebecca Watson	3	05/10/2002	P5;
006	Letter	[Views of the U. S. Department of Justice re: H. R. 2646] - To: Mitchell E. Daniels, Jr. - From: Daniel J. Bryant	3	05/10/2002	P5;

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05/13/2002 [H.R. 2646] [771208] [2]

FRC ID:

6358

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
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012	Memorandum	[Draft] Farm Security and Rural Investment Act of 2002 - To: POTUS - From: Nancy Dorn	8	N. D.	P5;
T010	Statement	H.R. 2646 - From: White House	1	05/13/2002	Transferred

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WHITE HOUSE STAFFING MEMORANDUMDate: 05-10-02 ACTION / CONCURRENCE / COMMENT DUE BY: ASAP OR 7:30 P.M.Subject: DRAFT PRESIDENTIAL SIGNING STATEMENT ON H.R. 2646

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BARTLETT	☒	☐	IRASTORZA	☐	☐
BLAKEMAN	☐	☐	JOHNSON	☐	☐
BOLTEN <i>N/C</i>	☒	☐	LINDSEY	☒	☐
BRIDGELAND	☐	☐	MARBURGER	☐	☐
CALIO	☒	☐	MIERS	☐	☐
CONNAUGHTON	☒	☐	RICE	☐	☐
DANIELS	☒	☐	RIDGE	☐	☐
FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☒	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, X53458, OR FAX 56148, AS SOON AS POSSIBLE OR BY 7:30 P.M., FRIDAY, MAY 10, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE, X62702, OR FAX 62215. THANK YOU.

RESPONSE: _____

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702

DRAFT PRESIDENTIAL SIGNING STATEMENT ON H.R. 2646

I am today signing into law H.R. 2646, the Farm Security and Rural Investment Act of 2002. This Act will provide a more secure foundation for assistance to America's farmers, who feed America and much of the world. The Act also will improve the conservation and effective use of our natural resources.

A few provisions of the Act raise constitutional concerns.

The method of appointment of the board of trustees of the fellowship program prescribed in section 4404 of the Act is inconsistent with the requirements of the Appointments Clause of the Constitution. I am prepared to work with Congress to enact legislation to cure this constitutional defect before the effective date of the program.

Sections 6027 and 6028 of the Act establish multi-member Regional Authorities to implement development programs. Serious doubts arise concerning the constitutionality of the Authorities because the members are likely Federal officers for purposes of the Appointments Clause, but many of the members are not appointed in the manner required by that Clause. Again, I am prepared to work with Congress to enact legislation that will cure this constitutional shortcoming by establishing the role of the members who are not appointed in accordance with the Appointments Clause as advisory only or by providing for appointment of all the members in accordance with the Appointments Clause.

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 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3755
 CONNECTION TEL 66212
 CONNECTION ID
 ST. TIME 05/10 19:15
 USAGE T 00'43
 PGS. SENT 2
 RESULT OK

SS/ RM NO. _____

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 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	3754	
CONNECTION TEL		62710
CONNECTION ID	CEQ	
ST. TIME	05/10 19:10	
USAGE T	00'43	
PGS. SENT	2	
RESULT	OK	

SS/ RM NO. _____

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The method of appointment of the board of trustees of the fellowship program prescribed in section 4404 of the Act is inconsistent with the requirements of the Appointments Clause of the Constitution. I am prepared to work with Congress to enact legislation to cure this constitutional defect before the effective date of the program.

Sections 6027 and 6028 of the Act establish multi-member Regional Authorities to implement development programs. Serious doubts arise concerning the constitutionality of the Authorities because the members are likely Federal officers for purposes of the Appointments Clause, but many of the members are not appointed in the manner required by that Clause. Again, I am prepared to work with Congress to enact legislation that will cure this constitutional shortcoming by establishing the role of the members who are not appointed in accordance with the Appointments Clause as advisory only or by providing for appointment of all the members in accordance with the Appointments Clause.

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3753
 CONNECTION TEL 51005
 CONNECTION ID
 ST. TIME 05/10 18:43
 USAGE T 00'43
 PGS. SENT 2
 RESULT OK

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 05-10-02 ACTION / CONCURRENCE / COMMENT DUE BY: ASAP OR 7:30 P.M.

Subject: DRAFT PRESIDENTIAL SIGNING STATEMENT ON H.R. 2646

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BARTLETT	☒	☐	IRASTORZA	☐	☐
BLAKEMAN	☐	☐	JOHNSON	☐	☐
BOLTEN	☒	☐	LINDSEY	☒	☐
BRIDGELAND	☐	☐	MARBURGER	☐	☐
CALIO	☒	☐	MIERS	☐	☐
CONNAUGHTON	☒	☐	RICE	☐	☐
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FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☒	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☐
HAGIN	☐	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, X53458, OR FAX 56148, AS SOON AS POSSIBLE OR BY 7:30 P.M., FRIDAY, MAY 10, 2002, WITH A COPY TO THE STAFF

WHITE HOUSE STAFFING MEMORANDUM

Date: 05-10-02ACTION / CONCURRENCE / COMMENT DUE BY: ASAP OR 7:30 P.M.Subject: DRAFT PRESIDENTIAL SIGNING STATEMENT ON H.R. 2646

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
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RESPONSE:

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702

DRAFT PRESIDENTIAL SIGNING STATEMENT ON H.R. 2646

I am today signing into law H.R. 2646, the Farm Security and Rural Investment Act of 2002. This Act will provide a more secure foundation for assistance to America's farmers, who feed America and much of the world. The Act also will improve the conservation and effective use of our natural resources.

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 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3752
 CONNECTION TEL 56958
 CONNECTION ID
 ST. TIME 05/10 18:41
 USAGE T 00'44
 PGS. SENT 2
 RESULT OK

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 05-10-02 ACTION / CONCURRENCE / COMMENT DUE BY: ASAP OR 7:30 P.M.Subject: DRAFT PRESIDENTIAL SIGNING STATEMENT ON H.R. 2646

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
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RESPONSE:

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702

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No Comment

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

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WHITE HOUSE STAFFING MEMORANDUM

Date: 05-10-02 ACTION / CONCURRENCE / COMMENT DUE BY: 05-11-02 1:00 PM

ENROLLED BILL H.R. 2646 -- FARM SECURITY AND RURAL INVESTMENT ACT

Subject: OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BARTLETT	☒	☐	IRASTORZA	☐	☐
BLAKEMAN	☐	☐	JOHNSON	☐	☐
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FLEISCHER	☒	☐	ROVE	☒	☐
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GONZALES	☒	☐	CLERK	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, X53458, FAX 56148, BY 1:00 P.M., SATURDAY, MAY 11, 2002, AND COPY THE STAFF SECRETARY'S OFFICE, X62702, OR FAX 62215. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 05-10-02ACTION / CONCURRENCE / COMMENT DUE BY: ASAP OR 7:30 P.M.Subject: DRAFT PRESIDENTIAL SIGNING STATEMENT ON H.R. 2646

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BARTLETT	☒	☐	IRASTORZA	☐	☐
BLAKEMAN	☐	☐	JOHNSON	☐	☐
BOLTEN	☒	☐	LINDSEY	☒	☐
BRIDGELAND	☐	☐	MARBURGER	☐	☐
CALIO	☒	☐	MIERS	☐	☐
CONNAUGHTON	☒	☐	RICE	☐	☐
DANIELS	☒	☐	RIDGE	☐	☐
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GERSON	☐	☒	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

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NO COMMENT e-mailed.

RESPONSE:

Phyllis Cooney
5/13/02

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702

WHITE HOUSE STAFFING MEMORANDUM

Date: 05-10-02 ACTION / CONCURRENCE / COMMENT DUE BY: 05-11-02 1:00 PMSubject: ENROLLED BILL H.R. 2646 -- FARM SECURITY AND RURAL INVESTMENT ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD 	☒	☐	HUGHES	☒	☐
BARTLETT	☒	☐	IRASTORZA	☐	☐
BLAKEMAN	☐	☐	JOHNSON	☐	☐
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GONZALES	☒	☐	CLERK	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

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RESPONSE:

*This has been updated.
Harriet E. Miers
AKM*

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	[Draft] Farm Security and Rural Investment Act of 2002 - To: POTUS - From: Nancy Dorn	7	05/10/2002	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

05/13/2002 [H.R. 2646] [771208] [2]

FRC ID:

6358

OA Num.:

9465

NARA Num.:

9356

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Selected Other Provisions of H.R. 2646

Presidential Provisions. Various provisions of H.R. 2646 direct or authorize the President to act, including those:

- Directing the President to carry out, under specified price-related circumstances, special import quota and limited global import quota programs in conjunction with special marketing loan provisions for upland cotton.
- Authorizing the President to establish a farmer-to-farmer assistance program intended to increase farm production and incomes in specified countries.
- Authorizing the President to: (1) enter into agreements that provide food resources to support developing countries and emerging democracies; and (2) establish the new "McGovern-Dole International Food for Education and Child Nutrition Program" to provide agriculture commodities for foreign pre-school and school programs and maternal, infant, and children nutrition programs.
- Directing the President to conduct a National Conference on Rural America for the purpose of bringing together the resources of governmental agencies and non-governmental entities for the benefit of rural communities.

Additionally, the enrolled bill contains advisory and non-binding provisions that express the sense of Congress that the President should: (1) appoint a Special Assistant to the President for Rural Policy; (2) designate, within each agency with jurisdiction over rural programs or activities, one or more senior officers or employees to provide policy leadership for the agency; and (3) create an intergovernmental working group comprised of these individuals to provide policy coordination.

Desert Terminal Lakes. H.R. 2646 directs the Secretary of Agriculture to transfer \$200 million to the Bureau of Reclamation for the purpose of providing water to at-risk natural desert terminal lakes—i.e. bodies of water that have no outlets—such as the Salton Sea, California.

Senior Scientific Research Service. The enrolled bill establishes a Senior Scientific Research Service in the Department of Agriculture of not more than 100 members. To be eligible, an individual must have conducted outstanding research in the field of agriculture or forestry, hold a Ph.D., and qualify for a GS-15 position. The enrolled bill authorizes the Secretary to appoint a member of the Service without regard to Federal civil service laws.

Socially Disadvantaged Farmers and Ranchers. The enrolled bill directs the Secretary of Agriculture to make specific changes to the county committee elections process where socially disadvantaged farmers and ranchers are found to be under-represented on committees. These committees implement farm and conservation programs at the local level.

Food Safety Commission. H.R. 2646 establishes a Food Safety Commission, the members of which would be Senate-confirmed presidential appointees, to make specific recommendations to enhance the food safety system of the United States. The enrolled bill directs the Commission to submit a report, including its findings, conclusions, and recommendations, to the President and Congress within one year after the date of the Commission's first meeting. The enrolled bill vests the Commission with investigative and administrative authorities.

Animal Health Protection. H.R. 2646 consolidates the Secretary of Agriculture's authorities with respect to the prevention, detection, control, and eradication of diseases and pests of animals. To this end, the enrolled bill authorizes the Secretary to restrict the importation or exportation of animals and articles (e.g., any material that could harbor a pest or disease), as well as seize, quarantine, and destroy such animals and articles. In addition, the enrolled bill authorizes the Secretary to conduct inspections with warrants and, consistent with guidelines approved by the Attorney General, without warrants. Moreover, the enrolled bill increases the applicable criminal and civil penalties. The Interior Department advises that it may propose legislation to clarify the relationship between the USDA authorities in this bill and Interior's authorities under conservation and other statutes.

Rural Development Investment Program. The enrolled bill directs the Secretary of Agriculture to establish a Rural Development Investment Program for the purposes of promoting economic development in rural areas and establishing a developmental venture capital program to address equity investment needs in rural areas. Under this program, the Secretary may guarantee the debentures issued by a rural business investment company, only to the extent that the amount of outstanding guaranteed debentures does not exceed the lesser of 300 percent of the private capital of the company or \$105 million.

Regional Development Agencies. H.R. 2646 increases spending for regional development agencies by \$335 million. In addition, the enrolled bill creates a new agency for the Northern Great Plains and reauthorizes an agency for the Mississippi Delta.

Review of Decisions. The enrolled bill limits the review of actions or decisions that are made by the Secretary of Agriculture, pursuant to the Plant Protection Act, by officers and employees of the Federal Government to no longer than 60 days. This provision appears to be intended to limit OMB's review of certain USDA decisions to pay compensation or transfer appropriated funds to meet emergency conditions.

WHITE HOUSE STAFFING MEMORANDUM

Date: 05-10-02

ACTION / CONCURRENCE / COMMENT DUE BY: 05-11-02 1:00 PM

ENROLLED BILL H.R. 2646 -- FARM SECURITY AND RURAL INVESTMENT ACT

Subject: OF 2002

	ACTION	FYI		ACTION	FYI
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RESPONSE:

Harriet E. Miers
Assistant to the President
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Ext. 62702

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
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SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

05/13/2002 [H.R. 2646] [771208] [2]

FRC ID:

6358

OA Num.:

9465

NARA Num.:

9356

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WHITE HOUSE STAFFING MEMORANDUM

Date: 05-10-02 ACTION / CONCURRENCE / COMMENT DUE BY: 05-11-02 1:00 PMSubject: ENROLLED BILL H.R. 2646 -- FARM SECURITY AND RURAL INVESTMENT ACT
OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BARTLETT	☒	☐	IRASTORZA	☐	☐
BLAKEMAN	☐	☐	JOHNSON	☐	☐
BOLTEN	☒	☐	LINDSEY	☒	☐
BRIDGELAND	☐	☐	MARBURGER	☐	☐
CALIO	☒	☐	MIERS	☐	☐
CONNAUGHTON	☒	☐	RICE	☐	☐
DANIELS	☒	☐	RIDGE	☐	☐
FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☒	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, X53458, FAX 56148, BY 1:00 P.M., SATURDAY, MAY 11, 2002, AND COPY THE STAFF SECRETARY'S OFFICE, X62702, OR FAX 62215. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	[Draft] Farm Security and Rural Investment Act of 2002 - To: POTUS - From: Nancy Dorn	7	05/10/2002	P5;

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FOLDER TITLE:

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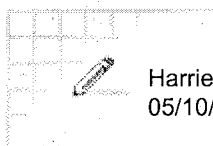
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Harriet Miers
05/10/2002 08:53:18 PM

Record Type: Record

To: Karen D. Cruson/WHO/EOP@EOP, Barbara A. Barclay/WHO/EOP@EOP
cc:
Subject: Enrolled bill memo for the farm bill (H.R. 2646)

When this comes it needs to be staffed for 1:00 p.m. tomorrow. Thanks very much.

----- Forwarded by Harriet Miers/WHO/EOP on 05/10/2002 08:53 PM -----

From: James J. Jukes on 05/10/2002 08:44:26 PM

Record Type: Record

To: Karen E. Keller/OMB/EOP@EOP, Lauren K. Allgood/OMB/EOP@EOP, Lois E. Altoft/OMB/EOP@EOP
cc: See the distribution list at the bottom of this message
Subject: Enrolled bill memo for the farm bill (H.R. 2646)

The subject memo will be delivered to the Deputy Director's office for signature shortly. The bill was received at the WH today, and we understand that a signing ceremony is planned for Monday morning.

We also have in clearance a proposed signing statement that addresses constitutional concerns. It will be forwarded separately upon clearance.

Message Copied To:

Harriet Miers/WHO/EOP@EOP
Stuart W. Bowen/WHO/EOP@EOP
G. Timothy Saunders/WHO/EOP@EOP
David E. Kalbaugh/WHO/EOP@EOP
Carolyn E. Cleveland/WHO/EOP@EOP
Barbara A. Barclay/WHO/EOP@EOP
Debra D. Bird/WHO/EOP@EOP
Karen D. Cruson/WHO/EOP@EOP
James A. Waters/OMB/EOP@EOP
Lauren K. Allgood/OMB/EOP@EOP
Dianne M. Wells/OMB/EOP@EOP
John D. Burnim/OMB/EOP@EOP



CHAIRMAN

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503

May 9, 2002

MEMORANDUM

TO: MICHAEL GOAD

FROM: JAMES L. CONNAUGHTON *JLC*

SUBJECT: HR 2646 FARM SECURITY ACT OF 2001

The Council on Environmental Quality recommends signing of HR2646 - Farm Security Act of 2001. The bill contains a commendable conservation title (Title II). If a signing ceremony is conducted, I recommend a positive statement regarding the conservation title. The conservation title provides billions of dollars of new funding for personal stewardship of our natural resources. It will greatly enhance farmers' and ranchers' capacity to protect and promote wetlands, water quality, wildlife habitat, and soil and water conservation. In addition, it will focus conservation in needed places, such as in the Klamath Basin and eastern seaboard waterfowl flyway.

Withdrawal Marker

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Views of the Office of Science and Technology re: H. R. 2646] - To: Mitchell Daniels - From: John Marburger	1	05/10/2002	P5;

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U.S. AGENCY FOR
INTERNATIONAL
DEVELOPMENT

May 10, 2002

Mr. Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
Washington, D.C. 20503-0001

Dear Mr. Daniels:

Thank you for your request for the U.S. Agency for International Development's (USAID) view on the bill H.R. 2646, "Farm Security and Rural Investment Act of 2002."

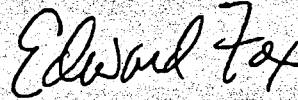
The Agency finds this legislation valuable, and we recommend that the President sign the bill. The bill expresses the U.S. Government's support for enhancing the food security of the developing world through the use of agricultural commodities. USAID's food aid programs are major elements of the U.S. Government's endeavors in this area through the provision of both emergency and development assistance. The bill recognizes the increasing importance of food aid as an integral development tool.

USAID shares Congress' view that despite the significant contributions of U.S. Government foreign assistance programs, millions of people remain in dire need of continued and further assistance. The Agency believes that the bill, through increased flexibility to work with and support our PVO partners, will assist USAID food programs in the provision of this vital assistance.

2

Thank you for providing us with this opportunity for comment. Again, we recommend that the President sign the bill.

Sincerely,



J. Edward Fox
Assistant Administrator
Bureau for Legislative
and Public Affairs

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Views of the United States Department of the Interior re: H. R. 2646] - To: Mitchell E. Daniels, Jr. - From: Rebecca Watson	3	05/10/2002	P5;

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Letter	[Views of the U. S. Department of Justice re: H. R. 2646] - To: Mitchell E. Daniels, Jr. - From: Daniel J. Bryant	3	05/10/2002	P5;

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Withdrawal Marker

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	[Draft] Farm Security and Rural Investment Act of 2002 - To: POTUS - From: Nancy Dorn	7	05/10/2002	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

05/13/2002 [H.R. 2646] [771208] [2]

FRC ID:

6358

OA Num.:

9465

NARA Num.:

9356

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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Deed of Gift Restrictions

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- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

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 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3764
 CONNECTION TEL 66212
 CONNECTION ID
 ST. TIME 05/10 23:34
 USAGE T 03'55
 PGS. SENT 11
 RESULT OK

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 05-10-02 ACTION / CONCURRENCE / COMMENT DUE BY: 05-11-02 1:00 PM

ENROLLED BILL H.R. 2646 -- FARM SECURITY AND RURAL INVESTMENT ACT
 Subject: OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT →	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BARTLETT	☒	☐	IRASTORZA	☐	☐
BLAKEMAN	☐	☐	JOHNSON	☐	☐
BOLTEN	☒	☐	LINDSEY	☒	☐
BRIDGELAND	☐	☐	MARBURGER	☐	☐
CALIO	☒	☐	MIERS	☐	☐
CONNAUGHTON	☒	☐	RICE	☐	☐
DANIELS	☒	☐	RIDGE	☐	☐
FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☒	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM HILKE Y53458 FAX 56148 BY 1:00 P M

WHITE HOUSE STAFFING MEMORANDUM

Date: 05-10-02 ACTION / CONCURRENCE / COMMENT DUE BY: 05-11-02 1:00 PMENROLLED BILL H.R. 2646 -- FARM SECURITY AND RURAL INVESTMENT ACT
Subject: OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT →	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BARTLETT	☒	☐	IRASTORZA	☐	☐
BLAKEMAN	☐	☐	JOHNSON	☐	☐
BOLTEN	☒	☐	LINDSEY	☒	☐
BRIDGELAND	☐	☐	MARBURGER	☐	☐
CALIO	☒	☐	MIERS	☐	☐
CONNAUGHTON	☒	☐	RICE	☐	☐
DANIELS	☒	☐	RIDGE	☐	☐
FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☒	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

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RESPONSE: _____

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	3763	
CONNECTION TEL		62710
CONNECTION ID	CEQ	
ST. TIME	05/10 23:30	
USAGE T	03'47	
PGS. SENT	11	
RESULT	OK	

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 05-10-02 ACTION / CONCURRENCE / COMMENT DUE BY: 05-11-02 1:00 PM

ENROLLED BILL H.R. 2646 -- FARM SECURITY AND RURAL INVESTMENT ACT

Subject: OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BARTLETT	☒	☐	IRASTORZA	☐	☐
BLAKEMAN	☐	☐	JOHNSON	☐	☐
BOLTEN	☒	☐	LINDSEY	☒	☐
BRIDGELAND	☐	☐	MARBURGER	☐	☐
CALIO	☒	☐	MIERS	☐	☐
CONNAUGHTON	☒	☐	RICE	☐	☐
DANIELS	☒	☐	RIDGE	☐	☐
FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☒	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

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VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
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CONNAUGHTON →	☒	☐	RICE	☐	☐
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HAGIN	☐	☐	_____	☐	☐
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RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3762
 CONNECTION TEL 51005
 CONNECTION ID
 ST. TIME 05/10 23:17
 USAGE T 03'49
 PGS. SENT 11
 RESULT OK

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 05-10-02 ACTION / CONCURRENCE / COMMENT DUE BY: 05-11-02 1:00 PM

ENROLLED BILL H.R. 2646 -- FARM SECURITY AND RURAL INVESTMENT ACT

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VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
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BLAKEMAN	☐	☐	JOHNSON	☐	☐
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CALIO	☒	☐	MIERS	☐	☐
CONNAUGHTON	☒	☐	RICE	☐	☐
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FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☒	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☐
HAGIN	☐	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

RECEIVED COMMENTS TO UM LUKES Y52458 FAX 56148 BY 1:00 P.M..

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BARTLETT	☒	☐	IRASTORZA	☐	☐
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 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3761
 CONNECTION TEL 56958
 CONNECTION ID
 ST. TIME 05/10 23:01
 USAGE T 03'51
 PGS. SENT 11
 RESULT OK

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 05-10-02 ACTION / CONCURRENCE / COMMENT DUE BY: 05-11-02 1:00 PM

ENROLLED BILL H.R. 2646 -- FARM SECURITY AND RURAL INVESTMENT ACT
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CARD	☒	☐	HUGHES	☒	☐
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HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

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***** ENROLLED COMMENTS TO HUBBARD 05/10/02 FAX 56958 BY 1:00 PM

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PRIVATE SCHEDULE OF THE PRESIDENT

Saturday, May 11, 2002

8:30 am
(30 min)

Intelligence Briefing
(Rice)

Camp David

9:00 am
(3 hr)

NSC Meeting/HSC Meeting
(Rice/Ridge)

Camp David

RON: Camp David

David E. Kalbaugh

05/13/2002 01:46:39 PM

Record Type: Record

To: Sherman A. Williams/WHO/EOP@EOP

cc:

Subject: STATEMENT BY THE PRESIDENT

Make sure we note this in the bill record as a statement with constitutional concerns, and put copy in the precedent folder "statements - constitutional concerns". We have been lax here in the recent past. Thanks.

----- Forwarded by David E. Kalbaugh/WHO/EOP on 05/13/2002 01:41 PM -----

● Rachael L. Sunbarger

05/13/2002 01:25:01 PM

Record Type: Record

To:

cc:

Subject: STATEMENT BY THE PRESIDENT

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

May 13, 2002

STATEMENT BY THE PRESIDENT

I am today signing into law H.R. 2646, the "Farm Security and Rural Investment Act of 2002." This Act will provide a safety net for America's farmers, who feed America and much of the world. The Act also will expand nutrition programs and improve the conservation and effective use of our natural resources.

A few provisions of the Act raise constitutional concerns.

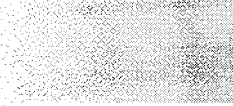
The method of appointment of the board of trustees of the fellowship program prescribed in section 4404 of the Act is inconsistent with the requirements of the Appointments Clause of the Constitution. I am prepared to work with the Congress to enact legislation to cure this constitutional defect before the effective date of the program.

Sections 6027 and 6028 of the Act establish and continue multi-member regional authorities to implement development programs. Serious doubts arise concerning the constitutionality of these regional authorities because the members are likely Federal officers for purposes of the Appointments Clause, but many of the members are not appointed in the manner required by that Clause. Again, I am prepared to work with the Congress to enact legislation that will cure this constitutional shortcoming by establishing the role of the members as advisory only, or by providing for appointment of all the members in accordance with the Appointments Clause.

GEORGE W. BUSH

THE WHITE HOUSE,
May 13, 2002.

#

 G. Timothy Saunders

05/13/2002 09:49:48 AM

Record Type: Record

To: Sherman A. Williams/WHO/EOP@EOP

cc:

Subject: re REMARKS BY THE PRESIDENT UPON SIGNING THE FARM BILL

Sherm,
you'd normally print out and include with the bill file, right?

----- Forwarded by G. Timothy Saunders/WHO/EOP on 05/13/2002 09:50 AM -----

 Rachael L. Sunbarger

05/13/2002 09:34:48 AM

Record Type: Record

To:

cc:

Subject: REMARKS BY THE PRESIDENT UPON SIGNING THE FARM BILL

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

May 13, 2002

REMARKS BY THE PRESIDENT
UPON SIGNING THE FARM BILL

Room 450
Dwight D. Eisenhower Executive Office Building

7:46 A.M. EDT

THE PRESIDENT: Good morning, and welcome to Washington's grand old building, the Eisenhower Executive Office Building -- or, as we now call it, the Ike. (Laughter.)

Today's event is being broadcast by Farm Radio to farmers and ranchers all across our country. Hardworking farmers and

ranchers, whether they be from Texas or Maine, from Mississippi or California, are up early and are working hard. And this morning I want to talk about the tremendous contributions that they make, that our farm and ranch families make to America, the support they deserve, and why I am pleased to sign the Farm Security and Rural Investment Act of 2002.

I want to thank the members of Congress who are here -- Senator Harkin, Congressman Combest, the leaders in both the House and the Senate. I appreciate you all coming. And when I sign this bill, I'd like for you all to come up here and watch me sign it.

I appreciate Secretary Ann Veneman, who is here. I want to thank her for her hard work, and her staff for their hard work as well.

And I want to thank the members of the farm and agricultural groups who represent the people who work the land. I want to thank you all for your efforts and for your concern.

American farm and ranch families embody some of the best values of our nation: hard work and risk-taking, love of the land and love of our country. Farming is the first industry of America -- the industry that feeds us, the industry that clothes us, and the industry that increasingly provides more of our energy. The success of America's farmers and ranchers is essential to the success of the American economy.

I was honored to be the governor of the second-biggest farm state in the union. I understand how hard farmers have to work to make a living. I know they face tough challenges.

I recently spent some time with some of my neighbors at the coffee shop in Crawford, Texas. I know how hard many struggle. Their livelihood depends on things they cannot control: the weather, crop disease, uncertain pricing.

They need a farm bill that provides support and help when times are tough. And that is why I'm signing this bill today.

This bill is generous, and will provide a safety net for farmers. And it will do so without encouraging overproduction and depressing prices. It will allow farmers and ranchers to plan and operate based on market realities, not government dictates.

In the past, loan rates and minimum price farmers and ranchers received for some of their commodities were set too high. This practice made the problem worse by encouraging surplus production, thereby forcing prices lower. This bill better balances loan rates, and better matches them to market prices.

It reduces government interference in the market, and in farmers' and ranchers' planting decisions. The farm bill supports our commitment to open trade, and complies with our obligations to the World Trade Organization.

Americans cannot eat all that America's farmers and ranchers produce. And therefore, it makes sense to sell more food abroad. Today, 25 percent of U.S. farm income is generated by exports, which means that access to foreign markets is crucial to the livelihood of our farmers and ranchers.

Let me put it as plainly as I can: we want to be selling our beef and our corn and our beans to people around the world who need to eat.

My administration is working hard to open up markets. I told the people, I said if you give me a chance to be the President, we're not going to treat our agriculture industry as a secondary citizen when it comes to opening up markets. And I mean that. I understand how important the farm economy is to the future of our country.

To help, this new law helps keep our international trade commitments. And that's important for America to understand. And because I believe the best way to help our farmers and ranchers is trade, I need trade promotion authority, particularly from the Senate. The House has passed it; I need it from the Senate. Soon. (Laughter and applause.)

This bill offers incentives for good conservation practices on working lands. For farmers and ranchers, for people who make a living on the land, every day is Earth Day. There's no better stewards of the land than people who rely on the productivity of the land. And we can work with our farmers and ranchers to help improve the environment.

To help them live up to the newer and higher environmental standards, this bill expands the ECP program, which provides financial assistance to our farmers and ranchers to encourage sound conservation. And the bill will greatly enhance the abilities of our farmers and ranchers to protect wetlands, water quality, and wildlife habitat, and that's important.

This bill breaks a bad fiscal habit. In the past, Congress would pass a multi-year farm bill, and then every year after continue to pass supplemental bills. These unpredictable supplemental payments made it difficult for Congress to live within its budget. It also created uncertainty for farmers and ranchers, and their creditors. This bill is generous enough, the bill I'm going to sign is generous enough to eliminate the need for supplemental support later this year and in the future, and therefore adds the kind of reliability that farmers and ranchers need.

This bill is also a compassionate bill. This law means that legal immigrants can now receive help and food stamps after being here for five years. It means that you can have an elderly farm worker, somebody here legally in America who's worked hard to make a living and who falls on hard times, that person can receive help from a compassionate government.

It means that you can have a head of a family who's been working hard, been here for five years, been a part of our economy, been legally working. And that person falls on hard times, our government should help them with food stamps. And this bill allows that to happen.

It's not a perfect bill, I know that. But you know, no bill ever is. There's no such thing as a perfect bill -- otherwise I'd get to write every one of them. (Laughter.)

You know, for example, I thought it was important to have what they call Farm Savings Accounts to help farmers and ranchers manage the many risks they face. I thought that should be an important part of the bill. It didn't happen; I'm going to continue to work for it, work with the members here on it.

I also believe strongly there's more that we should do for our farm community. You know, one of the best things we have done for ranchers and farmers is to eliminate the death tax. It's a really important part of making sure that farms and ranches stay in our families. The death tax needs to be -- the repeal of the death tax needs to be made permanent. That happened in the House; I hope it happens in the Senate soon. It's a good signal that we care deeply about those who live on the land and make a living.

The farm bill is important legislation, and it meets important needs. The bill will strengthen the farm economy, and that's important. It will strengthen the farm economy over the long term. It will promote farmer independence, and preserve the farm way of life for generations. It helps America's farmers, and therefore it helps America.

It is now my honor to sign the bill. And for any of the members who dare have their picture taken with me -- (laughter) -- I welcome.

SENATOR LEAHY: Or vice versa.

THE PRESIDENT: Yes, or vice versa. (Laughter.) That wasn't just -- for those listening on radio, that wasn't just some quack yelling out. That was a member of the United States Senate. (Laughter.)

Please come for the bill signing. Welcome. (Applause.)

(The bill was signed.) (Applause.)

END

7:57 A.M. EDT

STATEMENT BY THE PRESIDENT

I am today signing into law H.R. 2646, the "Farm Security and Rural Investment Act of 2002." This Act will provide a safety net for America's farmers, who feed America and much of the world. The Act also will expand nutrition programs and improve the conservation and effective use of our natural resources.

A few provisions of the Act raise constitutional concerns.

The method of appointment of the board of trustees of the fellowship program prescribed in section 4404 of the Act is inconsistent with the requirements of the Appointments Clause of the Constitution. I am prepared to work with the Congress to enact legislation to cure this constitutional defect before the effective date of the program.

Sections 6027 and 6028 of the Act establish and continue multi-member regional authorities to implement development programs. Serious doubts arise concerning the constitutionality of these regional authorities because the members are likely Federal officers for purposes of the Appointments Clause, but many of the members are not appointed in the manner required by that Clause. Again, I am prepared to work with the Congress to enact legislation that will cure this constitutional shortcoming by establishing the role of the members as advisory only, or by providing for appointment of all the members in accordance with the Appointments Clause.

THE WHITE HOUSE,

May 13, 2002.

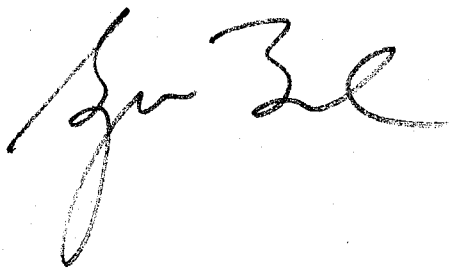
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A handwritten signature in dark ink, appearing to read "G. W. Bush", is written over the bottom right portion of the text.

THE WHITE HOUSE,

May 13, 2002.

Preservation Copy - George W. Bush Handwriting

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THE WHITE HOUSE,

May 13, 2002.

WHITE HOUSE STAFFING MEMORANDUM

Date: 05-10-02 ACTION / CONCURRENCE / COMMENT DUE BY: ASAP OR 7:30 P.M.Subject: DRAFT PRESIDENTIAL SIGNING STATEMENT ON H.R. 2646

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BARTLETT	☒	☐	IRASTORZA	☐	☐
BLAKEMAN	☐	☐	JOHNSON	☐	☐
BOLTEN	☒	☐	LINDSEY	☒	☐
BRIDGELAND	☐	☐	MARBURGER	☐	☐
CALIO	☒	☐	MIERS	☐	☐
CONNAUGHTON	☒	☐	RICE	☐	☐
DANIELS	☒	☐	RIDGE	☐	☐
FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☒	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, X53458, OR FAX 56148, AS SOON AS POSSIBLE OR BY 7:30 P.M., FRIDAY, MAY 10, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE, X62702, OR FAX 62215. THANK YOU.

let jim know ✓

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

DRAFT PRESIDENTIAL SIGNING STATEMENT ON H.R. 2646

I am today signing into law H.R. 2646, the Farm Security and Rural Investment Act of 2002. This Act will provide a more secure foundation for assistance to America's farmers, who feed America and much of the world. The Act also will improve the conservation and effective use of our natural resources.

A few provisions of the Act raise constitutional concerns.

The method of appointment of the board of trustees of the fellowship program prescribed in section 4404 of the Act is inconsistent with the requirements of the Appointments Clause of the Constitution. I am prepared to work with Congress to enact legislation to cure this constitutional defect before the effective date of the program.

Sections 6027 and 6028 of the Act establish multi-member Regional Authorities to implement development programs. Serious doubts arise concerning the constitutionality of the Authorities because the members are likely Federal officers for purposes of the Appointments Clause, but many of the members are not appointed in the manner required by that Clause. Again, I am prepared to work with Congress to enact legislation that will cure this constitutional shortcoming by establishing the role of the members who are not appointed in accordance with the Appointments Clause as advisory only or by providing for appointment of all the members in accordance with the Appointments Clause.

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	[Draft] Farm Security and Rural Investment Act of 2002 - To: POTUS - From: Nancy Dorn	7	05/10/2002	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

05/13/2002 [H.R. 2646] [771208] [2]

FRC ID:

6358

OA Num.:

9465

NARA Num.:

9356

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Selected Other Provisions of H.R. 2646

Presidential Provisions. Various provisions of H.R. 2646 direct or authorize the President to act, including those:

- Directing the President to carry out, under specified price-related circumstances, special import quota and limited global import quota programs in conjunction with special marketing loan provisions for upland cotton.
- Authorizing the President to establish a farmer-to-farmer assistance program intended to increase farm production and incomes in specified countries.
- Authorizing the President to: (1) enter into agreements that provide food resources to support developing countries and emerging democracies; and (2) establish the new "McGovern-Dole International Food for Education and Child Nutrition Program" to provide agriculture commodities for foreign pre-school and school programs and maternal, infant, and children nutrition programs.
- Directing the President to conduct a National Conference on Rural America for the purpose of bringing together the resources of governmental agencies and non-governmental entities for the benefit of rural communities.

Additionally, the enrolled bill contains advisory and non-binding provisions that express the sense of Congress that the President should: (1) appoint a Special Assistant to the President for Rural Policy; (2) designate, within each agency with jurisdiction over rural programs or activities, one or more senior officers or employees to provide policy leadership for the agency; and (3) create an intergovernmental working group comprised of these individuals to provide policy coordination.

Desert Terminal Lakes. H.R. 2646 directs the Secretary of Agriculture to transfer \$200 million to the Bureau of Reclamation for the purpose of providing water to at-risk natural desert terminal lakes—i.e. bodies of water that have no outlets—such as the Salton Sea, California.

Senior Scientific Research Service. The enrolled bill establishes a Senior Scientific Research Service in the Department of Agriculture of not more than 100 members. To be eligible, an individual must have conducted outstanding research in the field of agriculture or forestry, hold a Ph.D., and qualify for a GS-15 position. The enrolled bill authorizes the Secretary to appoint a member of the Service without regard to Federal civil service laws.

Socially Disadvantaged Farmers and Ranchers. The enrolled bill directs the Secretary of Agriculture to make specific changes to the county committee elections process where socially disadvantaged farmers and ranchers are found to be under-represented on committees. These committees implement farm and conservation programs at the local level.

Food Safety Commission. H.R. 2646 establishes a Food Safety Commission, the members of which would be Senate-confirmed presidential appointees, to make specific recommendations to enhance the food safety system of the United States. The enrolled bill directs the Commission to submit a report, including its findings, conclusions, and recommendations, to the President and Congress within one year after the date of the Commission's first meeting. The enrolled bill vests the Commission with investigative and administrative authorities.

Animal Health Protection. H.R. 2646 consolidates the Secretary of Agriculture's authorities with respect to the prevention, detection, control, and eradication of diseases and pests of animals. To this end, the enrolled bill authorizes the Secretary to restrict the importation or exportation of animals and articles (e.g., any material that could harbor a pest or disease), as well as seize, quarantine, and destroy such animals and articles. In addition, the enrolled bill authorizes the Secretary to conduct inspections with warrants and, consistent with guidelines approved by the Attorney General, without warrants. Moreover, the enrolled bill increases the applicable criminal and civil penalties. The Interior Department advises that it may propose legislation to clarify the relationship between the USDA authorities in this bill and Interior's authorities under conservation and other statutes.

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Regional Development Agencies. H.R. 2646 increases spending for regional development agencies by \$335 million. In addition, the enrolled bill creates a new agency for the Northern Great Plains and reauthorizes an agency for the Mississippi Delta.

Review of Decisions. The enrolled bill limits the review of actions or decisions that are made by the Secretary of Agriculture, pursuant to the Plant Protection Act, by officers and employees of the Federal Government to no longer than 60 days. This provision appears to be intended to limit OMB's review of certain USDA decisions to pay compensation or transfer appropriated funds to meet emergency conditions.

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