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was unanimous consensus by the members. Among those unanimous recommendations, the Task Force voted to:

- ! oppose, as contrary to the rule of law and our constitutional system of separation of powers, a President's issuance of signing statements to carhose the tog thosetiAf Tigstgsratry', a sej0.12 sura

¹⁶ Kelley, *supra* note 9, at 5.

¹⁷ *Id.* t 5.

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²³ Kelley, *supra* note 9, at 7; Dellinger Signing Memorandum, Appendix, at 6.

²⁴ Dellinger Signing Memorandum, Appendix, at 6.

²⁵ Kelley, *supra* note 9, at 4.

²⁶ Dellinger Signing Memorandum, Appendix at 6.

²⁷ *Id.*

²⁸ 462 U.S. 919 (1983). In its opinion the Supreme Court noted that eleven Presid 7.2 Tf-7.2 -23.52 TD (27) Tj/F

Appendix, at 6.

³⁰ Dellinger Signing Memorandum, Appendix, at 6.

³¹ Kelley,

K2048 Tc (ve) Tj0.12 Tc (A) Tj0 Tc (gg) Tj Tc (g) Tj-0.456 Tc (i) Tj0 Tc (d) Tj-0.048 Tc (e) Tj-0.24 T
in *Bowsher v. Synar*,^{non-0.048 TcTj0.12 Tc () Tj0.12 Tc (imj-0.108 Tc (s) Tj0.12 Tc (o) Tj-0.024 Tc (w) Tj-0.048 Tc (e) Tj0c) T (n) Tj0.12 (-0.0da) Tj-0.456 Tc (i) Tj0.264}

³⁴ Kelley, *supra* note 9, at 8; *Bowsher v. Synar*, 478 U.S. 717, 719 n.1 (1986).

³⁵ *INS v. Chadha*, 462 U.S. 919 (1983) n.13. Though not involving a signing statement the Reagan push to influence legislative interpretation received a boost from the Supreme Court’s decision in *Chevron U.S.A. Inc. v. NRDC*, 462 U.S. 919 (1983), which ruled that unless the text or Congressional intent was clear, any “permissible,” *aka* reasonable, interpretation by the agency of statutory language would prevail even if the court’s own interpretation might be different.

³⁶ Kelley, *supra* note 9, at 8-9.

³⁷ Marc V. Garber and Kurt A. Williams, *Presidential Signing Statement as Interpretation of Legislative Intent: An Executive Aggrandizement of Power*, 24 Harv. J. on Legis. 363 (1987), at 2 and n.14.

³⁸ Kelley, *supra* note 9, at 10.

³⁹ *Id.*

He responded forcefully to his perception of such threats in laws, both great and sot ch

⁴⁰ Kelley, *supra* note 9, at 11-12.

⁴¹ Kelley, *supra* note 9, at 12-14.

⁴² *Ward's Cove Packing Co. v. Antonio*, 490 U.S. 642 (1989).

⁴³ Kelley, *supra* note 9, at 14-16.

⁴⁴ *Id.* at 19.

⁴⁵ *Id.* at 23.

⁴⁶ Dellinger Declination Memorandum.

⁴⁷ *See Special White House Briefing on Provision in the F*

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of laws rather than to the rights of states as a state to others

⁵⁶ See Senator Patrick Leahy's Opening Statement on U.S. Patriot Improvement and Reauthorization Act of 2005, Executive Business Meeting, March 15, 2006 at <http://judiciary.senate.gov/mems>

⁵⁹ Cooper, *supra* note 53, at 523-24.

⁶⁰ Kinkopf, *supra* note 49, at 6. The language used in the signing statement accompanying the McCain amendment, that the President would construe it “in a manner that would he

0.048 Tc (c) -0.24 Tc (n) Tj-0.108 Tc (s) Tj0.264 Tc (t) Tj0.084 Tc (r) Tj0 Tc (u) Tj • .12 Tc () Tj0 Tc (u) Tj sea u e nTj-0.24 Tc (

President Bush's signies otadnden'ssSavevng s oten(s) Tj-1.264 (O) Tj-y.264 Tc (t) Tj0.12 Tc (P) Tj0.084 Tc

⁶⁶ Savage, *supra* note 1.

⁶⁷ Cooper, *supra* note 53, at 530.

III.

⁶⁸15 U.S.C. §7201 *et seq.*

⁶⁹ *See* Signing Statement of George W. Bush, July 30, 2002, availa

Intelligence Surveillance Act of 1978,⁷⁰ he wrote in his signing statement:⁷¹

The bill rD 0.108 Tc (T) Tj-0.24Tc (w) Tj0.084 Tc (r) Tj0.24 Tc (o) Tj0.264 Tc (t) Tj-0.048 Tc (e) Tj0.

⁷⁰ See 50 U.S.C. §1801 *et seq.*

⁷¹ Statement on Signing S.1566 Into Law, October 25, 1978, at: <http://www.cnss.org/Carter.pdf>.

⁷² *See generally*, Dawn E. Jo

⁷³ *See* President Signs Justice Approps Authorization Act - Statement by the President, t

⁷⁴ The Task Force determined that it was not within its mandate to make recommendations as to what remedies Congress should employ in the event that the President continues on his present course and judicial review proves impracticable. We note, however, that the Task Force (the "Task Force") is not a court and is not a part of the judicial branch. The Task Force's recommendations are advisory and do not constitute a binding legal opinion. The Task Force's recommendations are based on the information available to it at the time of its report and are subject to change as more information becomes available. The Task Force's recommendations are based on the information available to it at the time of its report and are subject to change as more information becomes available.

⁷⁵ See President's Statement on Signing of H. R. 2863, the "Department of DeD tmai

We emphas

⁷⁸ *Mistretta v. United States*, 488 U.S. 361, 380 (1989).

played a prominent role in shaping laws on civil and constitutional rights, terrorism and c

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A former Assistant Secretary of State, Dean Koh advised former Secretary Albright's lic.

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