

Statement on Signing the Help America Vote Act of 2002

October 29, 2002

Today I have signed into law H.R. 3295, the “Help America Vote Act of 2002.” This Act comports with the basic principles set forth in the final report of the bipartisan National Commission on Federal Election Reform, which I endorsed in July of 2001. Consequently, the Act appropriately respects the primacy of State and local governments in the administration of elections, while helping to ensure the integrity and efficiency of voting processes in Federal elections by providing Federal governmental support for that vital endeavor.

Section 203(a)(2) of the Act mandates that members of the congressional leadership submit to the President recommendations of persons to be appointed to the Election Assistance Commission—an entity, created by the Act, that will exercise significant governmental functions of an executive nature. The executive branch will not construe this provision as establishing the submission of congressional recommendations as a condition precedent to presidential nomination of persons for appointment to the Commission. Such a construction would impose impermissible constraints on presidential power under the Appointments Clause of the Constitution.

Section 203(a)(4) purports to require the President to make appointments to the Commission no later than 120 days after enactment of the new law. As with the provision regarding recommendations for appointment, this deadline unduly circumscribes the presidential appointment power. Moreover, this deadline is practically impossible to satisfy given the time required for the pre-nomination personnel process and confirmation by the full Senate. For these reasons, the executive branch shall interpret this provision as advisory.

Section 902(c) would authorize the Comptroller General, an officer of the legislative branch, to make determinations that would impose binding payment obligations upon entities outside that branch. Because this provision attempts to vest executive functions in the Comptroller General, it violates the

constitutional principle of separation of powers.

Finally, the executive branch shall implement section 101, concerning the provision of voting assistance, in a manner consistent with the equal protection requirements of the Due Process Clause of the Fifth Amendment to the Constitution.

George W. Bush

The White House,
October 29, 2002.

NOTE: H.R. 3295, approved October 29, was assigned Public Law No. 107-252.

Proclamation 7615—National Family Caregivers Month, 2002

October 29, 2002

*By the President of the United States
of America*

A Proclamation

One of our most important responsibilities as citizens is to give back to our communities. Individuals who care for loved ones in their homes demonstrate the compassionate spirit of America. During National Family Caregivers Month, we honor these individuals who bring hope and comfort to their fellow citizens in need.

America’s family caregivers are vital to the strength of our communities. Through specialized care for family members with disabilities or those who are aging or chronically ill, millions of caregivers help their loved ones live in a comforting environment. As the size of our elderly population continues to grow, home care increasingly represents an important, dignified, and compassionate alternative for countless individuals.

To support and train families at all stages of caregiving, the Administration on Aging provides community-based assistance through the “National Family Caregiver Support Program.” This network of community service providers, faith-based organizations, tribal organizations, State and local agencies on aging, and hundreds of thousands of volunteers informs caregivers that they are not alone, and that help is always available