

You are directed to bring this determination immediately to the attention of all air carriers within the meaning of 49 U.S.C. 40102(2), and to arrange for its publication in the *Federal Register*.

George W. Bush

[Filed with the Office of the Federal Register, 8:45 a.m., December 23, 2004]

NOTE: This memorandum was published in the *Federal Register* on December 27.

**Letter to Congressional Leaders
Transmitting a Report on
Implementation of Debt Reduction
Authority**

December 21, 2004

Dear Mr. Speaker: (Dear Mr. President:)

Consistent with section 1321 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228), I transmit herewith a report prepared by my Administration on implementation of the debt reduction authority conferred by Title XIII, Subtitle B of Public Law 107–228.

Sincerely,

George W. Bush

NOTE: Identical letters were sent to J. Dennis Hastert, Speaker of the House of Representatives, and Richard B. Cheney, President of the Senate.

**Statement on Signing the
Intelligence Authorization Act for
Fiscal Year 2005**

December 23, 2004

Today, I have signed into law H.R. 4548, the “Intelligence Authorization Act for Fiscal Year 2005.” The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war on terror.

The executive branch shall construe provisions in the Act, including sections 105, 107, and 305, that mandate submission of information to the Congress, in a manner consistent with the President’s constitutional authority to supervise the unitary executive branch and to withhold information that

could impair foreign relations, national security, the deliberative processes of the Executive, or the performance of the Executive’s constitutional duties.

Section 502 of the Act purports to place restrictions on use of the U.S. Armed Forces and other personnel in certain operations. The executive branch shall construe the restrictions in that section as advisory in nature, so that the provisions are consistent with the President’s constitutional authority as Commander in Chief, including for the conduct of intelligence operations, and to supervise the unitary executive branch.

To the extent that provisions of the Act, such as sections 614 and 615, purport to require or regulate submission by executive branch officials of legislative recommendations to the Congress, the executive branch shall construe such provisions in a manner consistent with the President’s constitutional authority to supervise the unitary executive branch and to submit for congressional consideration such measures as the President judges necessary and expedient.

Section 105 of the Act incorporates by reference certain requirements set forth in the joint explanatory statement of the House-Senate committee of conference or in a classified annex. The executive branch continues to discourage the practice of enacting secret laws and encourages instead appropriate non-binding uses of classified schedules of authorizations, classified annexes to committee reports, and joint statements of managers that accompany the final legislation.

George W. Bush

The White House,
December 23, 2004.

NOTE: At the time of publication, H.R. 4548, approved December 23, had not been received by the Office of the Federal Register for assignment of a Public Law number. An original was not available for verification of the content of this statement.