

family housing. We're taking care of our people. We want the people who wear the uniform to know America appreciates their service.

Secondly, this year's defense bill will ensure that our military is ready and well-equipped. We increased funds for operations and maintenance by more than \$5 billion, provide nearly \$72 billion for weapon procurement, an \$11 billion increase. Today's American forces are ready and able to deploy to any point in the globe to defeat any foe, and we're going to keep it that way.

Third, this legislation begins developing the next generations of weaponry that will win battles in the future. We invest almost \$58 billion in research and development. At the same time, the bill ends some weapons systems that aren't going to meet the needs of the future, and that's an important contribution to our military. To have the willingness to say, "This program works, and this one doesn't," is important. So we ended the Crusader artillery program, a program that was designed for a different era.

Instead, we will fund new systems, systems that will enable our military to do a more effective job at defending America and our freedoms, systems such as the unmanned aerial vehicles like the Predator and the Global Hawk that we've used so effectively in Afghanistan.

We fund efforts to adopt cold war systems like the Trident submarine to meet the new 21st century missions. We fund over \$7 billion to protect America and our friends from the threat of ballistic missiles.

I'm grateful that Congress completed its important work on defense and military construction appropriations bills. I want to thank them for working hard on these two important pieces of legislation. I appreciate the bipartisan spirit.

There's still important work to complete. For example, Congress has yet to act on my proposal to nearly double overall funding for homeland defense, including my request for unprecedented funding levels for police and firefighters and emergency medical personnel who are on the frontlines of defending our citizens.

In addition, our new homeland—Department of Homeland Security is stalled in the

Senate. The defense bill I will sign today funds our soldiers, sailors, airmen, and Marines, all of which exist in a single Department. That Department was created by President Harry Truman when he reorganized our Nation's defense structure to meet the security threats of a new era.

Today we are once again in a new era. Yet our homeland security activities are spread among more than 100 different Government agencies. America needs a single Department of government dedicated to protecting our people and to protecting our homeland. We can't wait any longer. The threats to America are simply too great. Providing for the security of our country is a broader task than just keeping our military strong. I look forward to working with Congress on all the measures needed to build the strength and security of the greatest nation on the face of the Earth.

It is now my honor to sign the Department of Defense Appropriations Act and the Military Construction Appropriations Act.

NOTE: The President spoke at 10:40 a.m. in the Rose Garden at the White House. H.R. 5010, the Department of Defense Appropriations Act, and H.R. 5011, the Military Construction Appropriation Act, approved October 23, were assigned Public Law No. 107-248 and Public Law No. 107-249, respectively. The Office of the Press Secretary also released a Spanish language transcript of these remarks.

### **Statement on Signing the Department of Defense Appropriations Act, 2003**

*October 23, 2002*

Today I have signed into law H.R. 5010, the "Department of Defense Appropriations Act, 2003," which provides \$354.8 billion for national security programs administered by the Department of Defense.

I appreciate the bipartisan effort that has gone into producing this Act. It abides by an aggregate FY 2003 funding level that I support of \$759 billion, which is consistent with the House-passed Budget Resolution. My Administration appreciates that the Congress has completed the FY 2003 Defense

and Military Construction appropriations bills.

I am disappointed that the Act does not fund the \$10 billion I requested to support the war on terrorism. I am also concerned that the Act cuts \$2.7 billion from my request for operations and maintenance activities at the very time our Armed Forces are engaged in a battle against global terrorism. Without these funds, we may be forced to reduce other important programs to finance the war on terrorism.

Sections 8007 and 8111 of the Act prohibit the use of funds to initiate a special access program or to initiate a new start program, unless the congressional defense committees receive advance notice of such initiation. The U.S. Supreme Court has stated that the President's authority to classify and control access to information bearing on national security flows from the Constitution and does not depend upon a legislative grant of authority. Although the advance notice contemplated by sections 8007 and 8111 can be provided in most situations as a matter of comity, situations may arise, especially in wartime, in which the President must act promptly under his constitutional grants of executive power and authority as Commander in Chief of the Armed Forces while protecting certain extraordinarily sensitive national security information. The executive branch shall construe sections 8007 and 8111 in a manner consistent with the constitutional authority of the President.

Section 8066 of the Act provides that, notwithstanding any other provision of law, no funds available to the Department of Defense for fiscal year 2003 may be used to transfer defense articles or services, other than intelligence services, to another nation or an international organization for international peacekeeping, peace-enforcement, or humanitarian assistance operations, until 15 days after the executive branch notifies six committees of Congress of the planned transfer. The provision does not affect transfers using funds available to the Department of Defense if the recipient is other than a nation or an international organization or if the transfer is of intelligence services, such as provision of or accommodation procurements for imagery intelligence, geospatial in-

formation, or cryptological support. The provision also does not affect transfers of defense articles or defense services using funds contained in the Act that are available to the Central Intelligence Agency rather than the Department of Defense. To the extent that protection of the U.S. Armed Forces deployed for international peacekeeping, peace-enforcement, or humanitarian assistance operations might require action of a kind covered by section 8066 sooner than 15 days after notification, the executive branch shall construe section 8066 in a manner consistent with my constitutional duty as Commander in Chief of the Armed Forces.

A proviso in the Act's appropriation for "Operation and Maintenance, Defense-Wide" prohibits implementation of, and purports to prohibit planning for, consolidation of certain offices within the Department of Defense. Similarly, section 8121 of the Act purports to specify the content of future Department of Defense budgetary and programming plans. The executive branch shall construe these provisions relating to planning in a manner consistent with the President's constitutional authority to require the opinions of the heads of departments and to recommend for congressional consideration such measures as the President shall judge necessary and expedient.

Section 8094 of the Act provides that, in implementing a health care interagency partnership under that section, Native Hawaiians shall have the status of Native Americans who are eligible for the healthcare services provided by the Indian Health Service. The executive branch shall implement section 8094 in a manner consistent with the requirement to afford equal protection of the laws under the Due Process Clause of the Fifth Amendment to the Constitution.

Section 8116 of the Act makes certain appropriated funds available for transportation, food, lodging, supplies, fees, and training materials for members of the Armed Forces and their immediate family members while participating in chaplain-led programs, such as retreats and conferences, that assist them in building and maintaining a strong family structure. In implementing this provision, the executive branch shall accord the fullest respect to the fundamental constitutional

right of free exercise of religion, subject to the constitutional limitation on establishment of religion and any other applicable law.

**George W. Bush**

The White House,  
October 23, 2002.

NOTE: H.R. 5010, approved October 23, was assigned Public Law No. 107-248.

### **Statement on Signing the Military Construction Appropriation Act, 2003**

*October 23, 2002*

Today I have signed into law H.R. 5011, the “Military Construction Appropriations Act, 2003,” which provides \$10.5 billion for Department of Defense military construction and family housing programs. The Act ensures the Nation’s military construction priorities are met and provides the resources and infrastructure for our fighting forces at home and abroad. My Administration is committed to improving military housing and the quality of life of our uniformed defenders and their families, and this bill clearly reflects that commitment.

Sections 107, 110, and 113 of the Act provide for notice to the Congress of relocation of activities between military installations, initiation of a new installation abroad, or U.S. military exercises involving \$100,000 in construction costs. The U.S. Supreme Court has stated that the President’s authority to classify and control access to information bearing on national security flows from the Constitution and does not depend upon a legislative grant of authority. Although the notice can be provided in most situations as a matter of comity, situations may arise, especially in wartime, in which the President must act promptly under his constitutional grants of executive power and authority as Commander in Chief while protecting sensitive national security information. The executive branch shall construe these sections in a manner consistent with the President’s constitutional authority.

Section 119 provides for the Secretary of Defense to submit a report to the Congress with details of proposed actions to encourage

certain cooperating nations to assume a greater share of the common defense burden. The executive branch shall construe this provision in a manner consistent with the President’s constitutional authority to withhold information, the disclosure of which could impair foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive’s constitutional duties. The Secretary of Defense will, of course, continue as a matter of comity to keep the Congress appropriately informed of the matters addressed by section 119.

**George W. Bush**

The White House,  
October 23, 2002.

NOTE: H.R. 5011, approved October 23, was assigned Public Law No. 107-249.

### **Remarks on Children’s Online Safety** *October 23, 2002*

Thank you all for coming. Welcome to the White House. And thanks for the work that most of you do on behalf of protecting this country’s children. Because children are so vulnerable, they need the constant protection of adults. And because children are so vulnerable, they’re often the targets of cruel and ruthless criminals.

I am deeply saddened by the recent tragedy that we’ve seen here in Washington. There is a ruthless person on the loose. I’ve ordered the full resources of the Federal Government to help local law enforcement officials in their efforts to capture this person. Laura and I join our fellow Americans in prayer as we pray for the families and friends who have lost loved ones, as we pray for the safety of our fellow citizens, as we pray for the quick end to this period of violence and fear.

Protecting children from sexual exploitation is also a priority. It needs to be a priority and is a priority of this country. Earlier this month, I convened the first ever White House Conference on Missing, Exploited, and Runaway Children. And those efforts continue today.