By any measure, the Orphan Drug Act has been a tremendous success. A total of 48 new drugs have been approved under this program, and 370 others are in the development stage. These drugs have provided lifesaving treatments for such terrible diseases as cystic fibrosis, which adversely affects the immune system of about 40 people nationwide. Until the orphan drug was developed to treat these conditions, they had never before been approved under this program. The Orphan Drug Act provides incentives to attract drug firms to invest in orphan drugs. I am withholding my approval of H.R. 4638, the "Orphan Drug Amendments Act of 1990." Although this legislation contains constructive provisions, it would severely constrain Presidential authority in carrying out foreign policy. Firms that can dem-...
nuclear, chemical and biological weapons.

In summary, H.R. 493 contains serious and unacceptable flaws that would hamper our efforts to prevent the proliferation of weapons of mass destruction and to ease restrictions on trade that are not mutually shared objectives are met in a timely and effective manner. I will work with the Congress, upon its return, to enact an appropriate extension of the Export Administration Act.

GEORGE BUSH.


H. R. 314—MEMORANDUM OF DISAPPROVAL.

In the closing days of the 101st Congress, two bills were passed providing for somewhat different benefits for the surviving spouses of assassinated Federal judges. These survivors have suffered profound and tragic losses, and they have our deepest sympathies. I am pleased that the Congress has passed legislation allowing these individuals to receive additional benefits.

One bill—H.R. 3136, the "Judicial Improvement Act"—has not yet been presented to me for approval. Upon its presentation to me, I plan to approve H.R. 3136, which contains provisions that would increase the benefits subject to certain limits, for surviving spouses of all assassinated Federal judges on an equitable basis.

My approval of H.R. 3136 makes the approval of another bill—H.R. 3134—unnecessary. Therefore, I am withholding my approval of H.R. 3134, a bill which would have provided somewhat different benefits for Mrs. Joan R. Daronco. This action, in conjunction with my planned approval of H.R. 3136, will ensure that Mrs. Daronco and all such surviving spouses receive their benefits in an equitable manner.

GEORGE BUSH.


S. 321—MEMORANDUM OF DISAPPROVAL.

I am withholding my approval of S. 321, the "Indian Preference Act of 1990." S. 321 would establish, among other things, a program to provide preferences to qualifying Indian enterprises in the award of Federal grants or contracts using funds appropriated for the benefit of Indians. The bill would impose new, expensive, and often duplicative program responsibilities on the Secretary of the Interior that would be difficult to implement. It would also likely result in Federal agencies assuming new, unfunded liabilities related to Indian preference enterprises.

My Administration strongly supports the goals of S. 321 and is committed to helping alleviate the widespread unemployment and underemployment on Indian reservations. Moreover, the Administration supports efforts to prevent companies from misusing Federal Indian preference programs. Accordingly, amendments are needed to the "Buy Indian Act" to increase Indian economic self-sufficiency and employment opportunities and to prevent utilization of preference programs for non-quality Indian enterprises.

However, S. 321 is seriously flawed and would create more problems than it would solve. I am withholding my approval of S. 321 to assure that the Congress pass S. 321 in the final days of the 101st Congress without sufficient consideration of these complex issues.

In the closing days of the 101st Congress, I am directing the Secretary of the Interior to take the necessary steps to address the contracting problems and to conduct a review of the "Buy Indian Act" as requested by the Senate Select Committee on Indian Affairs.

In particular, I am directing the Secretary to issue specific and constructive procedures to govern Indian Affairs field contracting officers in conducting pre-award reviews of grants and contracts. I am also asking that the Congress consider amending the "Buy Indian Act" to require a review of the current law, and have provided letters to the Intelligence Committees outlining how I intend to provide such notice. I was consequently directed by the Speaker that S. 321 was inserted in the Joint Explanatory Statement accompanying the Conference Report that could not now be withdrawn without the agreement of the Senate.

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