

stitutional difficulties. Section 1313 would authorize the Director of the newly established Office of Federal Housing Enterprise Oversight within HUD to submit "reports, recommendations, testimony, or comments" to the Congress without prior approval or review by "any officer or agency of the United States." The bill also provides the Director authority, exclusive of the Secretary of Housing and Urban Development, to promulgate safety and soundness regulations and to formulate an annual budget. When a member of the executive branch acts in an official capacity, the Constitution requires that I have the ultimate authority to supervise that officer in the exercise of his or her duties. In order to avoid constitutional difficulties, and without recognizing the Congress' authority to prevent the Secretary from supervising on my behalf an agency within HUD, I will interpret this provision to permit me to supervise the Director through other means, such as through the Office of Management and Budget.

Section 911 of the bill requires the Secretary of Housing and Urban Development to establish guidelines for housing credit agencies to "implement" section 102(d) of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545(d)). That provision requires the Secretary to certify that HUD assistance to housing projects is not more than necessary to provide affordable housing, after taking other Federal and State assistance into account, and to adjust the amount of HUD assistance to compensate for changes in assistance amounts from other sources. To avoid the constitutional difficulties that would arise if section 911 were understood to vest in housing credit agencies the exercise of significant authority under Federal law, I interpret section 911 to permit the Secretary to formulate guidelines under which he will retain the ultimate authority to make the determinations required by section 102(d).

**George Bush**

The White House,  
October 28, 1992.

*Note: This statement follows the text as released by the Office of the Press Secretary at the White House on October 29.*

### **Statement on Signing the Agricultural Credit Improvement Act of 1992**

*October 28, 1992*

Today I am signing into law H.R. 6129, the "Agricultural Credit Improvement Act of 1992," which modifies the Farmers Home Administration program.

Although I have signed H.R. 6129, I will withhold my approval of H.R. 6138 because it is identical to section 24 of H.R. 6129.

**George Bush**

The White House,  
October 28, 1992.

*Note: This statement follows the text as released by the Office of the Press Secretary at the White House on October 29.*

### **Statement on Signing the Defense Production Act Amendments of 1992**

*October 28, 1992*

Today I have signed into law S. 347, the "Defense Production Act Amendments of 1992."

The Defense Production Act (DPA) provides the President with extraordinary authority to establish production and material allocation priorities when the national defense so requires. The DPA expired on March 1, 1992. Enactment of S. 347 restores that authority through September 30, 1995. The availability of these authorities to the President, in the event of unexpected national defense crises, enables him to ensure that the Nation will have the equipment and supplies it needs under all circumstances.

I must, however, note several reservations that I have regarding sections 124, 135, and