virtue of the difficulty of defining "children's television programming" in a manner consistent with the Supreme Court's proscription of either overinclusive or underinclusive regulation of speech and by virtue of the manifest incongruence between the stated purpose of the provision and the means chosen to effectuate it. See Posadas de Puerto Rico Associates v. Tourism Company of Puerto Rico, 106 S. Ct. 2968, 2977 (1986).

The bill simply cannot be reconciled with the freedom of expression secured by our Constitution. Moreover, despite its laudable goals, it is likely to be counterproductive. Accordingly, I am compelled to disapprove this measure.

No policy concerns can override the requirements of the First Amendment.

RONALD REAGAN.


H.R. 4333

MEMORANDUM OF DISAPPROVAL

I am withholding my approval of H.R. 4333, the "Nursing Shortage Reduction and Education Extension Act of 1988," because I signed its provisions into law on Friday, November 4, 1988, as Title VII of S. 2889, the "Health Omnibus Programs Extension of 1988".

RONALD REAGAN.


H.R. 4432

MEMORANDUM OF DISAPPROVAL

I am withholding my approval of H.R. 4432, a bill "to amend title 13, United States Code, to require certain detailed tabulations relating to Asian Americans and Pacific Islanders in the decennial censuses of population". This bill would also require certain housing-related questions in the 1990 decennial census.

My decision not to approve this bill is based on the following reasons. First, the bill would unnecessarily restrict the form of the race question in future censuses. Second, it would require the Census Bureau to use a form of race question that the Bureau has tested and found to be less accurate than the one it plans to use in 1990. Third, it would specifically require questions relating to plumbing facilites and heating and cooling equipment in housing units that would not produce data sufficiently useful to justify their inclusion. Adequate data on plumbing and heating will continue to be available through the census and other sources. Finally, these changes would impose administrative costs and add to the paperwork burden imposed on the public by the census.

There are always more questions proposed for the census than can be accommodated. The Administration has proposed a questionnaire that represents a careful and reasonable balancing between the Nation's need for information and the reporting burden the census places on respondents.

RONALD REAGAN.


H.R. 5043

MEMORANDUM OF DISAPPROVAL

Public service is a public trust. It requires a high and exacting standard of conduct, and we should go forward with more clear, far-reaching restrictions that are consistent and constitutional. Conduct is always met. But the final provisions of this bill were poorly drafted, would have applied unevenly, and would discourage from Government service America's best talent because of the unfair burdens it would impose. This bill would not have affected anyone who leaves office with my Administration, but my concern is to secure good government for our country's future. This bill has good provisions, which I support, but on the whole it is flawed, excessive, and discriminatory. I asked 20 Cabinet Members and agencies to review this bill. Not one recommended approval; 16, including the Director of the Office of Government Ethics, specifically advised that it be vetoed. Therefore, I am withholding my approval from H.R. 5043, the "Post-Employment Restrictions Act of 1988".

The 100th Congress cobbled together the final version of H.R. 5043 in its closing moments. Post-employment restrictions are needed if the Nation is to govern itself effectively. They de

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