Remarks Following Discussions With President Jose Manuel Durao Barroso of the European Commission

October 18, 2005

President Bush. It's my pleasure to welcome back to the Oval Office my friend Jose Barroso. Welcome.

President Durao Barroso. Thank you.

President Bush. Thank you for taking time out of your schedule to come and visit and talk about U.S.-EU relations. I told Jose that it's very important for the people in Europe to know that America values our relationship, wants the EU to succeed, wants to work in collaboration to achieve some big objectives. One is to lay the foundation for peace by spreading democracy and freedom. And I appreciate your understanding, and thank you for working closely on that.

Secondly is to help enhance the prosperity of our respective countries as well as the world, through promoting free and fair trade. We talked about what it requires to get the Doha round moving forward. We had a good, frank discussion on that, and there's no question we share the same objective.

We talked about what we can do to work together to move forward on a lot of issues. The main thing I came away from, again, is, one, I value Jose's leadership, his advice but also how important the relationship between the EU and the United States is and that we can achieve a lot of important things when we work together.

So welcome back. Thank you for hosting me last winter. I'm proud to have you here.

President Durao Barroso. Thank you very much. It's a great pleasure for me to be, once again, here in White House with President Bush. I thank him and the First Lady for their kind and friendly hospitality.

As President Bush said, this relation is very important, most of all because we share exactly the same values of freedom, democracy, and human rights, and we complement each other in pushing forward this agenda, but also in economic terms. We have now a trade relation of more than $1 billion a day. So together, we are 40 percent of world trade. So we have a common interest in opening up markets. We very much in the European Union are looking forward for a success of those talks. We want it to have ambitious and balanced result on agriculture but not only in agriculture. I want to underline this point, services for instance, is very important, so that our citizens can really see the benefits of globalization. And we want to work together, the United States also, engaging others, emerging markets, but also thinking about less developed countries, engaging them constructively for this—the success of these talks.

These were the main issues that I had the pleasure, once again, to discuss with President Bush in his very frank and friendly manner. I really believe we have a lot to do together, the European Union and United States.

President Bush. Thanks, Jose. Appreciate you.

NOTE: The President spoke at 11:50 a.m. in the Oval Office at the White House.

Remarks on Signing the Department of Homeland Security Appropriations Act, 2006

October 18, 2005

Thank you all. Please be seated. Thanks for coming. Welcome to the White House.

The most solemn duty of the President and the Congress is to protect the American people. To help meet this responsibility, we created the Department of Homeland Security. This Department united 22 Federal agencies under a single command with a clear mission, to protect the American homeland.

To protect our homeland, we tore down legal and bureaucratic walls that separated our intelligence agents from our law enforcement officers. We've disrupted terrorist planning and financing as a result of the reforms. We've used the PATRIOT Act to break up terror cells and prosecute terrorist operatives and supporters. At the same time, the Department of Homeland Security, by working with the United States Congress, has increased the number of people guarding our borders, hardened security at our airports and seaports and bridges and tunnels and water treatment facilities and nuclear plants.

We've helped give those most likely to encounter terrorists, our partners in local and State government, the tools they need to do their job.

The bill I sign today supports our ongoing efforts to protect our homeland with $30.8 billion in discretionary funding for fiscal year 2006, an increase of $1.8 billion over the 2005 levels. This bill will help us identify terrorists seeking to enter our country, safeguard our cities against weapons of mass destruction, and better prepare the Federal Government to respond to catastrophic attack.

The bill also includes $7.5 billion in vital funding to address the serious problem of illegal immigration. We're going to get control of our borders. We're going to make this country safer for all our citizens.

I want to thank Secretary Mike Chertoff for the job he's doing. I want to welcome Josh Bolten, Director of OMB. He's the money man. [*Laughter*] I appreciate Ambassador John Negroponte for joining us, the Director of National Intelligence; Director Porter Goss of the CIA; Vice Admiral Scott Redd, Director of the National Counterterrorism Center.

I want to thank the Members of Congress who are up here with me: Thad Cochran of Mississippi, chairman of the Appropriations Committee; Senator Judd Gregg, chairman of the Appropriations Subcommittee on Homeland Security; Senator Jon Kyl, chairman of the Senate Republican Policy Committee.

I want to thank the Members of the House who've joined me up here: Congressman Hal Rogers, chairman of the Appropriations Subcommittee on Homeland Security; Congressman Pete King; Congressman John Shadegg; Congressman Chet Edwards, who happens to be my Congressman; Congressman Sanford Bishop; Congressman Sheila Jackson-Lee. Thank you all for joining us. I appreciate so many Members of the House and Senate who have joined us here today. Thank you for working hard on this good bill.

I appreciate Assistant Chief Patrol Agent Rebekah Salazar, who's joined us on stage—thank you—Assistant Chief Patrol Agent Elizabeth Briones as well as Patrol Agent in Charge Felix Chavez. They all work for the U.S. Customs and Border Protection. Thanks for representing the good folks who—[*applause*]. I appreciate those first-responders who've joined us today. Thanks for bringing honor to the—[*applause*].

To defend this country, we've got to enforce our borders. When our borders are not secure, terrorists and drug dealers and criminals find it easier to come to America. This administration is going to work with Congress to make sure we do our job, and that starts with having a clear strategy. And here's how the strategy has got to be: We've got to strengthen security along our borders to stop people from entering illegally. In other words, we've got to stop people from coming here in the first place. Secondly, we must improve our ability to find and apprehend illegal immigrants who have made it across the border. If somebody is here illegally, we've got to do everything we can to find them. And thirdly, we've got to work to ensure that those who are caught are returned to their home countries as soon as possible. The bill I sign today will provide critical resources for all these efforts.

For the past 4 years, we've worked with Congress to implement the strategy. To stop illegal immigrants from coming into the country, we've increased manpower; we've upgraded technology; and we've improved the physical barriers along our border. In other words, we've worked together to implement the strategy.

Since I've been to office, we've increased funding for border security by 60 percent, and we've hired more than 1,900 new Border Patrol agents. We've deployed new technology to help our agents do their job, from unmanned aircraft to ground censors to infrared cameras. We've made better use of physical structure to help our agents do their job. We've taken steps to complete a 14-mile fence running along the San Diego border with Mexico.

Stopping people from crossing our borders illegally is only part of the strategy. The other part of our strategy is enforcing our immigration laws. Since 2001, we've increased funding for immigration enforcement by 35 percent. We've added nearly 1,000 new agents and criminal investigators to help us find and

return illegal immigrants. We've targeted violent criminal gangs, whose members are here illegally.

Under a new program launched in February, our Immigration and Customs Enforcement agents have arrested nearly 1,400 illegal immigrant gang members. And this country owes them a debt of gratitude for working so hard to protect our citizens. We're going after criminal organizations and "coyotes" that traffic in human beings. These people are the worst of the worst. They prey on innocent life. They take advantage of people who want to embetter their own lives.

And we're working hard. In Arizona, we prosecuted more than 2,300 people for smuggling drugs, guns, and illegal immigrants across our borders. And I want to thank the Federal officers as well as the folks from Arizona, both local and State, who have made this kind of work possible.

As part of our enforcement efforts, we're working to send the illegal immigrants we catch back to their home countries as soon as possible. It's one thing to catch them; it's the next thing to get them back home. To make progress—to make our progress more effective, we're going to work with—we'll continue to work with foreign governments to have their counsel officers review cases and issue travel documents more quickly—in other words, to expedite the return.

These efforts are getting results. Since 2001, we've removed several million illegal immigrants from the United States, including nearly 300,000 with criminal records. Our Border Patrol and Immigration Enforcement officers are really doing good work. Yet today we capture many more illegal immigrants than we can send home, especially non-Mexicans. And one of the biggest reasons for that is we don't have enough bed space in our detention facilities. When there's no bed space available, non-Mexicans who are caught entering our country illegally are given a slip that tells them to come back for a court appearance. And guess what? They don't come back.

And so this bill—and by the way, as a result of that—this process, the lack of beds, the lack of detention facility, we return home only 30,000 of the 160,000 non-Mexican illegal immigrants we caught coming through our Southwest border. And the system is not fair to those who are working the border. You got agents working hard to do their job, the job Americans expect; 160,000 non-Mexican illegal immigrants were caught, yet only 30,000 of them went home.

And so the bill I sign today—and I appreciate Congress' work on this matter—will help us expand our reach and effectiveness in two important ways. First, the bill provides more than $2.3 billion for the Border Patrol, so we can keep more illegal immigrants from getting into this country. In other words, we're expanding the number of agents in a rational, planned way. This bill gives $139 million to improve our technology and intelligence capabilities, including portable imaging machines and cameras and sensors and automated targeting systems that focus on high-risk travelers and goods. In other words, we've increased the number of people, but we've given them new technology so they can better do their job.

The bill also includes $82 million to improve and expand Border Patrol stations and $70 million to install and improve fencing, lighting, vehicle barriers, and roads. What I'm saying is Congress did good work in helping us build a smarter system, so we can say to the American people, "We're doing our job of securing our border."

Secondly, the bill provides $3.7 billion for immigration and customs enforcement, so we can find and return the illegal immigrants who are here. This bill will fund the hiring of 100 new immigration enforcement agents and 250 criminal investigators.

As a result of the bill I'm about to sign, we're going to add nearly 2,000 new beds to our detention facilities. That will bring the number of beds up to nearly 20,000. This will allow us to hold more non-Mexican illegal immigrants while we process them through a program we call "expedited removal." Putting more of these non-Mexican illegal immigrants through expedited removal is crucial to ending the problem of catch-and-release. As Secretary Chertoff told the Senate earlier this morning, our goal is clear, to return every single illegal entrant, with no exceptions. And this bill gets us on the way to do that.

For Mexicans who cross into America illegally, we have a different strategy. Now most of the 900,000 illegal immigrants from Mexico who are caught each year are immediately escorted back across the border. The problem is, these illegal immigrants are able to find another "coyote" or human smuggler, and they come right back in. One part of the solution is a program called "interior repatriation," where we fly or bus Mexican illegal immigrants all the way back to their hometowns. See, many of these folks are coming from the interior of Mexico. And so the farther away from the border we send them, the more difficult it will be for them to turn around and cross right back into America. By returning Mexicans to their homes, far away from desert crossings, we're helping to save lives. These efforts are going to help us enforce our borders, and I want to thank you for your good work.

As we improve and expand our efforts to secure our borders, we must also recognize that enforcement work—that enforcement cannot work unless it is part of a larger comprehensive immigration reform program. If an employer has a job that no American is willing to take, we need to find a way to fill that demand by matching willing employers with willing workers from foreign countries on a temporary and legal basis. The best way to do that is through a temporary-worker program that gives those workers we need a legal, honest way to come into our country and to return home. I'm going to work with Members of Congress to create a program that can provide for our economy's labor needs without harming American workers, without providing amnesty, and that will improve our ability to control our borders.

You see, we got people sneaking into our country to work. They want to provide for their families. Family values do not stop at the Rio Grande River. People are coming to put food on the table. But because there is no legal way for them to do so, through a temporary-worker program, they're putting pressure on our border. It makes sense to have a rational plan that says, "You can come and work on a temporary basis, if an employer can't find an American to do the job." It makes sense for the employer. It makes sense for the worker, and it makes sense for those good people trying to enforce our border. The fewer people trying to sneak in to work means it's more likely we're going to catch smugglers—drug smugglers and terrorists and gun runners.

A critical part of any temporary-worker program is work site enforcement. To deal with employers who violate our immigration law, this bill strengthens our enforcement capabilities by adding new agents and doubling their resources. We've got to crack down on employers who flout our laws. And we will give honest employers the tools they need to spot fake documents and ensure that their workers are respecting our laws. America is a country of laws, and we're going to uphold our laws for the good of the citizens of this country.

The bill I'm about to sign funds a lot of important programs. It helps people do the job they've been called on to do, which is to protect the American people. A key component of this bill is to make sure we enforce the borders of the United States of America. And I want to thank the authors of the bill, those who have worked hard to get this bill to my desk, for putting forth a rational plan, a way to do our job.

We've got a lot of work to do in this country. There are enemies still out there who want to hurt us. But this bill is a step toward all of us, Republicans and Democrats, being able to say to the American people, "We're coming together to do the best job we can possibly do to protect this country."

Again, I want to thank the Members for being here. Thanks for your good work. May God bless you, and may God continue to bless our country.

NOTE: The President spoke at 1:33 p.m. in the East Room at the White House. H.R. 2360, approved October 18, was assigned Public Law No. 109–90. The Office of the Press Secretary also released a Spanish language transcript of these remarks.

Statement on Signing the Department of Homeland Security Appropriations Act, 2006

October 18, 2005

Today, I have signed into law H.R. 2360, the "Department of Homeland Security Appropriations Act, 2006." The Act provides funds to protect the United States against terrorism, assist those adversely affected by natural disasters such as hurricanes, and carry out other departmental functions such as securing our Nation's borders and enforcing our immigration laws.

The executive branch shall construe as calling solely for notification the provisions of the Act that purport to require congressional committee approval for the execution of a law. Any other construction would be inconsistent with the principles enunciated by the Supreme Court of the United States in *INS v. Chadha*. These provisions include: "United States Visitor and Immigrant Status Indicator Technology;" "Automation Modernization, Customs and Border Protection;" "Air and Marine Interdiction, Operations, Maintenance, and Procurement, Customs and Border Protection;" "Automation Modernization, Immigration and Customs Enforcement;" "Salaries and Expenses, United States Secret Service;" "Research, Development, Acquisition, and Operations, Science and Technology for the Domestic Nuclear Detection Office;" and sections 504, 505, 509, 511, 526, and 538.

Under the heading "Customs and Border Protection," the Act purports to require the Bureau of Customs and Border Protection to relocate its tactical checkpoints in the Tucson, Arizona, sector at least once every 7 days. Decisions on deployment and redeployment of law enforcement officers in the execution of the laws are a part of the executive power vested in the President by Article II of the Constitution. Accordingly, the executive branch shall construe the relocation provision as advisory rather than mandatory.

Section 516 of the Act purports to direct the conduct of security and suitability investigations. To the extent that section 516 relates to access to classified national security information, the executive branch shall construe this provision in a manner consistent with the President's exclusive constitutional authority, as head of the unitary executive branch and as Commander in Chief, to classify and control access to national security information and to determine whether an individual is suitable to occupy a position in the executive branch with access to such information.

To the extent that section 518 of the Act purports to allow an agent of the legislative branch to prevent implementation of the law unless the legislative agent reports to the Congress that the executive branch has met certain conditions, the executive branch shall construe such section as advisory, in accordance with the constitutional principles enumerated in the *Chadha* decision.

As is consistent with the text of the Act, the executive branch shall construe section 521 as relating to the integrity and supervision of the United States Secret Service only within the Department of Homeland Security. The executive branch therefore shall construe section 521 to neither affect the functions and supervision of personnel of the Secret Service assigned or detailed to duty outside the Department of Homeland Security, nor limit participation by the Secret Service in cooperative command and other arrangements with other governmental entities for the conduct of particular operations.

Section 527 refers to joint explanatory statements of managers accompanying conference reports on specified acts. Such statements do not satisfy the constitutional requirements of bicameral approval and presentment to the President needed to give them the force of law.

The executive branch shall construe section 529 of the Act, relating to privacy officer reports, in a manner consistent with the President's constitutional authority to supervise the unitary executive branch.

George W. Bush

The White House,
October 18, 2005.

NOTE: H.R. 2360, approved October 18, was assigned Public Law No. 109–90.