



## U.S. Senate Committee on Appropriations

*PRESS RELEASE*

<http://appropriations.senate.gov>

For release on Monday, June 18, 2007

For more information, contact:

Melanie N. Roussell (Conyers), 202-226-5543

Jonathan Godfrey (Conyers), 202-226-6888

Tom Gavin (Byrd), 202-224-3904

### **GAO Examination Shows White House Power Grab**

Washington, D.C... Today, the nonpartisan Government Accountability Office (GAO) released a report which found that in a limited number of Presidential signing statements examined, the Bush Administration failed to execute the law as instructed in over 30 percent of the cases. House Judiciary Committee Chairman John Conyers, Jr. (D-MI) and Senate Appropriations Chairman Robert C. Byrd (D-W.Va.) requested the report.

GAO researchers found signing statements in 11 of 12 appropriations acts in fiscal year 2006 and examined a sample of 19 provisions with which the President expressed concern in his signing statements. The President objected to, and federal agencies failed to execute, public law in six of those cases - 30 percent of the total sample.

"The Administration is thumbing its nose at the law," Conyers said. "This study calls for an extensive review of these practices, something the Administration has so far refused to do."

"The White House cannot pick and choose which laws it follows and which it ignores. When a president signs a bill into law, the president signs the entire bill. The Administration cannot be in the business of cherry picking the laws it likes and the laws it doesn't," Senator Byrd said. "This GAO opinion underscores the fact that the Bush White House is constantly grabbing for more power, seeking to drive the people's branch of government to the sidelines. Too often, the Bush Administration does what it wants, no matter the law. It says what it wants, no matter the facts. We must continue to demand accountability and openness from this White House to counter this power grab."

The new GAO opinion underscores an April finding by the nonpartisan Congressional Research Service (CRS). The April report found that President George W. Bush has raised objections in his signing statements far more than any of his predecessors. In fact, President Bush issued 149 signing statements, 127 (85%) of which raised some objection. The significant rise in the proportion of constitutional objections made by the President Bush is compounded by the fact that these statements are typified by multiple

objections, resulting in over 700 challenges to distinct provisions of law.

In comparison, CRS found that President Reagan issued 276 signing statements, 71 of which (26%) contained provisions questioning the constitutionality of one or more of the statutory provisions signed into law. President Clinton issued 391 statements, 105 of which (27%) raised constitutional concerns or objections.

Some of the most troubling instances that the GAO examined include:

- “ The Defense Department did not include separate budget justifications documents explaining how Iraq war funding was to be spent in its 2007 budget request, as required by public law;
- “ The Federal Emergency Management Agency (FEMA) did not submit a proposal and expenditure plan for housing, as directed by Congress;
- “ Customs and Border patrol did not relocate its checkpoints in the Tuscon area every seven days, as directed by Congress.

GAO researchers also studied how federal courts view Presidential signing statements. They found that courts rarely rely on them as authoritative interpretations of the law.

###