

Bush Declares Exceptions to Sections of Two Bills He Signed Into Law

By [CHARLIE SAVAGE](#)

WASHINGTON — President Bush asserted on Tuesday that he had the executive power to bypass several parts of two bills: a military authorization act and a measure giving inspectors general greater independence from White House control.

Mr. Bush signed the two measures into law. But he then issued a so-called signing statement in which he instructed the executive branch to view parts of each as unconstitutional constraints on presidential power.

In the authorization bill, Mr. Bush challenged four sections. One forbid the money from being used “to exercise United States control of the oil resources of Iraq”; another required negotiations for an agreement by which Iraq would share some of the costs of the American military operations there.

The sections “purport to impose requirements that could inhibit the president’s ability to carry out his constitutional obligations,” including as commander in chief, Mr. Bush wrote.

In the other bill, he raised concerns about two sections that strengthen legal protections against political interference with the internal watchdog officials at each executive agency.

One section gives the inspectors general a right to counsels who report directly to them. But Mr. Bush wrote in his signing statement that such lawyers would be bound to follow the legal interpretations of the politically appointed counsels at each agency.

The other section requires the White House to tell Congress what each inspector general said about the administration’s budget proposal for their offices. Such a requirement, Mr. Bush wrote, would infringe on “the president’s constitutional authority” to decide what to recommend to Congress.

Mr. Bush will not submit another budget request before his administration ends in January, so his objections are unlikely to face a test on his watch. Still, the bill’s sponsor, Representative Jim Cooper, Democrat of Tennessee, said he hoped that the next president would overturn Mr. Bush’s signing statements.

“These things create uncertainty in the law that should not be there,” Mr. Cooper said.

The White House has defended Mr. Bush’s use of signing statements as lawful and appropriate. But in 2006, the [American Bar Association](#) called the device “contrary to the rule of law and our constitutional system of separation of powers.”

Mr. Bush has used the signing statements to assert a right to bypass more than 1,100 sections of laws. By comparison, all previous presidents combined challenged about 600 sections of bills.