

FOR IMMEDIATE RELEASE

August 14, 1976

Office of the White House Press Secretary

THE WHITE HOUSE

TO THE HOUSE OF REPRESENTATIVES:

I am returning, without my approval, H.R. 12944, a bill "To extend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for six months." If the only purpose of the bill were that set forth in its caption I would have no reservations about it.

The bill would, however, also make a serious substantive change in the law. It would subject rules and regulations issued under authority of the Act to a 60-day review period during which either House of Congress may disapprove the rule or regulation by simple resolution.

As I have indicated on previous occasions, I believe that provisions for review of regulations and other action by resolutions of one-house or concurrent resolution are unconstitutional. They are contrary to the general principle of separation of power whereby Congress enacts laws but the President and the agencies of government execute them. Furthermore, they violate Article I, section 7 which requires that resolutions having the force of law be sent to the President for his signature or veto. There is no provision in the Constitution for the procedure contemplated by this bill.

Congress has been considering bills of this kind in increasing number. At my direction, the Attorney General moved recently to intervene in a lawsuit challenging the constitutionality of a comparable section of the Federal election law. I hope that Congress will reconsider H.R. 12944 and pass a bill which omits this provision.

THE WHITE HOUSE,

August 13, 1976

GERALD R. FORD

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