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SEPTEMBER 13, 1976

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

I have today signed into law S. 2862, a bill which authorizes appropriations for the National Fire Prevention and Control Administration and the Fire Research Center.

While I have consistently supported the important work of the National Fire Prevention and Control Administration, I vetoed a similar bill -- H.R. 12567 -- two months ago because it provided for an unacceptable legislative encroachment on the President's constitutional responsibilities over Executive Branch operations.

Upon returning the earlier bill for Congressional reconsideration, I noted it provided that:

Congress may, by concurrent resolution, "veto" a plan to commit funds for construction of the National Academy for Fire Prevention and Control. This provision extends to the Congress the power to prohibit specific transactions authorized by law, without changing the law and without following the constitutional process such a change would require. Moreover, it involves the Congress directly in the performance of Executive functions in disregard of the fundamental principle of separation of powers.

Provisions of this type have been appearing in an increasing number of bills which this Congress has passed or is considering. Most are intended to enhance the power of the Congress over the detailed execution of the laws at the expense of the President's authority.

At my urging, the Congress has reconsidered and excluded this type of provision from the present bill. I commend the Congress for its more responsible action in deleting the objectionable provision.

Due to the great national loss caused by fires, both in terms of human lives and property, and because of the challenge of improving fire prevention and control, I am happy to sign this bill which permits the important government fire prevention and control effort to continue. With passage of this bill, the National Fire Prevention and Control Administration will now have authority through fiscal year 1978 to carry out its important work of coordinating programs of fire prevention and control. The Fire Research Center can now continue to conduct the needed basic and applied research into the fundamental problems of fire prevention and control.

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