

legislation provides funding for key domestic programs, including the important education initiatives that have been a top priority of my Administration.

I appreciate the bipartisan effort that has gone into producing this Act. The bill abides by the agreed-upon aggregate funding level for Fiscal Year 2002 of \$686 billion and supports several of my Administration's key initiatives with:

- \$10.4 billion for title I grants to close the achievement gap between rich and poor students;
- \$1 billion for Reading First and Early Reading First to help schools meet the goal of ensuring that all students can read fluently by third grade;
- \$2.9 billion for State grants for improving teacher quality;
- \$7.5 billion for State Grants for Special Education, an increase of \$1.2 billion over FY 2001;
- \$23.2 billion for the National Institutes of Health to support biomedical research to help prevent, detect, diagnose, and treat disease and disability;
- full funding for the Consolidated Health Centers to provide quality health care to millions of uninsured and underserved Americans;
- additional resources for Drug Abuse Treatment services to help narrow the treatment gap between those in need of treatment and those with access to it; and
- full funding for Global HIV/AIDS activities to reduce the impact of HIV/AIDS in developing countries, including a further U.S. contribution to the global trust fund to combat HIV/AIDS, malaria, and tuberculosis.

While I am supportive of the overall bill, I have strong concerns that this bill creates a serious fiscal problem for 2002 by underfunding the Pell Grant program, which provides critical financial assistance to low-income students seeking higher education. The bill mandates a Pell Grant maximum

award of \$4,000, but provides only enough funding to pay for a maximum award of \$3,600, creating a shortfall of nearly \$1.3 billion. The Congress disregarded my requests to provide resources for the Pell Grant program commensurate with the maximum award. My Administration will ask the Congress to correct this shortfall in the FY 2003 Budget. I am committed to maintaining a strong Pell Grant program that ensures qualified students have access to college, and budgeting responsibly for its full costs.

I am pleased that the final version of the bill retains the prohibition against research in which human embryos are destroyed, and reinforces my determination on August 9, 2001, to support federally funded stem cell research in an ethical manner.

I am also pleased that the final version of the bill retains current law regarding funding for needle exchange programs.

The first proviso of section 207 of the Act purports to make certain transfers between appropriations for the Department of Health and Human Services subject to approval by the congressional appropriations committees. Under the principles enunciated by the U.S. Supreme Court in *INS v. Chadha*, the Congress cannot by law make transfers of appropriations subject to the approval of committees of the Congress. At the same time, the intention of the Congress that the executive branch have flexibility to transfer funds among appropriations for the Department of Health and Human Services is plain from the language of the Act. Accordingly, the executive branch shall treat the portion of the proviso of section 207 that purports to provide for congressional committee approval of transfers as having no force and severable from the remainder of the proviso of section 207 and the Act.

Also, section 217, addressing the Acting Director of NIH, and section 622, amending the Multifamily Assisted Housing Reform and Affordability Act of 1997, shall