

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

October 27, 1992

STATEMENT BY THE PRESIDENT

Today I am signing into law S. 3006, the "President John F. Kennedy Assassination Records Collection Act of 1992." This legislation provides for the review and, wherever possible, the release of records about the assassination of President Kennedy that have not yet been made public. I fully support the goals of this legislation.

In the minds of many Americans, questions about President Kennedy's assassination remain unresolved. Although the Government already has released many thousands of documents, the existence of additional, undisclosed documents has led to speculation that these materials might shed important new light on the assassination. Because of legitimate historical interest in this tragic event, all documents about the assassination should now be disclosed, except where the strongest possible reasons counsel otherwise.

While I am pleased that this legislation avoids the chief constitutional problems raised by earlier versions of the bill considered by the Congress, it still raises several constitutional questions. First, S. 3006 sets forth the grounds on which the release of documents may be postponed, but this list does not contemplate nondisclosure of executive branch deliberations or law enforcement information of the executive branch (including the entities listed in sections 3(2)(G) through (K)), and it provides only a narrow basis for nondisclosure of national security information. My authority to protect these categories of information comes from the Constitution and cannot be limited by statute. Although only the most extraordinary circumstances would require postponement of the disclosure of documents for reasons other than those recognized in the bill, I cannot abdicate my constitutional responsibility to take such action when necessary. The same applies to the provision purporting to give certain congressional committees "access to any records held or created by the Review Board." This provision will be interpreted consistently with my authority under the Constitution to protect confidential executive branch materials and to supervise and guide executive branch officials.

Second, S. 3006 requires the Board to report to the President and the Congress. If the bill were interpreted to require simultaneous reports, S. 3006 would intrude upon the President's authority to supervise subordinate officials in the executive branch. I will construe the provisions to require that the Board report to the President before it reports to the Congress.

Third, the bill purports to set the qualifications for Board members, to require the President to review lists supplied by specified organizations, and to direct the timing of nominations. These provisions conflict with the constitutional division of responsibility between the President and the Congress. The President has the sole power of nomination; the Senate has the sole power of consent.

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I note also that S. 3006 provides that, upon request of the Board, courts may enforce subpoenas that the Attorney General has issued at the Board's urging. I sign this bill on the understanding that this provision does not encroach upon the Attorney General's usual, plenary authority to represent the agencies of the United States, including the Board, whenever they appear in court.

S. 3006 will help put to rest the doubts and suspicions about the assassination of President Kennedy. I sign the bill in the hope that it will assist in healing the wounds inflicted on our Nation almost 3 decades ago.

GEORGE BUSH

THE WHITE HOUSE,
October 26, 1992.

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