

VETO OF H.R. 7584

M E S S A G E

FROM

THE PRESIDENT OF THE UNITED STATES

VETOING

H.R. 7584

AN ACT MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1981, AND FOR OTHER PURPOSES



DECEMBER 13, 1980.—Message and accompanying act referred to the Committee on Appropriations and ordered to be printed

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WASHINGTON : 1980

To the House of Representatives:

I am returning without my signature H.R. 7584, the State-Justice-Commerce Appropriations Act of 1980. A provision in this Act, the Helms-Collins Amendment, would impose an unprecedented prohibition on the power of the President of the United States and the Attorney General to seek a particular remedy in the Federal courts that in some cases may be necessary to ensure that our Constitution and laws are faithfully executed.

Throughout my Administration, I have been committed to the vigorous enforcement of the Fourteenth Amendment to our Constitution and of our civil rights laws. They are the backbone of our commitment to equal justice. All Americans are the beneficiaries of over two decades of progress since the Supreme Court upheld the constitutional right of all races to equal educational opportunity and the Congress passed landmark civil rights legislation to end discrimination in voting, housing, employment, education and public accommodations. We should not turn back the clock to an era when the Department of Justice stood passive and the entire burden of seeking a remedy for the infringement of constitutional rights fell on the victims of discrimination themselves.

I have often stated my belief that busing should only be used as a last resort in school desegregation cases. But busing even as a last resort is not the real issue here. The real issue is whether it is proper for the Congress to prevent the President from carrying out his constitutional responsibility under Article II to enforce the Constitution and other laws of the United States.

The precedent that would be established if this legislation became law is dangerous. It would effectively allow the Congress to tell a President that there are certain constitutionally-mandated remedies for the invasion of constitutional rights that he cannot ask the courts to apply. If a President can be barred from going to the courts on this issue, a future Congress could by similar reasoning prevent a President from asking the courts to rule on the constitutionality of other laws and the constitutional necessity of other remedies upon which the President and the Congress disagree. That would be a most undesirable interference with the constitutional separation of powers.

For any President to accept this precedent would gravely encroach on the powers of his office. I have a responsibility to my successors and to the American people not to permit that encroachment to take place. I intend to discharge that responsibility to the best of my ability.

JIMMY CARTER.

THE WHITE HOUSE, *December 13, 1980.*