

THE WHITE HOUSE

WASHINGTON

January 23, 1992

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Issuance of Official and Diplomatic Passports to U.S. Government Officials

Section 129 of Public Law 102-138, the "Foreign Relations Authorization Act, Fiscal Years 1992 and 1993," and section 503 of Public Law 102-140, the "Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, Fiscal Year 1992," both purport to forbid the issuance of more than one official or diplomatic passport to U.S. Government officials for the purpose of enabling those officials to acquiesce in or comply with the policy of some Arab League nations of rejecting passports of, or denying entrance visas to, persons whose passports reflect travel to Israel.

I strongly object to the policy of some Arab League nations of denying admission to persons whose passports reflect travel to Israel, and it has been a part of this Administration's diplomacy in the Middle East to persuade those nations to abandon that policy. Nevertheless, insofar as section 129 of Public Law 102-138 and section 503 of Public Law 102-140 purport to constrain my ability to provide documentation to diplomats and other U.S. Government officials necessary for them effectively to perform their work, they intrude impermissibly on my constitutional authority to conduct the foreign relations of the United States. Full adherence to these sections could create obstacles to travel by U.S. officials in the Middle East.

Accordingly, I direct you to continue and, where appropriate, step up diplomatic efforts aimed at persuading Arab League nations to abandon the policy of denying admission to persons whose passports reflect travel to Israel. Further, consistent with the Constitution, I shall treat section 129 of Public Law 102-138 and section 503 of Public Law 102-140 as not imposing any binding legal obligation with respect to the issuance of more than one official or diplomatic passport to U.S. Government officials. So as not to hamper the conduct of U.S. diplomacy, I direct you to continue providing U.S. Government officials with as many official and diplomatic passports as their work requires, notwithstanding section 129 of Public Law 102-138 and section 503 of Public Law 102-140.

