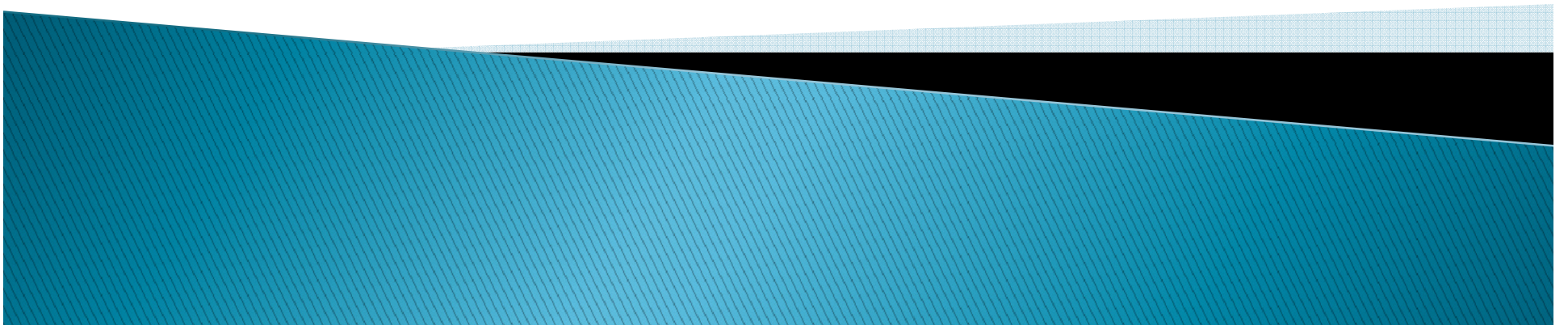
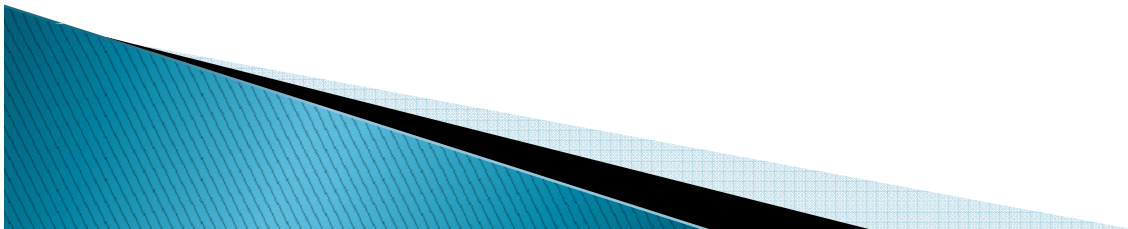


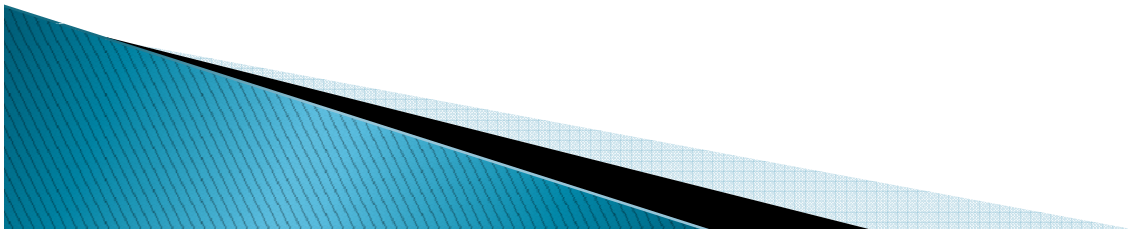
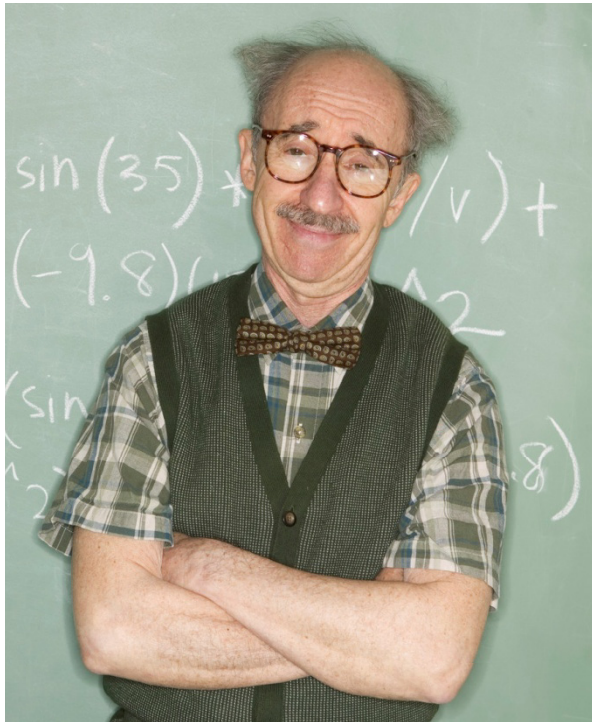
Authority



Mandatory vs. Persuasive Authority



Secondary Sources



Compare 1

U.S. Department of Justice and issue a signing statement to mark the passage of the Act.²

In his signing statement, President Johnson wrote,

I know that the sponsors of this bill recognize these important interests and intend to provide for both the need of the public for access to information and the need of government to protect certain categories of information. Both are vital to the welfare of our people. Moreover, this bill in no way impairs the President's power under our Constitution to provide for confidentiality when the national interest so requires.³

President Johnson's statement signals the very tension within the Freedom of Information Act: the need to balance the individual's right to have access to government information with the government's interest in being able to safeguard confidential information which

² *Id.*

³ *Freedom of Information Act (United States)*, WIKIPEDIA, [http://en.wikipedia.org/wiki/Freedom_of_Information_Act_\(United_States\)](http://en.wikipedia.org/wiki/Freedom_of_Information_Act_(United_States)) (last modified Jan. 6, 2011, 5:28PM).

Compare 2

U.S. Department of Justice and issue a signing statement to mark the passage of the Act.²

In his signing statement, President Johnson wrote,

I know that the sponsors of this bill recognize these important interests and intend to provide for both the need of the public for access to information and the need of government to protect certain categories of information. Both are vital to the welfare of our people. Moreover, this bill in no way impairs the President's power under our Constitution to provide for confidentiality when the national interest so requires.³

President Johnson's statement signals the very tension within the Freedom of Information Act: the need to balance the individual's right to have access to government information with the government's interest in being able to safeguard confidential information which

² *Id.*

³ Lyndon Johnson, "Statement by President upon Signing the 'Freedom of Information Act,'" July 4, 1966, in John T. Woolley and Gerhard Peters, The American Presidency Project, available at <http://www.presidency.ucsb.edu/ws/?pid=27700>.

Compare 3

U.S. Department of Justice and issue a signing statement to mark the passage of the Act.²

In his signing statement, President Johnson wrote,

I know that the sponsors of this bill recognize these important interests and intend to provide for both the need of the public for access to information and the need of government to protect certain categories of information. Both are vital to the welfare of our people. Moreover, this bill in no way impairs the President's power under our Constitution to provide for confidentiality when the national interest so requires.³

President Johnson's statement signals the very tension within the Freedom of Information Act: the need to balance the individual's right to have access to government information with the government's interest in being able to safeguard confidential information which

² *Id.*

³ Statement by President Upon Signing Bill Revising Public Information Provisions of the Administrative Procedure Act, 2 WEEKLY COMP. PRES. DOCS. 895 (July 4, 1966).