

The original documents are located in Box 55, folder “9/11/76 HR15371 Protection of the Spouses of Major Presidential and Vice Presidential Nominees” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

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1576
SEP 10 1976
THE WHITE HOUSE
WASHINGTON
September 10, 1976

ACTION

Last Day: September 21

posted
9/10/76
MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON *Jim Cannon*

SUBJECT:

H.R. 15371 - Protection of the
Spouses of Major Presidential
and Vice Presidential Nominees

attached
9/13/76
Attached for your consideration is H.R. 15371, sponsored by
Representatives Rodino and Hutchinson.

The enrolled bill authorizes the Secret Service to protect
the spouses of major Presidential and Vice Presidential
nominees and the families of the President - and Vice
President-elect, and makes it unlawful for anyone to
interfere with any Federal law enforcement agent assisting
the Secret Service in its protection duties.

A discussion of the provisions of the bill is provided in
OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Schmults) and I
recommend approval of the enrolled bill.

RECOMMENDATION

That you sign H.R. 15371 at Tab B.



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

September 10, 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 15371 - Protection of the spouses
of major Presidential and Vice Presidential nominees
Sponsors - Rep. Rodino (D) New Jersey and Rep. Hutchin-
son (R) Michigan

Last Day for Action

September 21, 1976 - Tuesday

Purpose

Authorizes the Secret Service to protect the spouses of major Presidential and Vice Presidential nominees and the families of the President - and Vice President-elect, and makes it unlawful for anyone to interfere with any Federal law enforcement agent assisting the Secret Service in its protection duties.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Treasury	Approval
Department of Justice	No objection (informal)

Discussion

H.R. 15371 would:

-- Authorize the Secretary of the Treasury, after consultation with the advisory committee composed of the Speaker and the minority leader of the House of Representatives and the majority and minority leaders of the Senate, to furnish Secret Service protection for the spouses of the

Presidential and Vice Presidential nominees of a major political party if requested by the nominees. Such protection could begin not more than 60 days immediately preceding the general Presidential election.

-- Authorize the Secret Service to protect the members of the immediate families of the President-elect, the Vice President-elect or other officer next in the order of succession to the Office of President.

-- Make it unlawful to interfere with any Federal law enforcement agency assisting the Secret Service in protecting the President, Vice President, the President- or Vice President-elect, their families, and others for whom Secret Service protection is authorized by law.

The authority in this bill to protect the spouses of the Presidential and Vice Presidential candidates was requested by the Administration in response to the recent request of Governor Carter for Secret Service protection of Mrs. Carter and Mrs. Mondale, because current law does not extend such protection to the spouses of candidates. In this regard, the Secretary of the Treasury, with your consent and the concurrence of the advisory committee, has already acted absent statutory authority to afford this protection to the wives of Governor Carter and Senators Mondale and Dole. The other provisions were added by the House committee to correct related gaps in current law upon further informal consultation with the Departments of Treasury and Justice.



Acting Assistant Director
for Legislative Reference

Enclosures

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: September 10

Time: 600pm

FOR ACTION: Max Friedersdorf
Ken Schmaltz

cc (for information): Jack Marsh
Jim Connor

FROM THE STAFF SECRETARY

DUE: Date: September 10

Time: asap

SUBJECT:

H.R. 15371 - Protection of the spouses of major Presidential
and Vice Presidential Nominees

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a
delay in submitting the required material, please
telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President



THE DEPARTMENT OF THE TREASURY

WASHINGTON, D.C. 20220

ASSISTANT SECRETARY

SEP 9 1976

Director, Office of Management and Budget
Executive Office of the President
Washington, D. C. 20503

Attention: Assistant Director for Legislative
Reference

Sir:

This letter is in response to your request for the views of this Department on the enrolled enactment of H.R. 15371, "To provide for protection of the spouses of major Presidential and Vice Presidential nominees."

The first section of the enrolled enactment is Treasury proposed legislation to authorize Secret Service protection for the spouse of a major Presidential or Vice Presidential nominee. The proposed legislation was submitted at the request of Governor Carter.

Section 2 of the enrolled enactment would amend 18 U.S.C. 3056(a) to authorize the Secret Service to protect the members of the immediate families of the President-elect, the Vice President-elect or other officer next in the order of succession to the office of the President. It would also amend 18 U.S.C. 3056(b), which makes it unlawful to interfere with a Secret Service agent performing certain protective functions, by adding a provision to make it unlawful to interfere with an agent of any other Federal law enforcement agency who is performing those functions. These amendments to 18 U.S.C. 3056 were included in a Treasury draft bill, "To amend section 3056 of title 18, United States Code, to revise the protective functions of the Secret Service, and for other purposes," which was sent to OMB for clearance on June 8, 1976.

The Department recommends that the enrolled enactment be approved by the President.

Sincerely yours,


David R. Macdonald
Assistant Secretary



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

September 10, 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 15371 - Protection of the spouses of major Presidential and Vice Presidential nominees
Sponsors - Rep. Rodino (D) New Jersey and Rep. Hutchinson (R) Michigan

Last Day for Action

September 21, 1976 - Tuesday

Purpose

Authorizes the Secret Service to protect the spouses of major Presidential and Vice Presidential nominees and the families of the President - and Vice President-elect, and makes it unlawful for anyone to interfere with any Federal law enforcement agent assisting the Secret Service in its protection duties.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Treasury	Approval
Department of Justice	No objection (informal)

Discussion

H.R. 15371 would:

-- Authorize the Secretary of the Treasury, after consultation with the advisory committee composed of the Speaker and the minority leader of the House of Representatives and the majority and minority leaders of the Senate, to furnish Secret Service protection for the spouses of the

Secured approval -
[Signature] 9/10

94TH CONGRESS
2^D SESSION

H. R. 15371

IN THE HOUSE OF REPRESENTATIVES

AUGUST 31, 1976

Mr. RODINO (for himself and Mr. HUTCHINSON) (by request) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for protection of the spouses of major Presidential and Vice Presidential nominees.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (a) of the first section of the Act of June 6,
4 1968, Public Law 90-331, 82 Stat. 170, is amended by
5 adding the following sentence at the end thereof: "Upon
6 request of a Presidential or Vice Presidential nominee of a
7 major political party, as determined by the Secretary after
8 consultation with the advisory committee, the Secretary may
9 authorize the United States Secret Service to furnish pro-
10 tection to the spouse of such major Presidential or Vice Pres-
11 idential nominee, except that such protection shall not

- 1 commence more than sixty days prior to the general Pres-
- 2 idential election.”.

94TH CONGRESS
2d SESSION

H. R. 15371

A BILL

To provide for protection of the spouses of major Presidential and Vice Presidential nominees.

By Mr. RODINO and Mr. HUTCHINSON

AUGUST 31, 1976

Referred to the Committee on the Judiciary

To: Hutchinson
9-10-76
6:00 p.m.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

September 10, 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 15371 - Protection of the spouses
of major Presidential and Vice Presidential nominees
Sponsors - Rep. Rodino (D) New Jersey and Rep. Hutchin-
son (R) Michigan

Last Day for Action

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Purpose

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Office of Management and Budget	Approval
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Discussion

H.R. 15371 would:

-- Authorize the Secretary of the Treasury, after consultation with the advisory committee composed of the Speaker and the minority leader of the House of Representatives and the majority and minority leaders of the Senate, to furnish Secret Service protection for the spouses of the

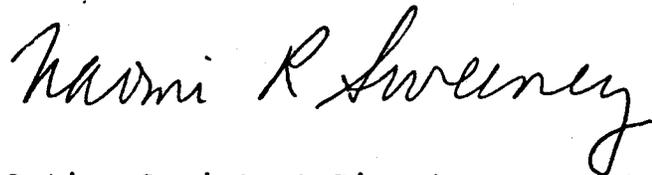


Presidential and Vice Presidential nominees of a major political party if requested by the nominees. Such protection could begin not more than 60 days immediately preceding the general Presidential election.

-- Authorize the Secret Service to protect the members of the immediate families of the President-elect, the Vice President-elect or other officer next in the order of succession to the Office of President.

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Acting Assistant Director
for Legislative Reference

Enclosures

H. R. 15371

Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the nineteenth day of January,
one thousand nine hundred and seventy-six*

An Act

To provide for protection of the spouses of major Presidential and Vice Presidential nominees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of the first section of the Act of June 6, 1968, Public Law 90-331, 82 Stat. 170, is amended by adding the following sentence at the end thereof: "Upon request of a Presidential or Vice Presidential nominee of a major political party, as determined by the Secretary after consultation with the advisory committee, the Secretary may authorize the United States Secret Service to furnish protection to the spouse of such major Presidential or Vice Presidential nominee, except that such protection shall not commence more than sixty days prior to the general Presidential election."

SEC. 2. Section 3056 of title 18, United States Code, is amended to read as follows:

"(a) Subject to the direction of the Secretary of the Treasury, the United States Secret Service, Treasury Department, is authorized to protect the person of the President of the United States, the members of his immediate family, the President-elect, the Vice President or other officer next in the order of succession to the Office of President, and the Vice President-elect, and the members of their immediate families unless the members decline such protection; protect the person of a former President and his wife during his lifetime, the person of a widow of a former President until her death or remarriage, and minor children of a former President until they reach sixteen years of age, unless such protection is declined; protect the person of a visiting head of a foreign state or foreign government and, at the direction of the President, other distinguished foreign visitors to the United States and official representatives of the United States performing special missions abroad; detect and arrest any person committing any offense against the laws of the United States relating to coins, obligations, and securities of the United States and of foreign governments; detect and arrest any person violating any of the provisions of sections 508, 509, and 871 of this title and, insofar as the Federal Deposit Insurance Corporation, Federal land banks, joint-stock land banks and Federal land bank associations are concerned, of sections 218, 221, 433, 493, 657, 709, 1006, 1007, 1011, 1013, 1014, 1907, and 1909 of this title; execute warrants issued under the authority of the United States; carry firearms; offer and pay rewards for services or information looking toward the apprehension of criminals; pay expenses for unforeseen emergencies of a confidential nature under the direction of the Secretary of the Treasury and accounted for solely on his certificate; and perform such other functions and duties as are authorized by law. In the performance of their duties under this section, the Director, Deputy Director, Assistant Directors, Assistants to the Director, inspectors, and agents of the Secret Service are authorized to make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the

H. R. 15371—2

person to be arrested has committed or is committing such felony. Moneys expended from Secret Service appropriations for the purchase of counterfeits and subsequently recovered shall be reimbursed to the appropriation current at the time of deposit.

“(b) Whoever knowingly and willfully obstructs, resists, or interferes with an agent of the United States Secret Service or other Federal law enforcement agent engaged in the performance of the protective functions authorized by this section, by the Act of June 6, 1968 (82 Stat. 170) or by section 1752 of title 18, United States Code, shall be fined not more than \$300 or imprisoned not more than one year or both.”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*