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THE WHITE HOUSE

WASHINGTON

March 10, 1975

Dear Bill:

I have reviewed your proposed guidelines concerning Secret Service protection of Presidential candidates and have the following thoughts:

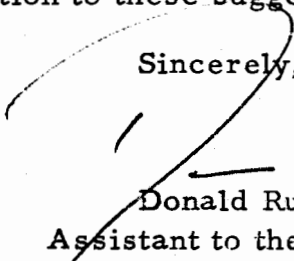
- I am curious about the potential cost of the protection which would be provided under these guidelines. I noticed the 1969 Senate Staff Report used the figure of about \$2 million. How much more or less would your guidelines cost if they had been in place over the last three or four Presidential elections?
- I wonder if you considered and rejected the method of qualification used by the Congress itself in the Campaign Reform Act of 1974 to qualify candidates for public financing. That Act used privately raised money (\$100,000 with at least \$5,000 from each of twenty states but no more than \$250 from any one individual) rather than public opinion polls, to narrow the field and eliminate solely sectional candidates. You might consider paralleling that Act in some way (e. g., if you have received \$200,000 in public financing, you also get the Secret Service to protect the Government's investment!). If this selection method would work, it would more closely parallel a Congressionally determined method of selection and would reduce the influence of individual poll takers over governmental actions.
- Along that line, I am troubled by the amount of influence which would be wielded under these guidelines by the way Harris and Gallup conduct their polls. Let me give you two examples:
  - The difficulty in using any percentage figure (and I am not sure that a case can be made for 10% over any other figure such as 5%, 15% or 20%) is that the number of candidates in the poll exercises the predominant

influence over how many of those candidates can qualify. Your guidelines attempt to deal with this problem by suggesting the poll must include "substantially all" the candidates of the same political party. Unless we can more carefully define the words "substantially all", we are really delegating to Gallup and Harris the authority to determine who will be in the running for Secret Service support.

- Third party candidates are asked to qualify by getting more than 10% in a poll which also contains the leading Democratic and Republican contender. But the wording in this section is inclusive and not limiting. Thus, depending upon how Gallup or Harris conducted their poll, an independent candidate might be placed against two of the leading Republicans and two of the Democrats or in a poll which also included other third party candidates. Again, the number of candidates in the poll would be the predominant determination of whether a particular candidate could get 10% of the total.
  
- I have one final thought along these lines, and that is that since the final provision of the guidelines provides for complete flexibility, it might be more appropriate to draft the other sections of the guidelines in a much less ambiguous manner. If you ponder these guidelines carefully, they may be sufficiently ambiguous to allow numerous candidates to claim they qualify and make a campaign issue over the lack of their Secret Service protection.

I look forward to your reaction to these suggestions.

Sincerely,

  
Donald Rumsfeld  
Assistant to the President

The Honorable William E. Simon  
Secretary of the Treasury  
Washington, D. C. 20220

THE WHITE HOUSE  
WASHINGTON

Don R

I like your  
suggestion.

It would relate a  
candidate to his actual

Candidacy

JJ -  
Send out

THE PRESIDENT HAS SEEN *def*

THE WHITE HOUSE

WASHINGTON

March 8, 1975

MEMORANDUM FOR JERRY JONES

FROM: DICK CHENEY *D*

Jerry, attached is the response on Secret Service protection for prospective Presidential candidates. It should go out, although you might want to change the date on it.

Attachment

THE WHITE HOUSE

WASHINGTON

February 19, 1975

MEMORANDUM FOR:

GEOFF SHEPARD

FROM:

JERRY JONES 

Would you please prepare a memorandum for Rumsfeld to send to Secretary Simon giving him suggestions on guidelines for Secret Service protection of Presidential candidates. Rumsfeld liked your memorandum and you should use it as the base for the Simon memo.

Thank you.

Attachment



THE SECRETARY OF THE TREASURY  
WASHINGTON 20220

DEC 24 1974

Dear Don:

The Secretary of the Treasury has the responsibility for determining those persons who are entitled to Secret Service protection during the 1976 campaign as "major" Presidential and Vice Presidential candidates. Under P.L. 90-331, this determination is made after consulting with an Advisory Committee, consisting of the Majority and Minority Leaders of the Senate, the Speaker and Minority Leader of the House, and a fifth member selected by those four persons.


The Treasury Department, with the help of the Secret Service, has developed guidelines for the use of the Secretary and the Advisory Committee for identifying major candidates. These guidelines are, to some extent, based upon the legislative history of the Act. Consonant with the legislative history, the guidelines utilize national public opinion polls to determine who is a "major candidate." Briefly, prior to the nominating conventions, any candidate for the Republican or Democratic nomination who receives a 10 percent party preference would receive protection up to the time of the nomination. After the nomination, of course, the Presidential and Vice Presidential candidates of the two major parties each receive protection. Protection will also be accorded to third party candidates who are favored with a 10 percent preference in a national poll which includes the leading candidate of the Republican and Democratic Parties. Protection commences thirty days prior to the first primary election (approximately February 8, 1976), and once granted as to any candidate, will not be withdrawn no matter how that candidate subsequently fares in public opinion polls. The guidelines are

stated to be non-inclusive; that is, the Secretary (upon the recommendation of the Advisory Committee) can always make exceptions for unforeseen situations.

Before we propose these guidelines to the Advisory Committee after the 94th Congress organizes itself in early 1975, we would appreciate any comments that you or the President might have regarding them. A copy of the proposed guidelines is therefore enclosed, together with the Report of the Senate Appropriations Committee and the floor debate relating to the definition of the term "major candidate." Also enclosed is a chart indicating which of the Democratic candidates in 1972 would have been protected (by receiving a 10 percent preference rating) under the guidelines as proposed and when protection would have commenced as to each. On the Republican side, only former President Nixon would have been protected under the guidelines in 1972.

In case you have any questions concerning the guidelines, or desire any additional material, Assistant Secretary David Macdonald should be able to help.

Sincerely,

A handwritten signature in black ink that reads "Bill". The signature is written in a cursive style with a large, sweeping initial "B" and a long horizontal stroke extending to the right.

William E. Simon

The Honorable  
Donald Rumsfeld  
Assistant to the President  
The White House  
Washington, D. C. 20500

Enclosures



SUGGESTED ADVISORY COMMITTEE GUIDELINES FOR  
ASSIGNMENT OF SECRET SERVICE PROTECTION TO  
PRESIDENTIAL CANDIDATES PURSUANT TO P.L. 90-331

I. Introduction

P.L. 90-331 places upon the Secretary of the Treasury (the "Secretary") responsibility for determining from time to time, after consultation with an Advisory Committee (the "Committee"), those persons who qualify as a major Presidential and Vice Presidential Candidate ("Major Candidate") and thus should be furnished with Secret Service protection, unless declined. The Committee consists of the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives and one additional member to be selected by the members of such Committee. These guidelines will assist the Committee and the Secretary in determining who are the "major presidential or vice presidential candidates who should receive. . .protection. . ."

II. Guidelines Relating to Persons Who Are Major Candidates

A. Candidates of the Democratic and Republican Parties

1. The nominees for President and Vice President of the Democratic and Republican National Conventions shall be deemed to be Major Candidates.

2. Prior to the National Conventions of the candidate's party, a candidate seeking the nomination of the Democratic or Republican Party for President or Vice President shall be deemed to be a Major Candidate when:

(a) the candidate has publicly announced his or her candidacy;

(b) the candidate receives at least a 10% party preference rating in any national Gallup or Harris public opinion poll (or other national poll designated by the Secretary, after consultation with the Committee) completed at any time after that date which is thirty days prior to the Date of Commencement of Protection, as defined in Part III, which poll includes preference ratings with respect to substantially all candidates of the same political party for the office for which the person's candidacy has been announced; and

(c) the candidate is seriously interested in, and actively campaigning on a national basis for, the office for which his or her candidacy has been announced.

B. Candidates of Other Parties

1. A candidate for President or Vice President of a party other than the Democratic or Republican Party

shall be deemed to be a Major Candidate when:

(a) the candidate has publicly announced his or her candidacy;

(b) the candidate receives at least a 10% preference rating in any national Gallup or Harris public opinion poll (or other national poll designated by the Secretary, after consultation with the Committee) completed at any time after that date which is thirty days prior to the Date of Commencement of Protection, as defined in Part III, which poll includes preference ratings for the candidate and for the leading candidate of the Republican and Democratic Parties for the office for which the person's candidacy has been announced; and

(c) the candidate is seriously interested in, and is actively campaigning on a national basis for, the office for which the person's candidacy has been announced.

III. Commencement and Duration of Protection of Major Candidates

A. Commencement of Protection. No protection shall be furnished pursuant to P.L. 90-331 earlier than thirty days prior to the date of the first state primary election or March 1 of the Presidential election year, whichever is earlier. After such

date, protection shall be commenced forthwith upon a determination by the Secretary that a person is a Major Candidate.

B. Duration of Protection. When a determination by the Secretary is made that protection is to be furnished a Major Candidate, protection shall not be withdrawn so long as the candidate remains seriously interested in, and is actively campaigning on a national basis for, the office for which the person's candidacy has been announced, unless the candidate specifically declines protection or unless the Secretary, after consultation with the Committee, specifically so determines.

IV. General

Nothing contained in these guidelines shall preclude a determination by the Secretary, after consultation with the Committee, that a person is a Major Candidate although the guidelines set forth herein are not satisfied.