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

September 27, 1982

LEGISLATIVE REFERRAL MEMORANDUM

file
SPECIAL

To: Legislative Liaison Officer

Department of the Treasury

*Dennis Thomas, former
Roth (now) A.S.
Cong. Rel.)*

SUBJECT: Justice views on S. 1325, a bill "to reform the laws relating to former Presidents."

*10/4
HPG advised Jones that
last of should be changed
and that OMB, Treasury
GSA, etc. all strongly
objected.*

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

Please provide us with your views no later than
COB Wednesday September 29, 1982

Direct your questions to Gregory Jones (395-3802).

William A. Maxwell
William A. Maxwell for
Assistant Director for
Legislative Reference

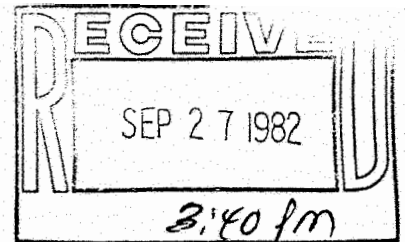
Enclosures

cc: A. Anderson

H.P. Goldfield

J. MacRae

S. Smith



DRAFT

Honorable William V. Roth, Jr.
Chairman, Committee on
Governmental Affairs
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

This letter presents the views of the Department of Justice on sections 101, 102 and 303(c) of S. 1325, a bill "to reform the laws relating to former Presidents."

The Department of Justice strongly opposes enactment of this legislation.

Title I - Section 101

Title I contains a number of legislative veto provisions which impermissibly interfere with the powers vested in the President by the Constitution. In brief, Title I provides that the Administrator of General Services (Administrator) may accept a gift or establish by agreement a presidential library for each former President. The Administrator is required to submit a prospectus for the proposed presidential library to the Committee on Governmental Affairs of the Senate and the Committee on Government Operations of the House of Representatives. The Administrator would be authorized to accept or establish a presidential library unless within 60 days of the submission of the prospectus both the House and Senate Committees adopt resolutions disapproving the prospectus. If the proposed library fails to comply with architectural and design standards promulgated by the Administrator pursuant to the bill, however, it would be necessary, in addition, that the Congress adopt a concurrent resolution approving the acceptance or establishment of such a library. A similar mechanism is established to govern proposed changes in, or additions to, existing presidential libraries.

Thus this bill would provide: (1) that the affirmative vote of both committees would be sufficient to disapprove a prospectus and thereby prohibit the Administrator from proceeding with the acceptance or establishment of a presidential library under authority which he would otherwise possess; and (2) that a concurrent resolution of approval would authorize the Administrator to proceed with the acceptance or establishment of a library despite the fact that he would not otherwise enjoy the discretion to do so. In both cases, the congressional action -- taken by joint action of two committees or both Houses -- would have the effect of altering the discretion otherwise vested in the Administrator by law, in the one case by limiting that discretion and in the other by extending it. Substantive modifications of these types in a statutory delegation of discretionary authority to an Executive Branch official have the force and effect, even if not the traditional form, of legislation. Under Article I, § 7, cls. 2 and 3 of the Constitution, all congressional actions having the force and effect of legislation must be presented to the President for his approval or veto. However, in neither case does the bill require presentation to the President: in the one, the action of two congressional committees

is thought to be sufficient; in the other, the joint action of both Houses is required but presidential approval or veto is not provided for. The bill therefore unconstitutionally infringes on the role of the President in the legislative process that is established by the Constitution.

Moreover, this bill would impermissibly interfere with the President's power and responsibility to execute the law, in violation of the principle of separation of powers. It permits Congress, through the affirmative vote of two committees, to prohibit the President, through the Administrator, from taking certain actions to execute the law. The bill would establish the two committees as partners with the Administrator in determining whether a proposed presidential library is in the "public interest" or "proper" as those terms are used in the bill. This is pure execution of the law, and therefore is beyond the power of Congress to delegate either to its committees or its Houses. It is, of course, within Congress' power to pass bills or joint resolutions authorizing or disapproving projects in individual cases. Such bills or joint resolutions would have legal effect if approved by the President or if passed over the President's veto. As mentioned above, however, Title I does not require that the congressional action be in the form of legislation presented to the President for approval or veto.

We note that the general position of the Department regarding such provisions recently has been adopted in a decision by the Court of Appeals for the District of Columbia Circuit. Consumer Energy Council of America v. Federal Energy Regulatory Commission, 673 F.2d 425 (D.C. Cir.

Presidential or Vice Presidential candidates"
approved June 6, 1968 (82 Stat. 170; 18 U.S.C.
3056 note). (Emphasis added)

The advisory committee referred to in the quoted language of section 303(a)(2) consists of the Speaker of the House, the minority leader of the House of Representatives, the majority leader of the Senate, the minority leader of the Senate and one additional member selected by other members of the advisory committee. The ^{evident} intent of this provision is that the advisory committee should play an active and possibly determining role in providing for extensions of Secret Service protection of former Presidents and their families.

It is fundamental that officers who perform Executive duties must be appointed pursuant to the Appointments Clause of the Constitution. Art. II, section 2, cl. 2, Buckley v. Valeo, 424 U.S. 1 (1976). Those who are vested with authority that amounts to "the performance of a significant governmental duty exercised pursuant to a public law," Buckley v. Valeo, supra at 141, must be appointed in a manner consistent with that clause. In brief, such individuals must be appointed by the President by and with the advice and consent of the Senate, or if authorized by Congress, by the President alone, the courts or the heads of departments. Buckley v. Valeo, supra, at 124-41.

The Secret Service, as part of the Department of the Treasury, is an Executive Branch agency. It carries out basic law enforcement activities assigned to it by federal law. To the extent that the advisory committee, which consists of members of the Legislative Branch, will exercise effective control over decisions about Secret Service activities and thus will perform significant Executive functions, section 303 of S. 1325 is constitutionally objectionable. This is the case because the

the advisory committee members are not appointed in a manner consistent with the Appointments Clause.

We would add that 303(c)(1) establishes an "Advisory Panel on Secret Service Protection," the nine members of which are appointed by the Comptroller General. The role of the Advisory Panel appears to be limited to making recommendations, and not exercising "significant Executive functions." To the degree that the Advisory Panel's functions are so limited, the objections raised to the ~~Advisory~~ ~~Committee~~ are not pertinent to the panel.

Title I - Section 102

Section 102 of S. 1325 would amend present law, 44 U.S.C. 2203(c), to read as follows:

"(c) During his term of office, the President shall substantially complete the disposal of his Presidential records which no longer have administrative, historical, informational, or evidentiary value. Prior to disposing of any such records, the President shall obtain the written views of the Archivist concerning the proposed disposal of such Presidential records and may not dispose of any records with respect to which the Archivist notifies the President that he intends to take action under subsection (e).".

Present 44 U.S.C. 2203(c) is similar to section 102 and provides:

(c) During his term of office, the President may dispose of those of his Presidential records that no longer have administrative, historical, informational, or evidentiary value if --

(1) the President obtains the views, in writing, of the Archivist concerning the proposed disposal of such Presidential records; and

(2) the Archivist states that he does not intend to take any action under subsection (e) of this section.

Section 102, like present law, appears to place in the Archivist the authority to make decisions concerning disposal of Presidential records.

We believe that both the present and proposed provision must assume that the Archivist, in performing this function, is guided by the President and subject to his authority.

The Archivist is an appointee of the Administrator of the General Services Administration. See 44 U.S.C. 2102. The Administrator is himself a Presidential appointee who occupies a position within the Executive Branch and serves at the pleasure of the President, see 40 U.S.C. 751(b), as do other heads of Executive departments and agencies. As is true in general regarding such officials, they are ultimately responsible to the President and the President may instruct them in the performance of their duties in a manner consistent with applicable law.

Officials, such as the Archivist, who perform Executive functions must report ultimately to the heads of their respective departments and agencies, who, in turn, must report to the President. In order to fulfill his constitutional duty to take care that the laws are faithfully executed, the President must be able to supervise the execution of the laws within the Executive Branch. This follows from the principle, embodied in Article II of the Constitution, that the Executive power is vested in the President. See Myers v. United States, 272 U.S. 52, 163-64 (1926). In order to be consistent with the Constitution, section 102 must be interpreted to recognize the principle that the President is the ultimate authority in determining the disposal of records.

In summary, for the above reasons, the Department of Justice opposes enactment of S. 1325.

The Office of Management and Budget has advised this Department that there is no objection to this report from the standpoint of the Administration's program. /

Sincerely,

Robert A. McConnell
Assistant Attorney General

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF ADMINISTRATION
ROUTE SLIP

TO <u>Annelise Anderson</u>	Take necessary action <input type="checkbox"/>
<u>HP Goldfield</u>	Approval or signature <input type="checkbox"/>
<u>Stuart Smith</u>	Comment <input type="checkbox"/>
<u>Jim MacRae</u>	Prepare reply <input type="checkbox"/>
	Discuss with me <input type="checkbox"/>
	For your information <input type="checkbox"/>
	See remarks below <input type="checkbox"/>
FROM <u>Greg Jones</u> 9/29/82	DATE _____

REMARKS

Attached is page 4 of DOJ's report
on S. 1325 - former Presidents, which
was omitted from draft report
circulated to you on 9/27.

DRAFT

1982), pending before the Supreme Court as Nos. 81-2008, 81-2020, 81-2151, 81-2171, 82-177 and 82-209. Under that decision such legislative veto devices are clearly unconstitutional. See also Chadha v. Immigration and Naturalization Service, 634 F.2d 208 (9th Cir. 1980), pending before the Supreme Court as Nos. 80-1832, 80-2170 and 80-2171 (argued Feb. 22, 1982). 1/

Title III - Section 303

Section 303 of S. 1325 sets forth a procedure wherein the Secretary of the Treasury may authorize the extension or reinstatement of protection to a former President, his spouse or children beyond the period provided for in section 302(b) of S. 1325. Section 303(a) appears to permit the Secretary of the Treasury to authorize protection for a period of one year in the case of a former President and six months in the case of a former President's spouse or child upon a finding that "a serious threat warranting such protection exists." However, protection can be extended beyond these initial periods only upon:

the written request of the individual desiring such protection and upon the approval of the advisory committee established by the first section of the joint resolution entitled "A joint resolution to authorize the United States Secret Service to furnish protection to major

1/ We note that the constitutionality of a two-House legislative veto device is presently sub judice before the D.C. Circuit sitting en banc in the case of Consumers Union of the United States, Inc. v. Federal Trade Commission, United States Senate, and United States House of Representatives, Nos. 82-1737 (certified June 28, 1982). The Department has filed a brief on behalf of the Federal Trade Commission in the Consumers Union case taking the position that the two-House veto provision is unconstitutional. We would add that the D.C. Circuit's decision in Consumer Energy Regulatory Commission, supra, is presently before the Supreme Court on jurisdictional statements filed by several intervenors in that case as well as on petitions for a writ of certiorari filed recently by counsel for the Senate and House of Representatives. The Solicitor General has filed appropriate papers with the Supreme Court in support of the judgment of the court of Appeals.

DRAFT

THE WHITE HOUSE

WASHINGTON

November 30, 1982

MEMORANDUM FOR FRED F. FIELDING

FROM: ✓ JOHN G. ROBERTS *JGR*SUBJECT: Department of Justice
Testimony on H.R. 4940*Hold for official
request for comment
or response now?
12/1*

*Good -
thank you*

The Department of Justice has submitted for your review proposed testimony supporting enactment of H.R. 4940, a bill to make it a federal offense to attempt to kill any of the federal law enforcement officials listed in 18 U.S.C. § 1114 (current law only covers actual killing), and to extend the protections of 18 U.S.C. § 1114 to intelligence community officers and employees. While the cover page of the testimony indicates it is to be delivered tomorrow, it has in fact been postponed, reportedly because the CIA -- the lead agency on the bill -- wanted to conduct classified briefings before the bill is publicly considered. I see nothing objectionable in the proposed testimony.

H.R. 4940 would make it a federal offense to attempt to kill, as well as kill, any official listed in 18 U.S.C. § 1114, while that official is engaged in the performance of official duties. The current listing covers federal law enforcement officials, including Federal judges and ~~U.S. attorneys~~. The bill would also expand the current list in 18 U.S.C. § 1114 to include officers and employees of the intelligence community. In addition, the bill would make it a federal offense to kill, assault, kidnap, or threaten aliens admitted to the U.S. under 50 U.S.C. § 403h (typically defectors or former clandestine operatives with assumed identities) or aliens admitted under "intelligence auspices" (typically friendly foreign agents certified by the Director of the CIA to be here on intelligence business). The testimony simply reviews the provisions of the bill, suggests an insignificant technical clarification, and indicates departmental support for its enactment. Both the testimony and the bill are unobjectionable.

Loose

THE WHITE HOUSE

WASHINGTON

November 30, 1982

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SUBJECT: Department of Justice
Testimony on H.R. 4940

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WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING
☐ H - INTERNAL
☐ I - INCOMING
Date Correspondence Received (YY/MM/DD) 1 / 1 / _____

Name of Correspondent: Dept. of Justice

☐ MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Public Hearing on H.R. 4940, a bill which would make it a Federal crime to kill or attempt to kill officers or employees of the Intelligence Community, etc., on Oct. 1, 1982

ROUTE TO:		ACTION		DISPOSITION	
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>W Holland</u>		ORIGINATOR	<u>8211129</u>		<u>1 1</u>
<u>W AT 18</u>		Referral Note: <u>D</u>	<u>8211129</u>		<u>S 8211130</u>
		Referral Note: _____	<u>1 1</u>		<u>1 1</u>
		Referral Note: _____	<u>1 1</u>		<u>1 1</u>
		Referral Note: _____	<u>1 1</u>		<u>1 1</u>
		Referral Note: _____	<u>1 1</u>		<u>1 1</u>

- ACTION CODES:**
A - Appropriate Action
C - Comment/Recommendation
D - Draft Response
F - Furnish Fact Sheet to be used as Enclosure
I - Info Copy Only/No Action Necessary
R - Direct Reply w/Copy
S - For Signature
X - Interim Reply
- DISPOSITION CODES:**
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B - Non-Special Referral
C - Completed
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- FOR OUTGOING CORRESPONDENCE:**
Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments: _____

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DRAFT

HOUSE JUDICIARY COMMITTEE
SUBCOMMITTEE ON CRIME
PUBLIC HEARING ON H.R. 4940
DECEMBER 1, 1982

Thank you for the opportunity of appearing here today to discuss with the Subcommittee H.R. 4940, a bill which would make it a Federal crime to kill or attempt to kill officers or employees of the Intelligence Community, certain other persons present in the United States under the auspices of the intelligence community and for other purposes.

This bill would amend 18 USC 1114 by inserting the words "attempts to kill" after the word "kill," thereby making it a Federal offense to attempt to kill any of the officers or employees listed in § 1114. The bill further provides that a person found guilty of attempted murder shall be imprisoned for not more than 20 years.

The bill also would amend 18 USC 1114 by striking out the words "while engaged in the performance of his official duties" and inserting in lieu thereof "or any officer or employee of any department or agency within the intelligence community (as defined in § 4-207 of Executive Order 12036, January 24, 1978, or successor orders) not already covered under the term of this section." This portion of the bill (Subsection 1(a)(2)) has two purposes. The first purpose is to eliminate from 18 USC 1114 the extraneous language "while engaged in the performance of his official duties, or on account of the performance of his official duties" which follows "any officer or employee of the Veterans Administration assigned to perform investigative or law

enforcement functions." The language to be deleted is extraneous because the last provision of § 1114 already specifies that the killing of a § 1114 official is a crime if it occurs when he is "engaged in or on account of the performance of his official duties." We note that subsection 1(a)(2) of the bill, as it is presently written, is inadequate to remove all of the extraneous language which should be deleted. Accordingly, we recommend that the deletion provided for in lines 4 and 5 of the bill be clarified to read

- (2) by striking out "while engaged in the performance of his official duties, or on account of the performance of his official duties."

The second purpose of this provision (Subsection 1(a)(2)) is to make murder, manslaughter, or attempted murder of any officer or employee of the intelligence community a Federal crime, if the officer or employee was performing his official duties when the act was committed, or if the act was committed on account of the performance of his official duties. The officers or employees within the scope of this amendment are all of the officers and employees of the following:

- (1) Central Intelligence Agency
- (2) National Security Agency
- (3) Defense Intelligence Agency
- (4) Offices within Department of Defense which collect foreign intelligence through reconnaissance

- (5) Bureau of Intelligence Research
in the Department of State
- (6) intelligence elements of the FBI,
Department of the Treasury, and
the Department of Energy
- (7) staff elements of the office of
the Director of Central
Intelligence

We recognize that the nature of the duties required of intelligence personnel are unique and that the potential dangers for those engaged in the collection, analysis, and processing of intelligence information are great. Therefore, we support blanket protection of all officers and employees of the Intelligence Community.

Subsection 1(b) of the bill would amend Title 18, United States Code, by adding a new § 1118, entitled "Murder, manslaughter, assault, threats, extortion or kidnaping of persons given entry into the United States for permanent residence pursuant to § 7 of the Central Intelligence Agency Act of 1949." Section 7 of the Central Intelligence Agency Act of 1949 (50 USC 403h) authorizes the admission of aliens for permanent residence when the Director of the CIA, the Attorney General, and the Commissioner of the Immigration and Naturalization Service determine that the admission is needed "in the interest of national security," or is "essential to the

national intelligence mission." Aliens admitted pursuant to 50 USC 403h may have been clandestine intelligence agents, sources, or defectors, and these aliens often reside in the United States under assumed identities. Subsection (a) of the proposed 18 USC 1118 would make the murder, manslaughter, or attempted murder of such individuals a Federal crime. Subsection (a) also would establish the punishment for first degree murder of such individuals to be life imprisonment and the punishment for attempted murder of such individuals to be imprisonment for not more than 20 years. Subsection (b) of the proposed 18 USC 1118 would make it a Federal offense when conduct proscribed by 18 USC 112 (assault or imprisonment), 18 USC 878 (threats and extortion), and 18 USC 1201 (kidnaping) is directed against such persons.

Subsection 1(c) of this bill would add a new section 1119 to Title 18 United States Code, entitled "Murder, manslaughter, assaults, threats, extortion, kidnaping of persons present in the United States under intelligence auspices." The proposed amendment encompasses citizens or nationals of a foreign country who are certified by the Director of the CIA or his designee to be present in the United States under the auspices of any department or agency within the intelligence community.

Persons certified under this provision would include intelligence sources, members of foreign intelligence services, and foreign nationals working abroad for the United States. Subsection (a) of the proposed section 1119 would make murder, manslaughter, or attempted murder of such individuals a Federal crime. Subsection (a) also would establish the punishment for murder in the first degree of such individuals to be life imprisonment and the punishment for attempted murder of such individuals to be imprisonment for not more than 20 years. Subsection (b) of the proposed 18 USC 1119 would make it a Federal offense when conduct proscribed by 18 USC 112 (assault or imprisonment), 18 USC 878 (threats and extortion), and 18 USC 1201 (kidnaping) is directed against such persons.

In conclusion the Department of Justice supports enactment of this legislation, with the language clarification noted earlier.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

December 17, 1982

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Enrolled Bill S. 2177 - Colorado
River Basin Project Cost Indexing

Richard Darman has requested comments by close of business today on Enrolled Bill S. 2177, which would authorize cost indexing of appropriations for construction costs of the non-Indian distribution system of the Central Arizona irrigation project, provided that non-federal entities provide not less than 20 percent of the construction cost during construction. The original Colorado River Basin Project Act of 1968 permitted adjustments in the appropriation ceiling to keep pace with ordinary fluctuations in construction costs, but this boilerplate provision was omitted, apparently through oversight, with respect to the \$100 million appropriation for construction of non-Indian distribution systems. That construction is due to start soon, since water will be available from the project in 1985, and will be impossible if costs must be kept at the 1968 appropriation level, unadjusted for inflation.

Consistent with the Administration's recommendation, the bill amends the 1968 Act to permit cost indexing of the appropriation for construction of non-Indian distribution systems. A floor amendment added a proviso requiring the Secretary to enter into agreements with non-Federal interests to provide at least 20 percent of the subject construction costs during construction. The Department of Interior has indicated it "welcomes" this provision.

I have reviewed the memorandum to the President from James Frey, Assistant Director of OMB for Legislative Reference, the legislative reports, and the bill itself. OMB and Interior *PC* approve of the bill. I have no objections and recommend that you sign the attached memorandum to Darman.

Attachment

THE WHITE HOUSE

WASHINGTON

December 17, 1982

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING *Orig. signed by FFE*
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill S. 2177 - Colorado
River Basin Project Cost Indexing

Counsel's Office finds no objection from a legal perspective
to the above-referenced enrolled bill.

FFF:JGR:aw 12/17/82

cc: FFFielding
✓JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

December 17, 1982

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill S. 2177 - Colorado
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Subj.
Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1/1Name of Correspondent: Richard G. Harman☐ MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Enrolled Bill S. 2177 -- Colorado
River Basin Project -- Cost Indexing

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>W. Holland</u>	ORIGINATOR	<u>82.12.16</u>			<u>1 1</u>
<u>CUAT 18</u>	Referral Note: <u>D</u>	<u>82.12.16</u>		<u>S</u>	<u>82.12.17</u>
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	Referral Note:	<u>1 1</u>			<u>1 1</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>

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WHITE HOUSE STAFFING MEMORANDUM

COB FRIDAY

December 17, 1982

DATE: Dec. 16, 1982

ACTION/CONCURRENCE/COMMENT DUE BY:

SUBJECT: Enrolled Bill S 2177--Colorado River Basin Project--Cost Indexing

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	GERGEN	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARPER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
CLARK	<input type="checkbox"/>	<input type="checkbox"/>	ROLLINS	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	WILLIAMSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DOLE	<input type="checkbox"/>	<input type="checkbox"/>	VON DAMM	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BRADY/SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

Please forward comments on this enrolled bill to my office by close of business tomorrow -- Friday.

Thank you.

Richard G. Darman
Assistant to the President
(x2702)

Response:



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

DEC 16 1982

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 2177 - Colorado River Basin Project --
Cost Indexing
Sponsors - Senators DeConcini (D) and Goldwater (R)
Arizona

Last Day for Action

December 24, 1982 - Friday

Purpose

Amends the Colorado River Basin Project to authorize cost indexing for a part of the Central Arizona Project (CAP) provided that non-Federal interests pay for not less than 20 percent of these CAP facilities during their construction.

Agency Recommendations

Office of Management and Budget Approval

Department of the Interior Approval

Discussion

Title III of the Colorado River Basin Project Act, P.L. 90-537, authorized appropriations of \$100,000,000 for construction of CAP's non-Indian water distribution systems. When CAP was authorized in 1968, the authorizations for most project features were cost indexed, but it appears such treatment was inadvertently omitted from the authorization that pertains to non-Indian water distribution systems.

Since CAP irrigation water will become available in 1985, construction will be started soon on the non-Indian water distribution systems. However, the strong inflation experienced since the project was approved has rendered the original authorization inadequate; current cost-projections range between \$374,000,000 and \$550,000,000. Under current law, the Federal funds expended on this project would eventually be repaid by the participating water districts over a forty year period with only a token interest being paid.

Consistent with the Administration's recommendation, S. 2177 amends P.L. 90-537 to allow adjustments to the original \$100,000,000 authorization to reflect ordinary fluctuations in construction costs. Interior estimates that this indexing raises the authorization to \$320,000,000 in 1982 dollars. Moreover, the enrolled bill requires that non-Federal interests pay, with respect to this component of CAP, not less than 20 percent of the facility construction costs. This "up-front local cost sharing" requirement was added on the House floor in recognition of the developing congressional attitudes that local communities must now more fully share the cost of future water resource projects. We believe that the indexed authorization, together with local cost sharing, will be sufficient to cover this CAP construction.

In its enrolled bill views letter, Interior recommends approval of S. 2177 as it notes that:

"Enactment of the enrolled bill would permit construction of a distribution system for a badly needed water supply program. We welcome this legislation as an opportunity for increased non-Federal participation in the development of our water resources."

S. 2177 passed both Houses of the Congress by voice vote.

(Signed) James M. Frey

Assistant Director for
Legislative Reference

Enclosures

Ninety-seventh Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-fifth day of January,
one thousand nine hundred and eighty-two*

An Act

To amend title III of the Colorado River Basin Project Act, Public Law 90-537 (82 Stat. 885), as amended by Public Law 95-578 (92 Stat. 2471), and Public Law 96-375 (94 Stat. 1505).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 90-537 (82 Stat. 885), as amended is further amended to provide for cost indexing as may be justified by reason of ordinary fluctuations in construction costs.

Section 309(b), first sentence, is amended to read: "There is also authorized to be appropriated \$100,000,000 for construction of distribution and drainage facilities for non-Indian lands plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering and cost indices applicable to the types of construction involved therein from the date of the Colorado River Basin Project Act: *Provided*, That the Secretary shall enter into agreements with non-Federal interests to provide not less than 20 per centum of the total cost of such facilities during the construction of such facilities."

Speaker of the House of Representatives.

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

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

December 22, 1982

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Enrolled Bill S. 2611 - Readjustment
Allowance for Peace Corps Volunteer Leaders

Richard Darman has requested comments by 2:00 p.m. today on Enrolled Bill S. 2611, which would authorize an increase in the readjustment allowance paid to Peace Corps volunteer leaders. The increase would be retroactive to December 29, 1981, when the International Security and Development Cooperation Act of 1981 was enacted. That act authorized an increase in the readjustment allowance for Peace Corps volunteers, but through an oversight omitted similar treatment for volunteer leaders. This bill, at Administration request, corrects the oversight.

I have reviewed the memorandum to the President from James Frey, Assistant Director of OMB for Legislative Reference, and the bill itself. OMB and the Peace Corps approve of the bill. I have no objections and recommend that you sign the attached memorandum to Darman.

Attachment

THE WHITE HOUSE
WASHINGTON

December 22, 1982

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill S. 2611 - Readjustment
Allowance for Peace Corps Volunteer Leaders

Counsel's Office finds no objection from a legal perspective
to the above-referenced enrolled bill.

FFF:JGR:aw 12/22/82

cc: FFFielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

December 22, 1982

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill S. 2611 - Readjustment
Allowance for Peace Corps Volunteer Leaders

Counsel's Office finds no objection from a legal perspective
to the above-referenced enrolled bill.

FFF:JGR:aw 12/22/82

cc: FFFielding
JGRoberts
Subj.
Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1 1Name of Correspondent: Richard G. Narman☐ MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Enrolled Bill S. 2611 -- Readjustment
Allowance for Peace Corps Volunteer
Leaders

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CW Holland</u>	ORIGINATOR	<u>82/12/22</u>			<u>1 1</u>
<u>CUAT 18</u>	Referral Note:	<u>D 82/12/22</u>		<u>S</u>	<u>82/12/22</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>

ACTION CODES:

A - Appropriate Action
C - Comment/Recommendation
D - Draft Response
F - Furnish Fact Sheet
to be used as Enclosure

I - Info Copy Only/No Action Necessary
R - Direct Reply w/Copy
S - For Signature
X - Interim Reply

DISPOSITION CODES:

A - Answered
B - Non-Special Referral
C - Completed
S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.
Send all routing updates to Central Reference (Room 75, OEOB).
Always return completed correspondence record to Central Files.
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

WHITE HOUSE STAFFING MEMORANDUM

2:00 Wednesday
December 22, 1982

DATE: Dec. 21, 1982

ACTION/CONCURRENCE/COMMENT DUE BY:

SUBJECT: Enrolled Bill S. 2611--Readjustment Allowance for Peace Corps
Volunteer Leaders

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	GERGEN	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARPER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
CLARK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROLLINS	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	WILLIAMSON	<input type="checkbox"/>	<input type="checkbox"/>
DOLE	<input type="checkbox"/>	<input type="checkbox"/>	VON DAMM	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BRADY/SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

Please provide your comments on this enrolled bill by 2:00 tomorrow -- December 22, 1982.

Thank you.

Richard G. Darman
Assistant to the President
(x2702)

Response:



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

DEC 21 1982

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 2611 - Readjustment Allowance for Peace
Corps Volunteer Leaders
Sponsor - Sen. Percy (R) Illinois

Last Day for Action

Purpose

Authorizes an increase in the readjustment allowance paid to Peace Corps volunteer leaders.

Agency Recommendations

Office of Management and Budget Approval

Peace Corps Approval

Discussion

The International Security and Development Cooperation Act of 1981 authorized an increase in the readjustment allowance for Peace Corps volunteers but due to an oversight failed to provide similar authority for volunteer leaders.

As requested by the Administration, S. 2611 provides the necessary authorization to also increase the readjustment allowance for volunteer leaders by deleting the current limit of \$125 per month and substituting instead a requirement that the adjustment allowance for volunteer leaders be at least \$125 per month. This authorization applies retroactively to December 29, 1981, the date on which the International Security and Development Cooperation Act of 1981 was enacted.

The enrolled bill passed the House and Senate by voice vote.

(Signed) James M. Frey
Assistant Director for
Legislative Reference

Enclosures

Ninety-seventh Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-fifth day of January,
one thousand nine hundred and eighty-two*

An Act

To amend the Peace Corps Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 6 of the Peace Corps Act is amended by striking out "not to exceed" in the first proviso and by inserting in lieu thereof "not less than".
(b) This amendment shall be effective as of December 29, 1981.

Speaker of the House of Representatives.

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

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

December 23, 1982

The President has signed the following legislation:

H.R. 2329 which waives statutes of limitation and confers jurisdiction on certain courts of the United States to consider specified claims of the Cherokee, Choctaw, and Chickasaw Indian Nations of Oklahoma;

H.R. 4364 which transfers 570 acres of land held by the Department of the Interior, Bureau of Land Management, in Pima County, Arizona, to the Pascua Yaqui Tribe.

S. 2611 which authorizes an increase in the readjustment allowance paid to Peace Corps volunteer leaders; and

S. 3073 which authorizes the United States Information Agency (USIA) film "Dumas Malone: A Journey with Mr. Jefferson" to be distributed within the United States.

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MEMORANDUM

THE WHITE HOUSE

WASHINGTON

December 23, 1982

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Enrolled Bill H.R. 6204 -
Supreme Court Police

Richard Darman has requested comments by close of business Monday on Enrolled Bill H.R. 6204, which would clarify the authority of the Supreme Court Police. The Chief Justice sought this legislation last April. Current law describes the authority of the Supreme Court Police as existing "within the Supreme Court Building and grounds and adjacent streets," 40 U.S.C. § 13n (1976). The bill would authorize the Police to protect The Supremes and their official guests anywhere in the United States, and to protect Supreme Court employees anywhere in the United States if the employees are engaged in performance of their official duties. It also authorizes the Police to make arrests and carry firearms as necessary to discharge these duties. (Problems have arisen in the past due to the perceived inability of the Police to carry firearms off Court grounds, for example, when escorting female employees to the non-adjacent parking lot.) The bill provides for the expiration of new Police powers after three years, and annual reports on the cost of the new powers to Congress by the Marshal in the interim.

I have reviewed the memorandum to the President from James Frey, Assistant Director of OMB for Legislative Reference, the legislative report, and the bill itself. OMB and the Administrative Office of the U.S. Courts approve of the bill, the Department of Justice and the District of Columbia have no objection, and Treasury has no comment.

I have attached a proposed memorandum to Darman.

Attachment

THE WHITE HOUSE

WASHINGTON

December 23, 1982

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 6204 -
Supreme Court Police

Counsel's Office finds no objection from a legal perspective to the above-referenced enrolled bill.

FFF:JGR:aw 12/23/82

cc: FFFielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

December 23, 1982

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 6204 -
Supreme Court Police

Counsel's Office finds no objection from a legal perspective
to the above-referenced enrolled bill.

FFF:JGR:aw 12/23/82

cc: FFFielding
JGRoberts
Subj.
Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1/1Name of Correspondent: Richard G. Dorman☐ MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Enrolled Bill H.R. 6204 - Supreme Court Police

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>W Holland</u>	ORIGINATOR	<u>82112123</u>			<u>1/1</u>
<u>QUAT 18</u>	Referral Note:	<u>D 82112123</u>		<u>S</u>	<u>82112127</u>
	Referral Note:	<u>1/1</u>			<u>1/1</u>
	Referral Note:	<u>1/1</u>			<u>1/1</u>
	Referral Note:	<u>1/1</u>			<u>1/1</u>
	Referral Note:	<u>1/1</u>			<u>1/1</u>

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WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/22/82 ACTION/CONCURRENCE/COMMENT DUE BY: Monday - COB
December 27, 1982

SUBJECT: Enrolled Bill H.R. 6204 - Supreme Court Police

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	GERGEN	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARPER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
CLARK	<input type="checkbox"/>	<input type="checkbox"/>	ROLLINS	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	WILLIAMSON	<input type="checkbox"/>	<input type="checkbox"/>
DOLE	<input type="checkbox"/>	<input type="checkbox"/>	VON DAMM	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BRADY/SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

Please provide comments on this Enrolled Bill by close of business
Monday, December 27, 1982.

Thank you.

Richard G. Darman
Assistant to the President
(x2702)

Response:



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

DEC 22 1982

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 6204 - Supreme Court Police
Sponsors - Rep. Rodino (D) New Jersey and Rep. McClory
(R) Illinois

Last Day for Action

December 29, 1982 - Wednesday

Purpose

Clarifies the authority of the Supreme Court Police and authorizes the Court Police to provide protection for Justices, officers and employees of the Court, and official guests of the Court.

Agency Recommendations

Office of Management and Budget

Approval

Administrative Office of the United
States Courts

Approval

District of Columbia

No objection

Department of Justice

No objection (Internally)

Department of the Treasury

No comment (Internally)

Discussion

In April of this year, the Chief Justice of the United States requested that Congress enact legislation to clarify the status and jurisdiction of the police force which serves the U.S. Supreme Court. According to the Chief Justice, enactment of this legislation is necessary if the Court Police are to properly fulfill their modern day protective responsibilities. Currently the authority of the Court Police to carry firearms and make arrests off the Court grounds is unclear. For this reason, approximately fifty of the seventy Court Police have been sworn as Special Deputy Marshals pursuant to an informal agreement between the Court and the U.S. Marshal's office, thereby administratively authorizing them to carry firearms and make arrests off the Court Grounds.

The enrolled bill would:

- clarify the authority of the Court Police to protect Supreme Court property and persons on and in the vicinity of Court property;
- clarify and make explicit the authority for Court Police to carry firearms as may be required for the performance of their duties, as well as clarify their arrest authority; and
- provide authority, for a 3-year period, for the Court Police to protect in any part of the United States (1) the Justices, (2) officers or employees of the Court who are engaged in the performance of official duties, and (3) official guests of the Court.

Protection of an official guest of the Court must be authorized in writing by a Justice if the protection occurs outside of the District of Columbia, Virginia, and Maryland and if the carrying of firearms is required. Finally, an annual report, from the Court to Congress, on the administrative cost of all authorized protective services is required.

H.R. 6204 passed the Senate by voice vote and the House by unanimous consent.

(Signed) James M. Frey

Assistant Director for
Legislative Reference

Enclosures

Ninety-seventh Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-fifth day of January,
one thousand nine hundred and eighty-two*

An Act

To provide for appointment and authority of the Supreme Court Police, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first section of the Act entitled "An Act relating to the policing of the building and grounds of the Supreme Court of the United States", approved August 18, 1949 (40 U.S.C. 13f), is amended—

(1) by striking out "special policemen" and inserting in lieu thereof "members of the Supreme Court Police"; and

(2) by striking out ", for duty" and all that follows through "adjacent streets".

(b) Subsection (b) of section 7 of such Act (40 U.S.C. 13l(b)) is amended by striking out "promulgated under" and all that follows through the end of the subsection and inserting in lieu thereof "prescribed under this section shall be posted in a public place at the Supreme Court Building and shall be made reasonably available to the public in writing."

(c)(1) Section 9 of such Act (40 U.S.C. 13n) is amended by striking out "SEC. 9. The special" and all that follows through "Provided, That the Metropolitan Police force of the District of Columbia" and inserting in lieu thereof the following:

"SEC. 9. (a) The Marshal of the Supreme Court and the Supreme Court Police shall have authority, in accordance with regulations prescribed by the Marshal and approved by the Chief Justice of the United States—

"(1) to police the Supreme Court Building and grounds, and adjacent streets for the purpose of protecting persons and property;

"(2) in any part of the United States, to protect—

"(A) the person of the Chief Justice of the United States, any Associate Justice of the Supreme Court, and any official guest of the Supreme Court; and

"(B) the person of any officer or employee of the Supreme Court while such officer or employee is engaged in the performance of official duties;

"(3) in the performance of duties necessary for carrying out paragraph (1) of this subsection, to make arrests for any violation of a law of the United States or any State and any regulation under such law;

"(4) in the performance of duties necessary for carrying out paragraph (2) of this subsection, to make arrests for any violation of a law of the United States and any regulation under such law; and

"(5) to carry firearms as may be required for the performance of duties under this Act.

"(b) The Metropolitan police force of the District of Columbia".

(2) Section 9 of such Act (40 U.S.C. 13n), as amended by paragraph (1) of this subsection, is further amended by adding at the end the following new subsections:

“(c) The authority created under subsection (a)(2) shall expire three years after the date of enactment of this subsection. During the three-year effective period of subsection (a)(2), the Marshal of the Supreme Court shall report annually to the Congress on March 1 regarding the administrative cost of carrying out his duties under such subsection. Duties under subsection (a)(2)(A) of this section with respect to an official guest of the Supreme Court in any part of the United States (other than the District of Columbia, Maryland, and Virginia) shall be authorized in writing by the Chief Justice of the United States or an Associate Justice of the Supreme Court, if such duties require the carrying of firearms under subsection (a)(5) of this section.

“(d) As used in this Act, the term—

“(1) ‘official guest of the Supreme Court’ means an individual who is a guest of the Supreme Court, as determined by the Chief Justice of the United States or any Associate Justice of the Supreme Court;

“(2) ‘State’ means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States; and

“(3) ‘United States’, when used in a geographical sense, means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.”.

(d) Section 11 of such Act (40 U.S.C. 13p) is amended by adding at the end the following new sentence: “In addition to the property referred to in the preceding sentence, for the purposes of this Act, the Supreme Court grounds are comprised of any property under the custody and control of the Supreme Court as part of the Supreme Court grounds, including property acquired as provided by law on behalf of the United States in lots 2, 3, 800, 801, and 802 in square 758 in the District of Columbia as an addition to the grounds of the United States Supreme Court Building.”.

SEC. 2. Section 672(c) of title 28, United States Code, is amended—

(1) by striking out the period at the end of paragraph (7) and inserting in lieu thereof a semicolon; and

(2) by adding at the end the following new paragraph:

“(8) Oversee the Supreme Court Police.”.

SEC. 3. Section 3 of the Act entitled “An Act to provide for the acquisition of certain property in square 758 in the District of Columbia as an addition to the grounds of the United States Supreme Court Building”, approved December 15, 1980 (40 U.S.C. 13p note), is amended by striking out “Act of May 7, 1934 (40 U.S.C. 13a through 13p), as amended” and inserting in lieu thereof “Act entitled ‘An Act to provide for the custody and maintenance of the

United States Supreme Court Building and the equipment and grounds thereof', approved May 7, 1934 (40 U.S.C. 13a-13c), and section 6 of the joint resolution entitled 'Joint resolution to provide for the use and disposition of the bequest of the late Justice Oliver Wendell Holmes to the United States, and for other purposes', approved October 22, 1940 (40 U.S.C. 13e)".

Speaker of the House of Representatives.

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