

Final Rep Pro Act
84-2211



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

June 15, 1984

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer

Department of Defense

Department of Justice

Central Intelligence Agency

SUBJECT: DOT views on S. 779, a bill entitled the "Intelligence Personnel Protection Act."

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

July 5, 1984

Direct your questions to Gregory Jones (395-3856), of this office.


James C. Murr for
Assistant Director for
Legislative Reference

Enclosures

cc: K. Wilson
N. Stoer

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Please call to
OMB, CIA has
"no objection"
6/27/84

7/11/84

STAT

U.S. Department of
Transportation

General Counsel

400 Seventh St. S.W.
Washington, D.C. 20590

The Honorable Peter W. Rodino, Jr.
Chairman, Committee on the Judiciary
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The Department of Transportation would appreciate your consideration of the following comment on S.779, a bill entitled the

"Intelligence Personnel Protection Act."

This proposal would amend title 18, United States Code, to provide Federal criminal penalties for certain acts of violence directed at certain United States intelligence personnel performing official duties and at certain other persons associated with the intelligence community. The bill would amend section 1114 of title 18, United States Code, to add officers and employees of any department or agency within the Intelligence Community, as set out in Executive Order 12333, to the list of Federal officials enumerated in that section. Presently, murdering any of the officials listed in section 1114 is a Federal crime. This bill would add attempting to murder such persons as a Federal crime with a maximum imprisonment of twenty years.

Though the Coast Guard currently utilizes officers, enlisted personnel, and civilian employees to perform intelligence functions, they are not included within the definition of Intelligence Community in section 3.4(f) of Executive Order 12333. However, officers and enlisted men of the Coast Guard are separately listed in section 1114. Since the bill proposes to add civilian employees of the intelligence elements of the Army, Navy, Air Force, and Marine Corps, it is appropriate to also include civilian employees of the intelligence elements of the Coast Guard.

We recommend an additional amendment to section 1114, to add certain Coast Guard employees to the list of Federal officials in that section. This could be accomplished by adding a new subsection (b) to the first section of the bill, and by redesignating existing subsections (b) and (c) as subsections (c) and (d), respectively. The new subsection (b) should read as follows:

"(b) by substituting the term ", employee assigned to perform intelligence, investigative, inspection, or law enforcement functions, or enlisted member" for the term "or enlisted man";".

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

Sincerely,

Rosalind A. Knapp
Acting General Counsel