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U.S. Secret Service Protection of Persons and Facilities

Overview

Due to attempted bombings targeted at former President Barack Obama, and former Secretary of State (and First Lady) Hillary Rodham Clinton, Congress may be interested in U.S. Secret Service (USSS) protective detail operations. USSS conducts two mandated missions—criminal investigations and protection of persons and facilities. Criminal investigations focus primarily on financial crimes, whereas protection focuses on the safety and security of specific government officials. The criminal investigation mission is the USSS's oldest mission; however, the protection mission is the one that receives the most public and media attention. The protection mission is the more visible, and includes the protection of the President, Vice President, their families, former presidents, and major candidates for those offices, along with the White House and Vice President's residence. Protective activities of the USSS also extend to foreign missions (embassies, consulates, residences, and other buildings used by foreign governments) in the District of Columbia and to designated individuals, such as the Department of Homeland Security Secretary and visiting dignitaries. Separate from protecting these specific mandated individuals, USSS is responsible for certain security activities such as National Special Security Events, which include inauguration ceremonies, major party quadrennial national conventions, as well as some international conferences and events held in the United States.

History of USSS Protection

In March 2003, USSS was transferred from the Department of Treasury to the Department of Homeland Security (DHS). With this transfer, DHS generally, and USSS specifically became the federal department responsible for protecting significant and specified persons and property. Prior to the enactment of the Homeland Security Act of 2002, the Treasury Department was responsible for this protection (through USSS) for over 100 years.

The Service has been protecting presidents from President Grover Cleveland in 1894 on a part-time basis to the continual (24 hours a day) protection of President Donald Trump today. Over the years, the USSS protection mission has been affected by unofficial decisions (such as President Cleveland's protection) and congressional mandates (such as the protection of major presidential candidates). USSS protection activities have expanded with an increase in the number of protected individuals, while there has been only one instance of a specified type of protectee being removed from the authorized list of protectees.

Over the past century, USSS has been the focus of congressional action that concentrated primarily on its protection mission. The most recently enacted legislation was the Federal Restricted Buildings and Grounds

Improvement Act of 2011, which amended 18 U.S.C. 1752 and made it a crime for unauthorized person to enter a building secured by USSS.

Protected Individuals and Facilities

The following individuals are currently authorized USSS protection under 18 U.S.C. Section 3056(a):

- President, Vice President, President- and Vice President- elect;
- immediate families of those listed above;
- former presidents, their spouses, and their children under the age of 16;
- former Vice Presidents, their spouses, and their children under the age 16;
- visiting heads of foreign states or governments;
- distinguished foreign visitors and official United States representatives on special missions abroad; and
- major presidential and vice presidential candidates within 120 days of the general presidential elections, and their spouses.

The USSS is also required to secure the White House complex, the Vice President's residence at the Naval Observatory, the Treasury Building, foreign diplomatic missions in Washington, DC, and temporarily, the personal residences of the President and Vice President. The USSS's Uniform Division primarily secures these facilities.

Specific Protection Activities

As the pool of prospective protectees has evolved over time, so has the manner in which they are protected. Originally, USSS protection entailed agents being what could be described as "body guards." Now protection operations include not only the presence of agents in close proximity to the protectee, but also advance security surveys of locations to be visited; coordination with foreign, state, and local law enforcement entities; and intelligence analysis of present and future threats. The USSS protection mission comprises human resources, physical barriers, technology, and reviews of critical infrastructure and their vulnerabilities. 18 U.S.C. 3056(e)-(f) also authorize the USSS to conduct other activities such as participating in the planning, coordination, and implementation of security operations at special events of national significance; and providing forensic and investigative assistance involving missing and exploited children.

Threats to Protectees

Presidential safety is and has been a concern throughout the nation's history. For example, fears of kidnapping and assassination threats towards Abraham Lincoln began with his journey to Washington, DC, for the 1861 inauguration. The number of attempted and successful assaults against presidents legitimizes concern for presidential safety. Ten presidents have been victims of direct assaults by assassins, with four resulting in death (Presidents Abraham Lincoln, James A. Garfield, William McKinley, and John F. Kennedy). Since the USSS started officially protecting Presidents in 1906, seven assaults have occurred, with one, President Kennedy, resulting in death. In 1917, Congress enacted legislation (39 Stat. 919) that made it a crime to threaten the President. The USSS does not provide information on any threats to protectees or investigations related to threats made against protectees. Specifically, the extent to which presidents have been threatened or targeted remains a matter of conjecture.

Recent Protection Security Breaches

Recently, there have been a number of USSS protection breaches. These include such breaches as an intruder climbing the White House fence and then attempting to enter the White House, and the USSS losing a government laptop that contained blueprints and security plans for Trump Tower in New York City. These, coupled with a number of security breaches during President Obama's administrations, resulted in several congressional committee hearings.

USSS Protection Issues

Due to congressional, media, and public attention on President Trump's frequent travel, the First Family's decision to remain in New York City and not reside in the White House, and the President's immediate family's frequent overseas travel, there has been increased scrutiny of the cost associated with USSS protection. Other potential issues include Trump Tower leasing property to the USSS so the Service may conduct its protection mission.

18 U.S.C 3056 is explicit as to for whom and where the USSS is to conduct its protection. Regardless of the location of the individuals identified in 18 U.S.C. 3056, the USSS is required to provide full-time protection. In 1976, Congress required the USSS to not only secure the White House, but the personal residences of the President and Vice President. This may have been a result of former President Richard Nixon's frequent travel to his home in California and what he called the "Western White House."

The location of the First Family is another issue. There is no law that requires the spouse or children of the President or Vice President to live in the White House or the Vice Presidential residence at the U.S. Naval Conservatory. The First Family living in the White House is tradition only.

Additionally, there has been congressional interest in the USSS, reportedly, leasing property in Trump Tower to

conduct its security operations. The USSS informed CRS that this requirement is not the first time a protectee has leased personal property to the USSS, but will neither confirm nor deny it leasing Trump Tower property. The USSS stated that the USSS has leased a structure at former Vice President Joe Biden's personal home in Delaware in order for the Service to conduct security operations there. The USSS has not confirmed if it is still leasing this property.

There has been some question as to whether or not President Trump and his immediate family have traveled more than other Presidents and their families. The cost, however, of this travel is difficult to account for considering that the USSS is required only to provide annual budget justification information on "Protection of Persons and Facilities" and does not provide specific amounts associated with individual presidential or immediate family travel. When asked, the USSS informed CRS that the Service does not provide specific amounts associated with presidential protection of any type due to this information being a security concern.

A final concern has been the perception and media reports of President Trump using personal security guards. The USSS informed CRS that President Trump has not had any personal security guards since becoming the President-Elect in November 2016, nor since his inauguration in January 2017.

Table 1. Annual Appropriations for the U.S. Secret Service "Protection," FY2012-FY2017

(Amounts in Millions of Dollars)

Fiscal Year	Enacted
2017	[\$1,155] request
2016	\$1,191
2015	\$990
2014	\$920
2013	\$985
2012	\$1,052

Source: CRS analysis of congressional appropriations documents: for FY2011, H.Rept. 112-331 (accompanying P.L. 112-74); for FY2012, H.Rept. 112-331 (accompanying P.L. 112-74); for FY2013, Senate explanatory statement (accompanying P.L. 113-6); for FY2014, the explanatory statement accompanying P.L. 113-76; for FY2015, H.Rept. 113-481 (accompanying H.R. 4903); for FY2016, the explanatory statement accompanying P.L. 114-113; and for FY2017, S.Rept. 114-264 (accompanying S. 3001).

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