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Presidential Candidate and Nominating Convention Security

Introduction

In 1968, Congress authorized U.S. Secret Service (USSS) protection of presidential candidates following the assassination of Democratic Party presidential candidate Senator Robert F. Kennedy. At that time, a congressional advisory committee (82 Stat. 170) was established to make recommendations to the Secretary of the Treasury on which candidates should be protected. Threats against Presidents and presidential candidates have a long history in the United States. Targeted presidential candidates include Theodore Roosevelt, Robert F. Kennedy, George C. Wallace, and Edward Kennedy. Four Presidents have been assassinated:

- Abraham Lincoln;
- James A. Garfield;
- William McKinley; and
- John F. Kennedy (with USSS protection).

The USSS was officially assigned to protect Presidents in 1906. Assassination attempts (identified by the USSS and media reports) on Presidents with USSS protection include:

- Harry S. Truman;
- Richard Nixon;
- Gerald R. Ford;
- Ronald Reagan;
- William J. Clinton;
- George W. Bush;
- Barack Obama; and
- Donald Trump.

The USSS was transferred to the Department of Homeland Security in 2003. The Secretary of Homeland Security now has the responsibility of determining which presidential candidates are protected, following the recommendations of the advisory committee. The committee includes the Speaker and minority leader of the House, the Senate majority and minority leaders, and one additional member selected by the committee. There are two categories of candidates who receive USSS protection: (1) candidate protectees, who receive protection prior to receiving their political party’s nomination; and (2) nominee protectees, who receive protection following their party’s nomination. The USSS is statutorily required to protect major presidential and vice presidential candidates within 120 days of the general presidential elections, as well as their spouses (18 U.S.C. Section §3056(a)). This In Focus discusses protection of presidential candidates—both before and after the party nominating conventions—and provides an overview of funding for security operations at the nominating conventions.

Candidate and Nominee Protection

Threats to presidential candidates, presidents-elect, and other USSS protectees typically reflect general threats to the President. For example, fears of kidnapping and assassination threats towards Abraham Lincoln began with his journey to Washington, DC, for the 1861 inauguration. The assassination of Senator Robert F. Kennedy later spotlighted threats to those campaigning for the presidency. The USSS does not provide information on any threats to protectees or investigations related to threats made against protectees. The USSS reported that the expenditures for presidential campaign security in FY2016 was \$145 million, including both candidate and nominee protection. This amount is in addition to \$100 million Congress appropriated for the 2016 nominating conventions (\$50 million each). For the 2020 nominating conventions, Congress also has appropriated \$100 million for security (P.L. 116-93).

Presidential candidate security generally includes the detail of USSS special agents to protect the candidate and the locations to which the candidate travels. Protection involves related security plans and analysis of possible and actual threats. According to the USSS, protection of candidates occurs 24 hours a day until the protection is deemed unnecessary, the candidate ends his or her campaign or does not become the nominee, or the nominee does not become the President-elect. **Table 1** lists the candidates and nominees who received USSS protection between 2000 and 2020.

Table 1. Candidate and Nominee Protection 2000-2020

Election Year	Nominees	Candidates
2000	George W. Bush Al Gore	Bill Bradley
2004	John Kerry	John Edwards
2008	Barack Obama John McCain	Hillary Clinton
2012	Mitt Romney	Herman Cain Rick Santorum Newt Gingrich
2016	Donald Trump Hillary Clinton	Benjamin Carson Bernie Sanders
2020	NA	Joseph Biden

Source: USSS correspondence with CRS on May 7, 2020.

Note: Incumbent Presidents and Vice Presidents receive USSS protection and are not listed in the table.

In March 2020, the House Homeland Security Committee requested that the USSS protect Democratic Party presidential candidate Joe Biden, and a USSS spokesperson confirmed that he was receiving USSS protection. Media accounts state that this is the result of protesters at the former Vice President’s campaign events.

Nominating Convention Security

Every four years, the two major political parties, and some third parties, typically select their presidential nominees at conventions. These conventions are run by and for the parties, without a formal role for the federal government other than security. Until recently, voluntary taxpayer designations provided certain financial support to convention committees that chose to accept public money through the Presidential Election Campaign Fund (PECF). Historically, the PECF provided financial assistance to publicly financed presidential campaigns, but the PECF was repealed in 2014 via P.L. 113-94. Separately from the PECF funding, Congress has appropriated funding through the Department of Justice (DOJ) for security costs incurred by state and local governments hosting the conventions. These security funds for the conventions are appropriated to the Office of Justice Programs (OJP), within the DOJ. This OJP funding, specifically through the Edward Byrne Memorial Justice Assistance Grant program, has been available for all major party conventions in the wake of the September 11, 2001, terrorist attacks (see **Table 2**).

Table 2. Nominating Convention Security Funding 2004-2020

Election Year	Democratic Party Convention	Republican Party Convention
2004	Boston \$50 million	New York City \$50 million
2008	Denver \$50 million	Minneapolis-St. Paul \$50 million
2012	Charlotte \$50 million	Tampa \$50 million
2016	Philadelphia \$50 million	Cleveland \$50 million
2020	Milwaukee \$50 million	Charlotte \$50 million

Sources: P.L. 108-287; P.L. 108-199; P.L. 110-161; 125 Stat. 615; 129 Stat. 2306-2307; and P.L. 116-93.

The \$100 million Congress appropriated for the 2020 presidential nominating conventions is primarily to reimburse states and localities for law enforcement costs associated with their participation in securing the convention sites. In 2004, 2008, 2012, and 2016, the main security costs that state and local law enforcement entities incurred involved overtime payments. State and local law enforcement personnel participate in securing the convention venue, and also in advance planning, conducting liaison for venue and air space security, training, and establishing and maintaining communications.

The USSS is responsible for planning, coordinating, and implementing security operations at conventions. Congress authorized the USSS—when directed by the President—to be the lead federal agency for convention security in P.L. 106-544 (the Presidential Threat Protection Act of 2000). The conventions are generally designated as National Special Security Events (NSSEs), which are the purview of the USSS. Other NSSEs include such events as presidential inaugurations, major international summits held in the United States, and some major sporting events.

Security costs incurred by the federal government associated with the conventions are not paid out of the \$100 million appropriated in FY2020. These other federal security costs are covered by the \$145 million appropriated to the USSS (P.L. 116-93), which includes the USSS protection of the major presidential candidates whether at the convention or at other campaign locations. The USSS is also the Lead Federal Agency for security at nominating conventions, coordinating other federal agencies, such as Federal Protective Service law enforcement officers, in securing the convention sites. Federal law enforcement and security agencies, under USSS operational control, also oversee physical security at the convention venue through the positioning of fencing and barricades, as well as the pre-positioning of federal law enforcement K-9 units and other teams such as the U.S. Department of Homeland Security’s Domestic Emergency Support Teams, and Urban Search and Rescue Teams.

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