

SECRET SERVICE IMPROVEMENTS ACT OF 2015

JULY 27, 2015.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GOODLATTE, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany H.R. 1656]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 1656) to provide for additional resources for the Secret Service, and to improve protections for restricted areas, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The Amendment

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Secret Service Improvements Act of 2015”.

SEC. 2. PRESIDENTIAL APPOINTMENT OF DIRECTOR OF THE SECRET SERVICE.

Section 3056 of title 18, United States Code, is amended by adding at the end: “(h) The Director of the Secret Service shall be appointed by the President, by and with the advice and consent of the Senate. The Director of the Secret Service is the head of the Secret Service.”.

SEC. 3. RESTRICTED BUILDING OR GROUNDS.

Section 1752(a) of title 18, United States Code, is amended—

- (1) in paragraph (3), by striking “or” at the end;
- (2) in paragraph (4), by inserting “or” at the end; and
- (3) by inserting after paragraph (4) the following:

“(5) knowingly, and with the intent to enter a restricted building or grounds, causes any object to enter any restricted building or grounds, when, or so that, such object, in fact, impedes or disrupts the orderly conduct of government business or official functions;”.

SEC. 4. THREATS AGAINST FORMER VICE PRESIDENTS.

Section 879 of title 18, United States Code, is amended—

- (1) in subsection (a)—

(A) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively; and

(B) by inserting after paragraph (1) the following:

“(2) a former Vice President or a member of the immediate family of a former Vice President;”;

- (2) in subsection (b)(1)—

(A) in subparagraph (A)—

(i) by striking “subsection (a)(1)” and inserting “paragraphs (1) and (2) of subsection (a)”;

(ii) by inserting “or former Vice President” after “former President” each place it appears; and

(B) in subparagraph (B), by striking “subsection (a)(2) and (a)(3)” and inserting “paragraphs (3) and (4) of subsection (a)”.

SEC. 5. INCREASED TRAINING.

Beginning in the first full fiscal year after the date of enactment of this Act, the Director of the Secret Service shall increase the annual number of hours spent training by officers and agents of the Secret Service, including officers of the United States Secret Service Uniformed Division established under section 3056A of title 18, United States Code and agents operating pursuant to section 3056 of title 18, United States Code, including joint training between the two.

SEC. 6. TRAINING FACILITIES.

The Director of the Secret Service is authorized to construct facilities at the Rowley Training Center necessary to improve the training of officers of the United States Secret Service Uniformed Division established under section 3056A of title 18, United States Code and agents of the United States Secret Service, operating pursuant to section 3056 of title 18, United States Code.

SEC. 7. HIRING OF ADDITIONAL OFFICERS AND AGENTS.

The Director of the Secret Service is authorized to hire not fewer than—

(1) 200 additional officers for the United States Secret Service Uniformed Division established under section 3056A of title 18, United States Code; and

(2) 85 additional agents for the United States Secret Service Presidential Protective Detail, operating pursuant to section 3056 of title 18, United States Code.

SEC. 8. EVALUATION OF VULNERABILITIES AND THREATS.

(a) **IN GENERAL.**—The Director of the Secret Service shall devise and adopt improved procedures for evaluating vulnerabilities in the security of the White House and threats to persons protected by the Secret Service, including threats posed by unmanned aerial systems or explosive devices.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Director of the Secret Service shall report on the implementation of subsection (a) to—

- (1) the Committee on the Judiciary of the House of Representatives;
- (2) the Committee on the Judiciary of the Senate;
- (3) the Committee on Homeland Security of the House of Representatives;
- (4) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(5) the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 9. EVALUATION OF USE OF TECHNOLOGY.

(a) **IN GENERAL.**—The Director of the Secret Service, in consultation with the Under Secretary for Science and Technology of the Department of Homeland Security, and other experts, shall devise and adopt improved procedures for—

- (1) evaluating the ways in which technology may be used to improve the security of the White House and the response to threats to persons protected by the Secret Service; and
- (2) retaining evidence pertaining to the duties referred to in paragraph (1) for an extended period of time.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Director of the Secret Service shall report on the implementation of subsection (a) to—

- (1) the Committee on the Judiciary of the House of Representatives;
- (2) the Committee on the Judiciary of the Senate;
- (3) the Committee on Homeland Security of the House of Representatives;
- (4) the Committee on Homeland Security and Governmental Affairs of the Senate; and
- (5) the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 10. EVALUATION OF USE OF ADDITIONAL WEAPONRY.

The Director of the Secret Service shall evaluate the practicability of equipping agents and officers with weapons other than those provided to officers and agents of the Secret Service as of the date of enactment of this Act, including nonlethal weapons.

SEC. 11. SECURITY COSTS FOR SECONDARY RESIDENCES.

(a) **IN GENERAL.**—The Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note) is amended by striking section 4 and inserting the following:

“SEC. 4. NOTIFICATION REGARDING EXPENDITURES ON NON-GOVERNMENTAL PROPERTIES.

“The Secret Service shall notify the Committees on Appropriations of the House and Senate of any expenditures for permanent facilities, equipment, and services to secure any non-Governmental property in addition to the one non-Governmental property designated by each protectee under subsection (a) or (b) of section 3.”

(b) **CONFORMING AMENDMENTS.**—The Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note), as amended by this Act, is further amended—

- (1) in section 3(b), by striking “any expenditures by the Secret Service” and all that follows through “imposed under section 4” and inserting “any expenditures by the Secret Service for permanent facilities, equipment, and services to secure the non-Governmental property previously designated under subsection (a) are subject to the requirements set forth in section 4”; and
- (2) in section 5(c), by striking “within the limitations imposed under section 4”.

SEC. 12. ESTABLISHMENT OF ETHICS PROGRAM OFFICE.

Subject to the oversight of the Office of Chief Counsel of the United States Secret Service, the Director of the Secret Service shall establish an Ethics Program Office, consisting of a minimum of 2 employees, to administer the provisions of the Ethics in Government Act of 1978, as amended, and to provide increased training to employees of the United States Secret Service.

SEC. 13. SENSE OF CONGRESS.

It is the sense of Congress that an assessment made by the Secretary of Homeland Security or the Director of the Secret Service with regard to physical security of the White House and attendant grounds, and any security-related enhancements thereto should be accorded substantial deference by the National Capital Planning Commission, the Commission of Fine Arts, and any other relevant entities.

Purpose and Summary

This bill provides necessary changes and reforms to the operations of the United States Secret Service (USSS) and provides it the tools required to carry out its protective mission. It also provides for increased oversight of the USSS through a Senate-confirmed director, new reporting requirements, and the creation of an ethics office within the USSS Office of Chief Counsel.

Background and Need for the Legislation

The United States Secret Service (USSS), located within the Department of Homeland Security (DHS), has two missions—criminal investigations and protection. Criminal investigation activities encompass financial crimes, identity theft, counterfeiting, computer fraud, and computer-based attacks on the nation’s financial, banking, and telecommunications infrastructure.

The protection mission is the more publicly visible of the two, covering the President, Vice President, their families, former Presidents and Vice Presidents, and major candidates for those offices, along with the White House and the Vice President’s residence (through the Service’s Uniformed Division). Protective duties of the USSS also extend to foreign missions (such as embassies, consulates, and foreign dignitary residences) in the District of Columbia and to designated individuals, such as the Homeland Security Secretary and visiting foreign dignitaries. Separate from these assignments, the USSS is also responsible for certain security activities such as National Special Security Events (NSSEs), which include presidential inaugurations, the major party national conventions, as well as international conferences and events held in the United States.

The USSS employs approximately 3,200 special agents, 1,300 Uniformed Division officers, and more than 2,000 other technical, professional and administrative support personnel who help carry out these dual missions. It has been reported that the USSS has faced staffing shortages in recent years that may have impacted the agency’s protective mission.

Secret Service agents receive continuous advanced training throughout their careers. In part, this training consists of regular firearms requalification and emergency medicine refresher courses. Agents assigned to protective assignments also participate in unique simulated crisis training scenarios that present agents with a variety of “real world” emergency situations involving USSS protectees. These training simulations are designed to provide agents with immediate feedback concerning their response to a variety of emergency response scenarios.

In November 2014, the Committee held a hearing with the USSS Acting Director. The hearing included both a Law Enforcement Sensitive portion and an open proceeding. The Committee questioned the Acting Director about a number of security and personnel incidents including the Omar Gonzalez fence jumper incident, the Atlanta elevator incident, the Oscar Ortega-Hernandez incident, the Hay-Adams Hotel bullet incident, and the Cartagena prostitution scandal, among others.

In the wake of these incidents, President Obama empaneled a commission to review the USSS and make suggestions for improvements to its protective mission—The Secret Service Protective Mission Panel (USSSPMP). This panel included Tom Perrelli, former Associate Attorney General; Mark Filip, former Deputy Attorney General; Danielle Gray, former Cabinet Secretary and Assistant to the President; and Joseph Hagin, former White House Deputy Chief of Staff for Operations. The USSSPMP made numerous recommendations to improve the agency.

This legislation is a product of both the Committee's oversight hearings on the issue, and the recommendations of the USSSPMP.

Hearings

The Committee on the Judiciary held no hearings on H.R. 1656.

Committee Consideration

On July 15, the Committee met in open session and ordered the bill, H.R. 1656, favorably reported with an amendment, by voice vote, a quorum being present.

Committee Votes

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that there were no recorded votes during the Committee's consideration of H.R. 1656.

Committee Oversight Findings

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

New Budget Authority and Tax Expenditures

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

Congressional Budget Office Cost Estimate

With respect to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, an estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 was not submitted to the Committee before the filing of the report.

Duplication of Federal Programs

No provision of H.R. 1656 establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

Disclosure of Directed Rule Makings

The Committee estimates that H.R. 1656 specifically directs to be completed no specific rule makings within the meaning of 5 U.S.C. 551.

Performance Goals and Objectives

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 1656 provides reforms, oversight and tools to the USSS to improve the agency's protective mission.

Advisory on Earmarks

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 1656 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of Rule XXI.

Section-by-Section Analysis

The following discussion describes the bill as reported by the Committee.

Sec. 1. Short Title.

This section provides that the short title of the bill is the Secret Service Improvements Act of 2015.

Sec. 2. Presidential Appointment of Director of the Secret Service.

This section provides that the Director of the Secret Service shall be nominated by the President and confirmed with the advice and consent of the Senate.

Sec. 3. Restricted Buildings or Grounds.

This section clarifies that it is a Federal crime to knowingly cause any object to enter restricted buildings or grounds, including the White House and the Vice President's residence.

Sec. 4. Threats Against Former Vice Presidents.

This section ensures that the Secret Service can investigate threats against former Vice Presidents and their families for the duration of their protection.

Sec. 5. Increased Training.

This section codifies the recommendation from the United States Secret Service Protective Mission Panel that the Secret Service increase the number of hours officers and agents spend training, including joint training between Uniformed Division Officers and protective mission agents.

Sec. 6. Training Facilities.

This section authorizes the Secret Service to build necessary facilities at their Rowley Center in order to better train officers and agents.

Sec. 7. Hiring Additional Agents and Officers.

This section codifies the recommendation from the United States Secret Service Protective Mission Panel that the Secret Service hire no fewer than an additional 200 Uniformed Division officers and 85 protective mission agents.

Sec. 8. Evaluation of Vulnerabilities and Threats.

This section requires the Secret Service to devise and implement improved procedures for evaluating threats to the White House and its protectees, including threats from drones and explosives, and to report to Congress findings within a year of enactment.

Sec. 9. Evaluation of Use of Technology.

This section requires the Secret Service to evaluate the security technology employed at the White House, including ways that technology can be used to improve safety at the White House. The section also requires the Secret Service to evaluate how it retains evidence, and to report its findings to Congress.

Sec. 10. Evaluation of Use of Additional Weaponry.

This section requires the Secret Service to evaluate the use of additional weaponry, including non-lethal weapons, beyond what is in use at the time of enactment.

Sec. 11. Security Costs for Secondary Residences.

This section enables the Secret Service to make necessary security upgrades to secondary residences of former Presidents.

Sec. 12. Establishment of Ethics Program Office.

This section creates an Ethics Program Office within the Office of Chief Counsel of the United States Secret Service.

Sec. 13. Sense of Congress.

This section provides a sense of Congress that determinations by the Department of Homeland Security or the Secret Service regarding changes to the physical security of the White House and its grounds should be given significant deference with the many entities that have a role in approving such changes, including the National Capital Planning Commission and the Commission of Fine Arts.

Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

TITLE 18, UNITED STATES CODE

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PART I—CRIMES

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CHAPTER 41—EXTORTION AND THREATS

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§ 879. Threats against former Presidents and certain other persons

(a) Whoever knowingly and willfully threatens to kill, kidnap, or inflict bodily harm upon—

(1) a former President or a member of the immediate family of a former President;

(2) *a former Vice President or a member of the immediate family of a former Vice President;*

[(2)] (3) a member of the immediate family of the President, the President-elect, the Vice President, or the Vice President-elect;

[(3)] (4) a major candidate for the office of President or Vice President, or a member of the immediate family of such candidate; or

[(4)] (5) a person protected by the Secret Service under section 3056(a)(6);

shall be fined under this title or imprisoned not more than 5 years, or both.

(b) As used in this section—

(1) the term “immediate family” means—

(A) with respect to [subsection (a)(1)] *paragraphs (1) and (2) of subsection (a)* of this section, the wife of a former President *or former Vice President* during his lifetime, the widow of a former President *or former Vice President* until her death or remarriage, and minor children of a former President *or former Vice President* until they reach sixteen years of age; and

(B) with respect to [subsection (a)(2) and (a)(3)] *paragraphs (3) and (4) of subsection (a)* of this section, a person to whom the President, President-elect, Vice President, Vice President-elect, or major candidate for the office of President or Vice President—

(i) is related by blood, marriage, or adoption; or

(ii) stands in loco parentis;

(2) the term “major candidate for the office of President or Vice President” means a candidate referred to in subsection (a)(7) of section 3056 of this title; and

(3) the terms “President-elect” and “Vice President-elect” have the meanings given those terms in section 871(b) of this title.

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CHAPTER 84—PRESIDENTIAL AND PRESIDENTIAL STAFF ASSASSINATION, KIDNAPPING, AND ASSAULT

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§ 1752. Restricted building or grounds

(a) Whoever—

(1) knowingly enters or remains in any restricted building or grounds without lawful authority to do so;

(2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engages in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions;

(3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstructs or impedes ingress or egress to or from any restricted building or grounds; [or]

(4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds; or

(5) knowingly, and with the intent to enter a restricted building or grounds, causes any object to enter any restricted building or grounds, when, or so that, such object, in fact, impedes or disrupts the orderly conduct of government business or official functions;

or attempts or conspires to do so, shall be punished as provided in subsection (b).

(b) The punishment for a violation of subsection (a) is—

(1) a fine under this title or imprisonment for not more than 10 years, or both, if—

(A) the person, during and in relation to the offense, uses or carries a deadly or dangerous weapon or firearm; or

(B) the offense results in significant bodily injury as defined by section 2118(e)(3); and

(2) a fine under this title or imprisonment for not more than one year, or both, in any other case.

(c) In this section—

(1) the term “restricted buildings or grounds” means any posted, cordoned off, or otherwise restricted area—

(A) of the White House or its grounds, or the Vice President’s official residence or its grounds;

(B) of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or

(C) of a building or grounds so restricted in conjunction with an event designated as a special event of national significance; and

(2) the term “other person protected by the Secret Service” means any person whom the United States Secret Service is authorized to protect under section 3056 of this title or by Presidential memorandum, when such person has not declined such protection.

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PART II—CRIMINAL PROCEDURE

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CHAPTER 203—ARREST AND COMMITMENT

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§ 3056. Powers, authorities, and duties of United States Secret Service

(a) Under the direction of the Secretary of Homeland Security, the United States Secret Service is authorized to protect the following persons:

(1) The President, the Vice President (or other officer next in the order of succession to the Office of President), the President-elect, and the Vice President-elect.

(2) The immediate families of those individuals listed in paragraph (1).

(3) Former Presidents and their spouses for their lifetimes, except that protection of a spouse shall terminate in the event of remarriage.

(4) Children of a former President who are under 16 years of age.

(5) Visiting heads of foreign states or foreign governments.

(6) Other distinguished foreign visitors to the United States and official representatives of the United States performing special missions abroad when the President directs that such protection be provided.

(7) Major Presidential and Vice Presidential candidates and, within 120 days of the general Presidential election, the spouses of such candidates. As used in this paragraph, the term “major Presidential and Vice Presidential candidates” means those individuals identified as such by the Secretary of Homeland Security after consultation with an advisory committee consisting of the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority and minority leaders of the Senate, and one additional member selected by the other members of the committee. The Committee shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App. 2).

(8) Former Vice Presidents, their spouses, and their children who are under 16 years of age, for a period of not more than six months after the date the former Vice President leaves office. The Secretary of Homeland Security shall have the authority to direct the Secret Service to provide temporary protection for any of these individuals at any time thereafter if the Secretary of Homeland Security or designee determines that information or conditions warrant such protection.

The protection authorized in paragraphs (2) through (8) may be declined.

(b) Under the direction of the Secretary of Homeland Security, the Secret Service is authorized to detect and arrest any person who violates—

(1) section 508, 509, 510, 871, or 879 of this title or, with respect to the Federal Deposit Insurance Corporation, Federal land banks, and Federal land bank associations, section 213, 216, 433, 493, 657, 709, 1006, 1007, 1011, 1013, 1014, 1907, or 1909 of this title;

(2) any of the laws of the United States relating to coins, obligations, and securities of the United States and of foreign governments; or

(3) any of the laws of the United States relating to electronic fund transfer frauds, access device frauds, false identi-

fication documents or devices, and any fraud or other criminal or unlawful activity in or against any federally insured financial institution; except that the authority conferred by this paragraph shall be exercised subject to the agreement of the Attorney General and the Secretary of Homeland Security and shall not affect the authority of any other Federal law enforcement agency with respect to those laws.

(c)(1) Under the direction of the Secretary of Homeland Security, officers and agents of the Secret Service are authorized to—

(A) execute warrants issued under the laws of the United States;

(B) carry firearms;

(C) make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony;

(D) offer and pay rewards for services and information leading to the apprehension of persons involved in the violation or potential violation of those provisions of law which the Secret Service is authorized to enforce;

(E) pay expenses for unforeseen emergencies of a confidential nature under the direction of the Secretary of Homeland Security and accounted for solely on the Secretary's certificate; and

(F) perform such other functions and duties as are authorized by law.

(2) Funds expended from appropriations available to the Secret Service for the purchase of counterfeits and subsequently recovered shall be reimbursed to the appropriations available to the Secret Service at the time of the reimbursement.

(d) Whoever knowingly and willfully obstructs, resists, or interferes with a Federal law enforcement agent engaged in the performance of the protective functions authorized by this section or by section 1752 of this title shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

(e)(1) When directed by the President, the United States Secret Service is authorized to participate, under the direction of the Secretary of Homeland Security, in the planning, coordination, and implementation of security operations at special events of national significance, as determined by the President.

(2) At the end of each fiscal year, the President through such agency or office as the President may designate, shall report to the Congress—

(A) what events, if any, were designated special events of national significance for security purposes under paragraph (1); and

(B) the criteria and information used in making each designation.

(f) Under the direction of the Secretary of Homeland Security, the Secret Service is authorized, at the request of any State or local law enforcement agency, or at the request of the National Center for Missing and Exploited Children, to provide forensic and investigative assistance in support of any investigation involving missing or exploited children.

(g) The United States Secret Service shall be maintained as a distinct entity within the Department of Homeland Security and shall not be merged with any other Department function. No personnel and operational elements of the United States Secret Service shall report to an individual other than the Director of the United States Secret Service, who shall report directly to the Secretary of Homeland Security without being required to report through any other official of the Department.

(h) The Director of the Secret Service shall be appointed by the President, by and with the advice and consent of the Senate. The Director of the Secret Service is the head of the Secret Service.

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PRESIDENTIAL PROTECTION ASSISTANCE ACT OF 1976

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SEC. 3. (a) Each protectee may designate one non-governmental property to be fully secured by the secret service on a permanent basis.

(b) A protectee may thereafter designate a different non-Governmental property in lieu of the non-Governmental property previously designated under subsection (a) (hereinafter in this Act referred to as the "previously designated property") as the one non-Governmental property to be fully secured by the Secret Service on a permanent basis under subsection (a). Thereafter, [any expenditures by the Secret Service to maintain a permanent guard detail or for permanent facilities, equipment, and services to secure the non-Governmental property previously designated under subsection (a) shall be subject to the limitations imposed under section 4] *any expenditures by the Secret Service for permanent facilities, equipment, and services to secure the non-Governmental property previously designated under subsection (a) are subject to the requirements set forth in section 4.*

(c) For the purposes of this section, where two or more protectees share the same domicile, such protectees shall be deemed a single protectee.

[SEC. 4. Expenditures by the Secret Service for maintaining a permanent guard detail and for permanent facilities, equipment, and services to secure any non-Governmental property in addition to the one non-Governmental property designated by each protectee under subsection 3(a) or 3(b) may not exceed a cumulative total of \$200,000 at each such additional non-Governmental property, unless expenditures in excess of that amount are specifically approved by resolutions adopted by the Committees on Appropriations of the House and Senate, respectively.]

SEC. 4. NOTIFICATION REGARDING EXPENDITURES ON NON-GOVERNMENTAL PROPERTIES.

The Secret Service shall notify the Committees on Appropriations of the House and Senate of any expenditures for permanent facilities, equipment, and services to secure any non-Governmental property in addition to the one non-Governmental property designated by each protectee under subsection (a) or (b) of section 3.

SEC. 5. (a) All improvements and other items acquired by the federal government and used for the purpose of securing any non-governmental property in the performance of the duties of the secret service shall be the property of the United States.

(b) Upon termination of Secret Service protection at any non-Governmental property all such improvements and other items shall be removed from the non-Governmental property unless the Director determines that it would not be economically feasible to do so; except that such improvements and other items shall be removed and the non-Governmental property shall be restored to its original state if the owner of such property at the time of termination requests the removal of such improvements or other items. If any such improvements or other items are not removed, the owner of the non-Governmental property at the time of termination shall compensate the United States for the original cost of such improvements or other items or for the amount by which they have increased the fair market value of the property, as determined by the Director, as of the date of termination, whichever is less.

(c) In the event that any non-Governmental property becomes a previously designated property and Secret Service protection at that property has not been terminated, all such improvements and other items which the Director determines are not necessary to secure the previously designated property [within the limitations imposed under section 4] shall be removed or compensated for in accordance with the procedures set forth under Subsection (b) of this section.

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