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"UNITED STATES SECRET SERVICE: AN AGENCY IN CRISIS"

REPORT

BY THE

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM



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LETTER OF SUBMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, December 18, 2015.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: By direction of the Committee on Oversight and Government Reform, I submit herewith the Committee's report to the 114th Congress, ″United States Secret Service: An Agency in Crisis.″ This report was adopted by the Committee on December 9, 2015, in a meeting that was open to the public.

Sincerely,

JASON CHAFFETZ,
Chairman.

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114TH CONGRESS *1st Session* } HOUSE OF REPRESENTATIVES { REPORT 114–385



UNITED STATES SECRET SERVICE: AN AGENCY IN CRISIS

COMMITTEE REPORT
CHAIRMAN JASON E. CHAFFETZ &
RANKING MEMBER ELIJAH E. CUMMINGS
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
UNITED STATES HOUSE OF REPRESENTATIVES
114TH CONGRESS
DECEMBER 9, 2015

Executive Summary

The United States Secret Service (USSS) is tasked with a zero-failure mission: to protect the President and other protectees at all costs. For most of its existence, USSS has strived to complete that mission while simultaneously garnering the respect and admiration of the American people. Secret Service agents and officers earned a reputation as stoic and impervious guardians of our government's most important leaders. The American public's respect for the agency diminished following the April 2012 prostitution scandal in Cartagena, Colombia, which attracted significant media attention and exposed systemic problems within the agency.

Since then, several incidents have made it abundantly clear that USSS is in crisis. The agency's weaknesses have been exposed by a series of security failures at the White House, during presidential visits, and at the residences of other officials, including Vice President Biden and former presidents of the United States. The Committee's investigation found that problems that undermine USSS's protective mission predate and postdate the misconduct in Cartagena. The Committee also found that at times agency leaders have provided incomplete and inaccurate information to Congress.

This report examines four incidents in detail: a November 11, 2011, incident where an individual fired several shots at the White House from a semiautomatic rifle; the April 2012 misconduct in Cartagena, Colombia; a September 16, 2014, incident at the Centers for Disease Control and Prevention in Atlanta, Georgia, where an armed contract security guard with a violent arrest history rode in an elevator with President Obama and later breached the President's security formation; and a March 4, 2015, incident where two intoxicated senior USSS officials—including a top official on the President's protective detail—interfered with a crime scene involving a bomb threat just outside the White House grounds.

The Committee also found that one year after the blue-ribbon Protective Mission Panel issued its assessment and recommendations for the security of the White House compound, several serious deficiencies remain. As USSS's mission has grown, its workforce has had to do more with less. USSS is experiencing a staffing crisis that poses perhaps the greatest threat to the agency. The crisis began after 2011 when the number of employees began to decline sharply, and the decline continued across all categories of employment. Three main causes are significant cuts imposed by the Budget Control Act of 2011, systemic mismanagement at USSS that has been unable to correct these shortfalls, and declining employee morale leading to attrition.

From budget-related hiring freezes to increasing attrition over the past five years, the personnel shortage is so high that—notwithstanding the blue-ribbon Protective Mission Panel's recommendations that USSS increase hiring significantly—there has been a net decline in operational personnel, including the Uniformed Division that guards the White House. The high attrition rate means that the personnel who remain are significantly overworked, and morale is at an all-time low. Rather than swiftly bringing on new employees, USSS has an extraordinarily inefficient hiring process which overburdens USSS with low-quality applicants. Further, recent

changes to the process have allegedly fostered risks in connection with the approval of security clearances.

Internal USSS data shows that morale is further harmed because many employees do not have confidence in agency leadership. Some whistleblowers told the Committee they believed this was due to a culture where leaders are not held accountable.

Many agency personnel who spoke to the Committee are desperate for new outside leadership willing to undertake dramatic reforms at the agency. The Committee found that reforms should include a reconsideration of USSS's responsibilities, which have dramatically expanded in recent decades. No peripheral investigative duties should be allowed to detract from the core aspect of USSS's mission: protection.

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I. Introduction

The United States Secret Service (USSS) is tasked with a zero-failure mission: to protect the President at all costs. This imperative has long attracted idealistic individuals to USSS in service to their country. Because this function is so critical, Congress has a special responsibility to provide the serious dedication, support, and oversight that USSS deserves and requires.

Problematically, security failures and staffing shortfalls that have been repeatedly identified continue to emerge in recent incidents. For example, a September 1994 plane crash on the South Lawn spurred a comprehensive White House Security review raising key concerns and recommendations that are still applicable today.[1] Severe budget cuts beginning in 2011 exacerbated the agency's difficulties and have led to the lowest staffing levels at USSS in ten years.[2] Prior to April 2012, USSS received little meaningful oversight from Congress other than annual appropriations and hearings where USSS updated Congress on crime trends.[3] That changed abruptly in April 2012 after the agency's prostitution scandal in Cartagena, Colombia, which drew public attention and exposed potential systemic problems within the agency.

Since that time, several incidents have made it clear that USSS is in crisis. These "horrific events," as referred to by former Director Ralph Basham, have exposed several problems with USSS.[4] On December 10, 2013, a fake sign language interpreter with a violent past[5] and criminal history[6] stood within feet of President Obama at the memorial service for Nelson Mandela in South Africa.[7] Shortly thereafter, that fake interpreter was admitted to a psychiatric hospital.[8] On May 6, 2014, an unauthorized vehicle entered the secure perimeter of the White House by following Malia Obama's motorcade through lowered bollards.[9] On September 16, 2014, an armed contract security guard with an arrest for reckless conduct with a gun rode in an elevator with President Obama at a visit to the Centers for Disease Control and

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[1] U.S. Dep't of Treasury, *Public Report of the White House Security Review* (May 1995).
[2] Memorandum from Cong. Research Service to Minority Staff of H. Comm. on Oversight & Gov't Reform, *The Secret Service Salaries and Expenses Appropriation for FY1999-FY2015* (Oct. 23, 2015) [hereinafter Secret Service Salaries and Expenses FY1999-2015] [App. at 1-12].
[3] Memorandum from Cong. Research Service to Majority Staff of H. Comm. on Oversight & Gov't Reform, "U.S. Secret Service Testimony, 1865 – 2015" (June 11, 2015) [App. at 14-42].
[4] Memorandum from Hon. John Roth, Inspector Gen., U.S. Dep't of Homeland Sec. to Hon. Jeh C. Johnson, Sec'y, U.S. Dep't of Homeland Sec., and Hon. Joseph Clancy, Dir., U.S. Secret Service, "Addendum to the September 25, 2015 Memorandum of Investigation into the Improper Access and Distribution of Information Contained Within a Secret Service Data System" (Oct. 22, 2015), at 5.
[5] David Smith, *Mandela memorial interpreter says he has history of violent behaviour*, GUARDIAN (U.K.), Dec. 12, 2013; Adam Withnall, *Nelson Mandela sign language interpreter 'helped burn people to death'*, INDEP. (U.K.), Dec. 17, 2013.
[6] CNN Staff, *Mandela interpreter has faced criminal charges, news network says*, CNN, Dec. 13, 2013.
[7] Alexander Smith, *Violent sign language interpreter's access to Obama triggers investigation*, NBC NEWS, Dec. 12, 2013.
[8] Alexander Smith, *'Fake' interpreter from Mandela event is admitted to psychiatric hospital: report*, NBC NEWS, Dec. 19, 2013.
[9] Inspection Div., U.S. Secret Service, Mission Assurance Inquiry Case Report Details, Case No. 190-872-14-013 (opened May 13, 2014).

Prevention (CDC).[10] The Committee would later learn that this breach was the result of USSS's failure to properly take into account documentation from CDC indicating that all contract guards would be armed, properly conduct a name check on the elevator operator, or prevent the President from entering an elevator with an individual without credentials. Just three days later, on September 19, 2014, an armed individual jumped the White House fence, outran USSS officers, and entered the White House, making it all the way to the East Room.[11] In both of the last two cases, USSS initially provided incorrect information to the public.[12] On September 27, 2014, a man posing as a Member of Congress at a Congressional Black Caucus awards dinner where the President was speaking breached a secure area backstage.[13] Committee staff learned that the man even managed to speak with the President backstage, a detail previously unknown to the public.[14] Committee staff also learned that just six days later, on October 3, 2014—the same day that news of the awards dinner breach was made public—a woman gained unauthorized entrance backstage at the same venue, this time the site of a Congressional Hispanic Caucus Gala.[15] Both of these incidents are eerily reminiscent of a November 2009 incident where three individuals were able to crash a White House state dinner, getting past layers of security without an invitation.[16] On October 9, 2014, just six days after the incident at the Congressional Hispanic Caucus gala, a hotel employee in Los Angeles was not properly screened through a magnetometer and did not have his bag searched at a time when the President and Senior Advisor Valerie Jarrett were staying at the hotel. Moreover, one special agent was observed watching movies on post with a Los Angeles Police Department officer.[17] These last six breaches all took place within a one-month time period.

The security failures over the past few years have not been limited to the White House and presidential visits. USSS also allowed the security system at one former President's

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[10] Carol D. Leonnig, *Armed contractor with arrest record was on elevator with Obama in Atlanta*, WASH. POST, Sept. 30, 2014 [hereinafter WASH.POST Sept. 30, 2014 article].

[11] U.S. Dep't of Homeland Sec., *Report on the White House Incursion Incident of September 19, 2014* (Nov. 1, 2014).

[12] Memorandum from Timothy J. Hollern, Inspector, Inspection Div., U.S. Secret Service to Special Agent in Charge, Inspection Div., U.S. Secret Service (Oct. 17, 2014) [hereinafter Oct. 17, 2014 CDC Memo] (USSS report on Centers for Disease Control and Prevention incident) ("All of the USSS advance team personnel interviewed had a clear understanding that all [contract] security personnel were armed."); Letter from Hon. Joseph Clancy, Dir., U.S. Secret Service to Hon. Darrell Issa, Chairman, H. Comm. on Oversight & Gov't Reform, Hon. Elijah Cummings, Ranking Member, H. Comm. on Oversight and Gov't Reform, Hon. Jason Chaffetz, Chairman, Subcomm. on Nat'l Sec., and Hon. John Tierney, Ranking Member, Subcomm. on Nat'l Sec. (Nov. 13, 2014) [hereinafter Nov. 13, 2014 Letter from Clancy] (showing USSS provided contradicting information to Committee on when agency learned of armed officer and how deep armed individual intruded into White House).

[13] Jonathan Allen, *Bogus Congressman Said to Get Backstage at Obama Event*, BLOOMBERG, Oct. 3, 2015.

[14] Inspection Div., U.S. Secret Service, Mission Assurance Inquiry Case Report Details, Case No. 190-872-14-023 (opened Oct. 8, 2014), at 2.

[15] Inspection Div., U.S. Secret Service, Mission Assurance Inquiry Case Report Details, Case No. 190-872-14-024 (opened Oct. 8, 2014), at 1.

[16] Amy Argetsinger and Roxanne Roberts, *Secret Service confirms third crasher at White House state dinner*, WASH. POST, Jan. 1, 2009.

[17] Inspection Div., U.S. Secret Service, Mission Assurance Inquiry Case Report Details, Case No. 190-872-14-026 (opened Oct. 10, 2014).

residence to remain inoperable from September 2013 until the end of 2014.[18] As a result, in the spring of 2014 a Czech citizen with an expired visa entered the property and remained undetected for nearly an hour.[19] In November 2014, security equipment at a different residence showed signs of impending failure.[20] USSS officials further acknowledged that other serious problems exist at the residences of two other protectees.[21] On January 17, 2015, multiple gunshots were fired outside of Vice President Joseph Biden's Delaware residence, yet USSS had no surveillance cameras facing the main road in front of the home.[22] Although USSS informed the Committee that no prior security incidents had occurred at the Biden residence,[23] in fact, security systems had been breached as early as April 2013 when four young adults went fishing in the Bidens' backyard—an undetected intrusion only brought to the attention of USSS after a neighbor saw the young adults and called to inform the agency.[24]

Additional failures have plagued the agency in 2015. On January 26, 2015, a drone crashed onto the White House lawn, prompting news reports that the White House radar system failed to pick up the object.[25] On February 14, 2015, two individuals gained unauthorized entry to the outer security perimeter of the White House complex simply by walking in unnoticed.[26] On March 4, 2015, the senior-most USSS official responsible for day-to-day protective operations at the White House was in a vehicle that moved a protective barrier and came within inches of a possible bomb outside of a White House guard booth. The Department of Homeland Security (DHS) Office of Inspector General (OIG) concluded the official's judgment was likely impaired by alcohol.[27]

Through this Committee's work, it has become clear that problems threatening USSS's protective mission long predate the misconduct in Cartagena. For example, in the summer of 2011 agents from a Prowler team protective unit, which usually patrols the area near the White

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[18] Office of Inspector Gen., U.S. Dep't of Homeland Sec., *Management Advisory – Alarm System Maintenance at Residences Protected by the U.S. Secret Service*, OIG-15-61 (Apr. 20, 2015), at 2-3 [hereinafter OIG *Management Advisory*].

[19] Inspection Div., U.S. Secret Service, Mission Assurance Inquiry Case Report Details, Case No. 190-872-14-012 (opened [redacted]2014) (noting unapproved change to security procedures and limited supervisory oversight may have contributed to breach).

[20] OIG Management Advisory, *supra* note 18, at 3.

[21] *Id.*

[22] Carol D. Leonnig, *Surveillance cameras at Biden house provide no clues about gunman*, WASH. POST, Jan. 20, 2015.

[23] Briefing from Hon. Joseph Clancy, Dir., U.S. Secret Service to H. Comm. on Oversight & Gov't Reform (Jan. 22, 2015).

[24] H. Comm. on Oversight & Gov't Reform majority staff notes from *in camera* review of U.S. Secret Service documents (July 15, 2015).

[25] Michael S. Schmidt and Michael D. Shear, *Threat Too Small for Radar Rattles White House*, N.Y. TIMES, Jan. 26, 2015.

[26] Inspection Div., U.S. Secret Service, Mission Assurance Inquiry Case Report Details, Case No. 190-872-15-004 (opened Feb. 17, 2015) (concluding officer on duty's "lack of experience at the White House complex is a likely contributing factor in this incident.") *Id.* at 2.

[27] Memorandum from Hon. John Roth, Inspector Gen., U.S. Dep't of Homeland Sec. to Hon. Jeh C. Johnson, Sec'y, U.S. Dep't of Homeland Sec., and Hon. Joseph Clancy, Dir., U.S. Secret Service, *Investigation Into the Incident at the White House Complex on March 4, 2015* (May 6, 2015), at 17 [hereinafter OIG Mar. 4 Report].

House, were diverted for a considerable period of time for personal welfare checks on an assistant to the Director of the agency, unrelated to the assistant's official duties.[28] On several of those days the President was in residence at the White House.[29] DHS OIG found that the protective unit would not have been able to respond to emergencies at the White House while the Prowler unit was at least 50 minutes away in rural Maryland.[30] In November 2011, gunshots were fired at the White House while Sasha Obama was in the residence and Malia Obama was expected to return at any moment. USSS did not discover that the shots hit the White House residence until four days later, when a housekeeper noticed broken glass and chunks of cement on the floor.[31] USSS did not confirm either of these incidents until late 2014, shortly after they were brought to public attention by press reports.[32]

USSS must keep constant vigilance over secured facilities and protectees. USSS provided the Committee with data regarding attempted or actual security breaches involving protectees and secured facilities over the past ten years.[33] While this data only captured known incidents that resulted in arrests, it is apparent that security incidents occur frequently enough that the agency must be prepared to deter and respond to breaches at all times.

Inextricably related to these events are USSS employees' views of their agency's ability to complete its mission. According to a recent federal government survey, only 63.2 percent of USSS respondents in 2015 believe that the agency is "successful at accomplishing its mission," down 15.4 percent from 2014 and 20.2 percent from 2013.[34]

USSS must also ensure that there is accountability for security breaches as well as incidents of misconduct. As discussed in the following case studies, these post-incident investigations sometimes failed to quickly ascertain the full extent of the underlying problems. It may be necessary for USSS to address processes and procedures for investigating incidents.

The blue-ribbon Protective Mission Panel (Panel), convened by DHS Secretary Jeh Johnson, issued a report in December 2014 which made the point that accountability and performance are linked:

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[28] Memorandum from Hon. John Roth, Inspector Gen., U.S. Dep't of Homeland Sec. to Hon. Jeh C. Johnson, Sec'y, U.S. Dep't of Homeland Sec., *Allegations of Misuse of United States Secret Service Resources* (Oct. 17, 2014), at 5-6 [hereinafter OIG Operation Moonlight Report].
[29] *Id.*
[30] *Id.* at 7.
[31] Carol D. Leonnig, *Secret Service fumbled response after gunman hit White House residence in 2011*, WASH. POST, Sept. 27, 2014 [hereinafter WASH. POST Sept. 17, 2014 article]
[32] Kurtis Lee and Neela Banerjee, *White House defends Secret Service after report on 2011 shooting*, L.A. TIMES, Sept. 28, 2014; OIG Operation Moonlight Report, *supra* note 28.
[33] Protective Intelligence & Assessment Div., U.S. Secret Service, *Security Incidents from April 1, 2014 to April 21, 2015* (Apr. 23, 2015) [App. at 44-46]; Letter from R. Christopher Stanley, Dep. Asst. Dir., Gov't & Pub. Affairs, U.S. Secret Service to Hon. Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform (Sept. 18, 2015) [App. at 48-58].
[34] Office of Personnel Mgmt., *2015 Federal Employee Viewpoint Survey: Department of Homeland Security, U.S. Secret Service, 1st Level Trend Report* (Sept. 29, 2015) at 15 [hereinafter DHS FEVS USSS Data] [see App. at 60-95].

> [T]he next director will need to help strengthen a culture of accountability. . . . The agency's zero-failure mission requires that its high standards be met. In order for the Service's agents and officers to meet its high standards, they must see that the organization itself believes in its standards and enforces them in a consistent, evenhanded manner. In other words, agency leadership, managers, and front line supervisors must believe and show that they are accountable for their mission. These are not just morale issues, or issues of fairness or trust. Accountability creates the culture of performance that the Secret Service needs to meet its zero-failure mission.[35]

Unfortunately, USSS has severely struggled in this area in recent years. When asked about accountability for misconduct at USSS at a recent hearing, DHS Inspector General John Roth testified, "[G]iven the nature of what it is that we've seen since [2013], I believe that there is a serious problem within the Secret Service."[36]

USSS made some positive changes in 2015 in response to recommendations from the Panel and congressional oversight. The Committee found that one year after the Panel released its report, however, several serious concerns remain. Many USSS employees told Committee staff that USSS has not implemented a "culture of accountability," as recommended by the Panel. Instead, they say USSS leadership refuses to recognize the unpleasant reality that the agency must undergo a dramatic reform.

The perception remains among some rank-and-file that agency leadership has protected as much as possible the "8th floor" (the location of senior management at USSS headquarters) or the "good old boys network." Some whistleblowers have said disparate treatment harms morale and widens a gap already felt between employees and management. For example, the typical process for evaluating whether security clearances should be suspended was not followed for the two senior supervisors directly involved in the March 4, 2015, incident. Although it is difficult to measure morale, it is clear USSS is currently experiencing a staffing crisis that includes a higher attrition rate among special agents in 2015 than USSS has experienced in at least ten years.

The challenges to retaining experienced personnel pose major problems for USSS because the agency cannot simply replace departing employees with others who have similar experience and skills. Instead, the agency appears to hire new or entry-level officers to augment their current force. Additionally, there are indications that the haste to hire new employees is having a detrimental impact on the security clearance process. In June 2015, USSS publicly confirmed whistleblower reports that the agency allowed both special agents and Uniformed

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[35] Joseph Hagin, Thomas Perrelli, Danielle Gray, & Mark Filip, *Executive Summary to Report from the United States Secret Service Protective Mission Panel to the Secretary of Homeland Security* (Dec. 15, 2014), at 4 [hereinafter Panel Report Exec. Summary].

[36] *U.S. Secret Service: Accountability for March 4, 2015 Incident: Hearing Before the H. Comm. on Oversight & Gov't Reform*, 114th Cong. 29 (May 14, 2015) [hereinafter OGR Hearing on OIG Mar. 4 Report].

Division officers—including those at the White House—to begin work without being issued a security clearance, a requirement for employment with USSS.[37] A USSS subject matter expert and former security officer of over ten years alleges that USSS leadership pressured security personnel to cut corners in the clearance process and that this incident was but one of many problems that resulted. DHS OIG is currently investigating these allegations.[38]

DHS OIG also faced certain allegations during a crucial time for USSS oversight, which led to further investigations that complicated the issues surrounding USSS. First, allegations were raised that the DHS OIG investigation of the Cartagena scandal, which was completed in September 2012 but never released publicly, was delayed and omitted derogatory information. Second, the January 2013 DHS OIG inspection report on the adequacy of USSS's internal investigation found that USSS responded "expeditiously and thoroughly," but omitted some information regarding how USSS advised employees of their rights prior to interviews and the resulting harm to the investigation.[39] Third, DHS OIG issued a report on USSS misconduct in December 2013—eighteen months after the Cartagena incident—which "did not find evidence that misconduct is widespread in USSS."[40]

Former Acting and Deputy Inspector General Charles Edwards resigned from his position on December 16, 2013, just three days prior to his testimony before the U.S. Senate about allegations related to his lack of independence.[41] In April 2014, a U.S. Senate subcommittee released a report finding that Edwards had "jeopardized the independence" of DHS OIG through certain behaviors, but the Senate Report did not substantiate allegations regarding the integrity of various reports, including those pertaining to USSS.[42] In November 2014, the Department of Transportation OIG, conducting an investigation on behalf of the Council of the Inspectors General on Integrity and Efficiency, also substantiated four allegations of misconduct against Edwards, but did not substantiate claims that these incidents affected the reporting of USSS investigations.[43]

The Committee, in a bipartisan fashion, has gathered an immense amount of information officially from USSS and some information from whistleblowers. USSS, however, has been

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[37] Carol D. Leonnig, *Secret Service officers at White House lacked security clearances, officials say*, WASH. POST, June 9, 2015 [hereinafter WASH. POST June 9, 2015 article].

[38] Email from Office of Inspector Gen. staff, Dep't of Homeland Sec. to H. Comm. on Oversight & Gov't Reform staff (Oct. 7, 2015, 3:08 p.m.).

[39] Office of Inspector Gen., Dep't of Homeland Sec., *Adequacy of USSS' Internal Investigation of Alleged Misconduct in Cartagena, Colombia*, OIG-13-24 (Jan. 24, 2013), at 1 [hereinafter OIG Cartagena Report].

[40] Office of Inspector Gen., Dep't of Homeland Sec., *Adequacy of USSS Efforts to Identify, Mitigate, and Address Instances of Misconduct and Inappropriate Behavior*, OIG-14-20 (Dec. 17, 2013), at 1 [hereinafter OIG 2013 Misconduct Report].

[41] *S. Subcomm. on Financial & Contracting Oversight: Investigation into Allegations of Misconduct by the Former Acting and Deputy Inspector General of the Department of Homeland Security*, 113th Cong. (Apr. 24, 2014).

[42] *Id.*

[43] Letter from Timothy Delaney, Chair, Integrity Comm., Council of Inspectors Gen. on Integrity & Efficiency to Hon. Thomas Carper, Chairman, S. Comm. on Homeland Sec. & Governmental Affairs, Hon. Tom Coburn, Ranking Member, S. Comm. on Homeland Sec. & Governmental Affairs, Hon. Darrell Issa, H. Comm. on Oversight & Gov't Reform, and Hon. Elijah Cummings, Ranking Member, H. Comm. on Oversight & Gov't Reform (Nov. 19, 2014).

disappointingly resistant to the Committee's oversight efforts, particularly with regard to document productions. Perhaps this is not surprising because USSS has received only marginal congressional oversight throughout its history. The agency has been noted for its insularity and resistance to change in general. As the Panel noted: "Following through on reforms and recommendations has been an issue for the Service in the past."[44]

Indeed, USSS itself has previously identified numerous reforms and commitments that had been articulated but never fully implemented.[45] Although the Panel made clear that some of its recommendations "precisely echo recommendations that the White House Security Review made in 1995 but that remain concerns today,"[46] it was disconcerting for Committee staff to read the Top Secret 1995 report and see how many of the same issues still plague USSS. It is clear that USSS has not successfully addressed long-standing areas of concern. Such an inability to fix known problems is very dangerous for USSS—and for those whom the agency is charged with protecting.

USSS has historically been and remains filled with dedicated public servants firmly committed to USSS's mission. It was once considered the premier federal law enforcement agency, both in training and attracting elite agents and officers. A better understanding of the agency's missteps in the past will inform discussions about how to restore the agency to prominence.

Toward that end, the Committee reviewed thousands of pages of documents and interviewed dozens of current and former USSS employees, many of whom came to the Committee as whistleblowers. The Committee also relied on facts and information obtained during hearings and in private briefings from agency officials. The Committee's bipartisan investigation yielded numerous findings and recommendations, which are contained herein. This report also contains case studies of four of the most high-profile incidents of the last several years—the November 2011 White House shooting, the spring 2012 incident in Cartagena, the September 2014 Centers for Disease Control and Prevention incident in Atlanta, and the March 2015 incident at the White House—followed by sections on accountability for misconduct, budget, management and leadership, running the agency, and reconsideration of mission.

[INTENTIONALLY BLANK]

[44] Panel Report Exec. Summary, *supra* note 35, at 8.
[45] Joseph Hagin, Thomas Perrelli, Danielle Gray, & Mark Filip, *Report from the United States Secret Service Protective Mission Panel to the Secretary of Homeland Security*, DEP'T OF HOMELAND SECURITY (Dec. 15, 2014), at 36 [hereinafter Panel Report].
[46] Panel Report Exec. Summary, *supra* note 35, at 6.

II. Findings and Recommendations

Findings Related to the November 11, 2011 White House Shooting

On November 11, 2011, Oscar Ramiro Ortega-Hernandez fired multiple shots at the White House from a semiautomatic rifle. USSS was not aware that at least seven bullets hit the residence for several days.

FINDING: Arlington Police questioned Ortega-Hernandez the day after the shooting and let him go due to lack of awareness of the ongoing investigation.

FINDING: USSS failed to identify the threat to the White House despite indications that shots had been fired at the White House.

FINDING: USSS failed to create a Spot Report until damage to the White House was discovered.

Findings Related to April 2012 Misconduct in Cartagena

In April 2012, several USSS agents and officers solicited prostitutes before a presidential visit to the Summit of Americas in Cartagena, Colombia.

FINDING: USSS personnel who engaged in sexual misconduct in Cartagena had engaged in similar misconduct on past occasions.

FINDING: Then-Director Mark Sullivan at times provided inaccurate or incomplete information to Congress.

FINDING: Standards for sexual behavior as they pertain to maintaining security clearances may not have been applied consistently.

Findings Related to the September 16, 2014 Incident at the CDC

The Secret Service allowed an unvetted armed contract security guard to ride in an elevator with President Obama at the Centers for Disease Control and Prevention (CDC) in Atlanta, Georgia. The guard also breached the President's security formation and attempted to take pictures of the President at a departure tent.

FINDING: The President's security was breached at least three times at the CDC.

FINDING: USSS failed to conduct background checks on CDC's security guards, all of whom were armed.

FINDING: USSS allowed unvetted armed guards near the President.

FINDING:	USSS improperly distributed pins to CDC security staff without conducting appropriate checks.
FINDING:	USSS did not realize the armed guard who rode in an elevator with the President was previously arrested for reckless conduct with a gun.
FINDING:	USSS allowed the President to enter an elevator with an unpinned individual.
FINDING:	The armed guard also breached the President's security at the departure tent.
FINDING:	USSS did not adhere to its own protective methodology while the President was at the CDC.
FINDING:	Video coverage of the President's CDC site visit did not capture any of the breaches.
FINDING:	USSS initially blamed the CDC after an insufficient review of the incident.
FINDING:	USSS failed to inform White House staff during a briefing after the incident that the guard was armed.
FINDING:	Then-Director Julia Pierson did not inform the President his security had been breached until two weeks later, after the incident was made public.
FINDING:	USSS conducted a more thorough review of the incident after media attention.
FINDING:	USSS provided incomplete information to Congress.
FINDING:	An individual with an arrest history that includes reckless conduct with a gun may not be disqualified from serving in a security function during a Presidential visit.

Findings Related to the March 4, 2015 Incident near the White House

On March 4, 2015, USSS senior supervisors Marc Connolly and George Ogilvie interfered with a crime scene involving a bomb threat just outside White House grounds. Connolly and Ogilvie were intoxicated at the time.

FINDING:	A warrant was not issued for the suspect in a timely manner.
FINDING:	USSS supervisors did not know the process for referring misconduct to the Office of Professional Responsibility.
FINDING:	USSS senior supervisors believed fellow senior supervisors would self-report their own misconduct.

FINDING: The typical process for evaluating whether security clearances should be suspended was not followed for the two senior supervisors directly involved in the March 4, 2015, incident.

FINDING: Deputy Chief Alfonso Dyson may not have been candid with Committee staff.

FINDING: USSS initially did not discipline Deputy Chief Alfonso Dyson after the Inspector General found he did not report the incident.

FINDING: DHS OIG did not investigate whether other USSS employees violated the "10-hour rule" that prohibits consuming alcohol and reporting for duty.

Findings Related to USSS Culture and Accountability

FINDING: USSS utilized non-disclosure agreements that do not comply with whistleblower protections.

FINDING: The independence of DHS's Security Appeals Board may be called into question when adjudicating USSS clearance revocation decisions because the Board is composed of three members from USSS.

RECOMMENDATION: *DHS should promptly ensure the Security Appeals Board consists of employees from multiple different agencies.*

FINDING: USSS managers and supervisors do not always report misconduct.

RECOMMENDATION: *USSS must develop alternatives to self-reporting and hold managers and supervisors accountable in cases where they fail to report misconduct promptly.*

FINDING: At times USSS supervisors lacked clarity about when to report possible misconduct to the Office of Professional Responsibility.

RECOMMENDATION: *Supervisors should receive formal training on the new guidelines for promptly referring allegations of possible misconduct to the Office of Professional Responsibility.*

FINDING: At times USSS managers have failed to follow DHS procedures for referring certain types of misconduct to the inspector general.

RECOMMENDATION: *USSS Office of Inspection should refer misconduct covered by the MOU to DHS OIG immediately upon receiving adequate information to reasonably conclude that misconduct may have occurred.*

FINDING: USSS leadership has at times failed to charge USSS personnel with "providing inaccurate information" or "lack of candor."

RECOMMENDATION: *USSS should clearly define what constitutes "providing inaccurate information" or "lack of candor" and agency personnel should always be independently charged when merited.*

FINDING: Some USSS employees have resigned or retired prior to being disciplined for misconduct.

RECOMMENDATION: *Once the fact-finding phase of an investigation is completed, USSS should continue to move swiftly through the disciplinary process.*

FINDING: At times USSS managers have failed to terminate employees promptly when serious misconduct has been substantiated.

RECOMMENDATION: *USSS should review its disciplinary processes to find ways to streamline and make them more efficient and effective.*

Findings Related to Agency Management and Leadership

FINDING: USSS leadership needs to continue to reform the agency.

RECOMMENDATION: *USSS should make additional positive changes in senior management ensure they uphold standards of excellence.*

FINDING: Top leadership from outside USSS will help the agency make necessary changes.

RECOMMENDATION: *The next president should take into account the Panel's recommendation for outside leadership when selecting a USSS director.*

FINDING: After USSS's public announcement that then-Deputy Director A.T. Smith had accepted a position with another agency, he remained on USSS's payroll as a detailee until his retirement nine months later.

FINDING: Some USSS rank-and-file do not have confidence in USSS leadership.

RECOMMENDATION: *USSS should proactively seek and cultivate highly talented individuals with fresh perspectives for the next generation of senior leadership.*

Findings Related to the Agency's Staffing

FINDING: USSS is experiencing a staffing crisis that threatens to jeopardize its critical mission.

RECOMMENDATION: *Congress should ensure that USSS has sufficient funds to restore staffing to required levels, and USSS should ensure that it has systems in place to achieve these goals.*

FINDING: USSS has fewer total personnel now than when the Protective Mission Panel recommended a hiring increase in December 2014.

RECOMMENDATION: *USSS should focus immediately on increasing its permanent APT personnel, especially those with a role in hiring, and should consider seeking temporary details from other agencies to expedite hiring.*

Findings Related to the Agency's Budget

FINDING: USSS does not currently have a zero-based budget to accurately determine the costs of its mission.

RECOMMENDATION: *USSS should include workforce planning experts outside the agency in developing a zero-based budget, including a third party validation of methodology.*

FINDING: USSS does not have adequate systems in place to manage its budget.

RECOMMENDATION: *USSS should implement systems to track spending and other basic accounting data.*

FINDING: Congressional funding for USSS has been inconsistent over the past decade, including several years of cuts followed by more recent efforts to reverse this trend.

RECOMMENDATION: *Congress should fully support the President's fiscal year 2016 request for USSS—particularly in light of the increased demand of the presidential election year—provided that there are adequate controls in place to ensure that the funds are used to address ongoing hiring challenges.*

Findings Related to Agency Morale and Employee Attrition

FINDING: Morale at USSS is critically low and likely contributes to attrition.

RECOMMENDATION: *USSS should report to Congress on additional proposals to decrease attrition and improve morale.*

RECOMMENDATION: *USSS should include potential incentive plans to keep experienced special agents who are eligible for retirement in a report to Congress.*

RECOMMENDATION: *USSS should ensure that supervisors and managers of APT staff have the requisite knowledge, skills, and experience.*

Findings Related to Agency Hiring

FINDING: USSS hired at least one individual without verifying his citizenship.

FINDING: In 2013, USSS discarded applications from 400-600 qualified applicants.

FINDING: USSS's current hiring process invests significant resources in applicants who may not be eligible to receive a security clearance.

RECOMMENDATION: *USSS should strongly consider incorporating interviews earlier in the application process to filter out low-quality candidates and those unlikely to receive a security clearance.*

FINDING: USSS's current process for expediting the security clearance process may result in increased risks to national security.

RECOMMENDATION: *USSS should take care to minimize risks to national security throughout the hiring process.*

FINDING: USSS's Security Clearance Division has been understaffed for years, despite warnings from external reviewers.

RECOMMENDATION: *USSS must adequately staff the Security Clearance Division.*

FINDING: Keeping USSS's Security Clearance Division under Human Resources may be counterproductive to maintaining security at the agency.

RECOMMENDATION: *USSS should consider moving the Security Clearance Division under the Chief Operating Officer and ensure that any employee occupying the Chief Security Officer position has the requisite experience.*

FINDING: USSS practice for processing security clearances appears to result in the agency issuing security clearances three times faster than the pace recommended by the Office of the Director of National Intelligence.

RECOMMENDATION: *USSS should allow at least as much time as the 114-day ODNI timeline for issuing security clearances.*

FINDING: USSS may have afforded special agents as little as three to ten days to conduct security clearance background investigations.

RECOMMENDATION: *USSS should provide sufficient time for special agents to conduct clearance background investigations.*

FINDING: USSS re-hiring of former employees without requiring them to undergo an updated physical examination, polygraph, or background investigation poses security risks.

RECOMMENDATION: *Re-hired employees at USSS should receive an updated physical examination, polygraph, and background investigation.*

FINDING: USSS's hiring panel does not appear to always have access to the results of FBI background checks.

RECOMMENDATION: *USSS should not present applicants to the hiring panel until FBI background checks have been completed.*

FINDING: Since adopting the new hiring system in 2013, USSS may hire less qualified applicants.

RECOMMENDATION: *USSS's Security Clearance Division should participate in all hiring decisions to ensure the importance of national security.*

FINDING: At times, USSS has allowed agents, officers, and APT staff to begin their service without having a fully processed security clearance.

RECOMMENDATION: *USSS should ensure that all security concerns and administrative checks are settled before an employee is put on duty.*

Findings Related to Security Breaches

FINDING: Over the last 10 years, there have been 143 security breaches and attempted security breaches at secured facilities which resulted in an arrest, 13 of which resulted in jail time.

Findings Related to Reconsidering the Agency's Mission

FINDING: USSS's mission has dramatically expanded.

RECOMMENDATION: *The Executive Branch should conduct an interagency review on USSS's collateral or non-essential missions that can be shed, and submit a report to Congress on its findings within a year.*

III. Case Studies

1. November 11, 2011 White House Shooting

On the night of Friday, November 11, 2011, Oscar Ramiro Ortega-Hernandez fired several shots from a semiautomatic rifle at the White House. At least seven bullets struck the second floor of the White House, the location of the Obama family's personal residence.[47] Several officers on the scene reacted to the shots and discovered evidence of the shooting, such as the smell of gunpowder, falling debris, and the line-like pattern of leaves separated by a firearm. Some took cover and drew their weapons. However, believing the noise was the backfire from a nearby construction vehicle, a supervisor called over his radio, "No shots have been fired. . . . Stand down."[48] Although two witnesses saw Ortega-Hernandez fire the shots at the White House, USSS failed to treat the incident as a threat to the First Family until four days later, when White House ushers discovered broken glass and a chunk of cement in the residence.[49]

USSS's response to the incident didn't become public until nearly three years later when a September 27, 2014 story in the *Washington Post* exposed many security failures.[50] USSS answered questions about the incident from numerous Members of Congress at a September 30, 2014 Committee hearing. The Committee also received two versions of USSS's incident after-action "Spot Report," which is a document that summarizes USSS's investigation into Ortega-Hernandez; one was updated on September 11, 2014.

A. Failure to Issue Lookout

FINDING: Arlington Police questioned Ortega-Hernandez the day after the shooting and let him go due to lack of awareness of the ongoing investigation.

USSS's Uniformed Division (UD) provides protection for the White House and its grounds. At approximately 8:52 p.m. EST on Friday, November 11, 2011, UD officers reported hearing gunshots in the area of 16th Street and Constitution Avenue NW.[51] Within five minutes, USSS and U.S. Park Police located a suspect vehicle sitting unoccupied at 23rd Street and Constitution Avenue.[52] The abandoned vehicle appeared to have been involved in an accident.[53]

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[47] WASH. POST Sept. 17, 2014 article, *supra* note 31
[48] *Id.*
[49] *Id.*
[50] *Id.*
[51] Risk Mgmt. Branch, Protective Intelligence & Assessment Div., U.S. Secret Service, Spot Report, *Oscar Ramino ORTEGA-HERNANDEZ* (Nov. 17, 2011; updated Sept. 11, 2014), at 1 [hereinafter 2014 ORTEGA-HERNANDEZ Spot Report].
[52] *Id.*
[53] Risk Mgmt. Branch, Protective Intelligence & Assessment Div., U.S. Secret Service, Spot Report, *Oscar Ramino ORTEGA-HERNANDEZ* (Nov. 15, 2011), at 1 [hereinafter 2011 ORTEGA-HERNANDEZ Spot Report].

Officers found a loaded assault rifle on the front passenger seat;[54] a subsequent search of the vehicle identified six spent shell casings.[55]

At 9:02 p.m., a UD officer notified the Arlington County Police Department ("Arlington PD") that a suspect in dark clothing had been reported fleeing toward the Roosevelt Bridge, which would have taken him into Arlington, Virginia.[56] Subsequently, USSS, U.S. Park Police, Metropolitan Police, and Arlington PD all assisted with canvassing the area, but did not locate the suspect.[57]

Meanwhile, at 9:18 p.m., the abandoned vehicle with the assault rifle was determined to have been registered to two individuals—one of them Ortega-Hernandez.[58] However, USSS did not issue a formal law enforcement lookout for Ortega-Hernandez.[59] Such a lookout (also sometimes called a "BOLO" for "be on look-out") is a formal notification to law enforcement agencies to watch for a wanted suspect.

The next day, on Saturday, November 12, Arlington PD responded to a call about a man behaving suspiciously in Quincy Park. The man was Ortega-Hernandez.[60] This was the second time in two days that Arlington PD had been contacted about Ortega-Hernandez; he had been caught peeping in residential windows the morning of November 11.[61] However, after the contact with Ortega-Hernandez on November 12, Arlington PD allowed him to leave. Since USSS had not issued a lookout on Ortega-Hernandez, Arlington PD apparently was unaware he was connected with the White House shooting and let him go.[62]

- USSS/WFO SA B. Conley revealed Ortega-Hernandez had contact with the Arlington County Police Department (ACPD) on the morning of 11/11/11 peeping in residential windows and 11/12/11 after engaging in suspicious behavior in Quincy Park, [redacted]. A field interview was conducted and a photo was taken after which Ortega-Hernandez was sent on his way. This contact with ACPD occurred before any lookouts were in circulation.

USSS did not learn of Ortega-Hernandez's encounters with Arlington PD until the next day, Sunday, November 13, apparently after U.S. Park Police obtained a warrant for the arrest of Ortega-Hernandez on the felony charge of carrying a deadly weapon within the District of Columbia.[63]

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[54] *Id.*
[55] *Id.*
[56] *Id.* at 2.
[57] *Id.* at 1-2.
[58] *Id.* at 2.
[59] *Id.* at 2, 3.
[60] *Id.* at 3.
[61] *Id.*
[62] *Id.*
[63] *Id.*

Subsequently, USSS conducted interviews of Ortega-Hernandez's parents, girlfriend, and friends. From those interviews they learned that approximately one year ago Ortega-Hernandez said that he wanted to kill President Obama and had referred to him as the devil, that Ortega-Hernandez "believes he is Jesus and grew his hair out to resemble him," and that Ortega-Hernandez purchased a "weapon for protection in the event of 'Armageddon' or a revolution."[64] USSS agents also reviewed videos of Ortega-Hernandez in which he commented "Osama bin Ladin [sic] was the only man with courage enough to stand up to the U.S."[65]

On November 16, Ortega-Hernandez returned to a hotel where he had stayed prior to the incident. As a result of USSS issuing a lookout sheet to the hotel, an attentive hotel clerk noticed Ortega-Hernandez returning to the hotel and contacted USSS. At the request of USSS, Pennsylvania state police then arrested Ortega-Hernandez.[66] In April 2014, Ortega was sentenced to 25 years in federal prison and 5 years of supervised probation upon release.[67]

B. Identifying the Threat to White House

FINDING: USSS failed to identify the threat to the White House despite indications that shots had been fired at the White House.

According to the *Washington Post*, several UD officers had indications shots had been fired at the White House. Two officers about 15 yards away from the shooter "could smell acrid gunpowder as they jumped out of their vehicle."[68] Another noticed that "leaves had been blown away in a line-like pattern, perhaps by air from a firearm muzzle" which "created a path of exposed grass pointing from Constitution Avenue north towards the White House."[69]

Perhaps the clearest evidence a shooting had taken place involved one officer hearing debris fall from the Truman Balcony at the time of the shooting:

> Under the Truman Balcony, the second-floor terrace off the residence that overlooks the Washington Monument, Secret Service Officer Carrie Johnson heard shots and what she thought was debris falling overhead. She drew her handgun and took cover, then heard a radio call reporting "possible shots fired" near the south grounds.[70]

Officer Johnson "told several senior officers Friday night that she thought the house had been hit."[71] Despite this evidence, officers received instructions from their supervisor to stand

[64] 2014 ORTEGA-HERNANDEZ Spot Report, *supra* note 51, at 4.
[65] *Id.* at 6.
[66] *Id.* at 7.
[67] *Id.* at 19.
[68] WASH. POST Sept. 27, 2014 article, *supra* note 31.
[69] *Id.*
[70] *Id.*
[71] *Id.*

down.[72] USSS's original Spot Report, dated November 15, 2011 did not note that any officers believed that someone had shot at the White House or that it had been hit and does not include any reference to a command to stand down.[73] The updated Spot Report, dated September 11, 2014, similarly does not include these details.[74]

On the night of the November 11 shooting, Special Agent in Charge (SAIC) for Governmental and Public Affairs Ed Donovan contacted USSS's Protective Operations Intelligence Center and reported a series of tweets regarding the shooting:[75]

Continuing on November 11, 2011

- USSS/GPA SAIC E. Donovan contacted the USSS Protective Operations Intelligence Center (PIOC) and reported an unknown subject with the username [redacted] posted the following statements on her Twitter account:

  "Driver in front of my cab, STOPPED & fired 5 gun shots at the White House. @HuffingtonPost It took the police a while to respond" {sic}

  "My cab was waiting at a stop light and this crazy guy stopped suddenly, fired at the white house and drove away like a maniac.@nytimes" {sic}

- The Investigative Support Division (ISD) was able to provide a telephone number and address for [redacted], as well as the additional statement on her Twitter account:

  "Yes, I am here. They were shot in front of the Ellipse. Not directly at the White House. Sorry about that!" {sic}

Despite these pieces of information, USSS released the scene to U.S. Park Police at 9:52 p.m., approximately one hour after the shooting.[76]

The next day, on Saturday, November 12, USSS conducted an interview with a witness in a cab west of the Constitution Avenue entrance to the White House complex at the time of the shooting. The witness said he or she observed someone fire five shots in the direction of the White House.[77] According to the original Spot Report, the witness "did not report seeing a second vehicle or suspect involved in the shooting."[78] This information is not included in revised Spot Report. Instead, notwithstanding this interview, the revised Spot Report notes that

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[72] *Id.*
[73] 2011 ORTEGA-HERNANDEZ Spot Report, *supra* note 53.
[74] 2014 ORTEGA-HERNANDEZ Spot Report, *supra* note 51.
[75] *Id.* at 2.
[76] *Id.*
[77] 2011 ORTEGA-HERNANDEZ Spot Report, *supra* note 53, at 2; 2014 ORTEGA-HERNANDEZ Spot Report, *supra* note 51, at 2.
[78] 2011 ORTEGA-HERNANDEZ Spot Report, *supra* note 53, at 2.

discussions between USSS and U.S. Park Police indicated that Park Police "believed the incident may have been an altercation between individuals in two separate vehicles."[79]

That afternoon, USSS supervisors related this version to UD officers, including Officer Johnson, at roll call. According to the *Washington Post*, Johnson "did not challenge her superiors, 'for fear of being criticized'" at the roll call.[80] At a September 30, 2014 Committee hearing, Director Pierson stated that she would ask the Office of Professional Responsibility to re-interview Officer Johnson based on the information contained in the *Washington Post* article.[81] The results of that interview are not included in the updated Spot Report.

C. Documenting the Incident

FINDING: USSS failed to create a Spot Report until damage to the White House was discovered.

Shortly after noon on November 15, 2011, a White House usher discovered a hole in the window of the Yellow Oval Room at the White House, as well as two other impacts on the window that did not break through the ballistic glass.[82]

- 1238 hrs - USSS/PPD DSAIC P. Reid advised approximately 30 minutes prior an Executive Residence Usher reported:
  - a hole in the window of the Yellow Oval Room at the White House had been discovered;
  - two confirmed impacts of what appeared to be 7.62mm rounds struck the window but did not penetrate the ballistic glass.

Further reference is made to the supplemental timeline regarding the discovery of the rounds at the White House Complex by USSS/PPD DSAIC P. Reid.

This fact was eventually documented in USSS's Spot Report, but did not appear in the original November 15, 2011 USSS Spot Report.[83]

Apparently, only after the damage to the White House was discovered did USSS inquire with the Department of Commerce, which is headquartered nearby, to see if any of their surveillance video showed the shooting.[84] It did not.[85]

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[79] 2014 ORTEGA-HERNANDEZ Spot Report, *supra* note 51, at 3.
[80] Sept. 27, 2014 *Washington Post* article, *supra* note 47.
[81] *White House Perimeter Breach: New Concerns about the Secret Service: Hearing Before the H. Comm. on Oversight & Gov't Reform*, 113th Cong. 74 (Sept. 30, 2014) (No. 113-154).
[82] 2014 ORTEGA-HERNANDEZ Spot Report, *supra* note 51, at 5.
[83] *Id.*
[84] *Id.*
[85] *Id.*

The fact that the original Spot Report was not created until four days after the shooting and that USSS did not inquire about surveillance footage of the shooting prior to that date lend support to allegations that USSS did not treat the incident as a threat to the First Family until the damage to the White House was discovered.[86]

Further, USSS's Inspection Division did not evaluate the incident in 2011. In fact, the Inspection Division did not open a file on the case until October 20, 2014, nearly a month after the September 27 *Washington Post* story.[87]

D. Summary

USSS's response to the shooting on November 11, 2011 exposed many security failures on the part of the agency—including the failure to determine the initial threat to the White House, the failure to apprehend Ortega-Hernandez in a timely manner, and the failure to promptly review USSS's own response. Had USSS examined the shooting and its response and learned from its mistakes, those lessons could have improved its responses to later incidents. This incident also highlights the potential dangers of a culture where USSS employees fear speaking up.

2. April 2012 Cartagena Misconduct

In April 2012 media reports revealed that USSS personnel solicited prostitutes before a Presidential visit to the Summit of Americas in Cartagena, Colombia. USSS immediately began an internal investigation into the alleged misconduct.[88] The investigation found that thirteen employees brought female foreign nationals (FFNs) back to their hotel rooms.[89] Accounts from the employees differ on whether they had sex or their respective FFN contact asked for payment.[90] Eleven employees had their Top Secret security clearances, and thus their access to USSS facilities and automated information systems, suspended on April 14, 2013; a twelfth on April 20, 2012; and the thirteenth on April 27, 2012.[91] On May 7, 2012, the security clearances of three of the employees were reinstated.[92] These three received Security Warning Letters, to be placed in their personnel files, and a Memorandum of Counseling.[93] Of the remaining ten,

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[86] 2011 ORTEGA-HERNANDEZ Spot Report, *supra* note 53, at 3 (November 14, USSS sought surveillance footage of crash of Ortega-Hernandez's vehicle).
[87] Inspection Div., U.S. Secret Service, Fact-finding Inquiry Case Report Details, Case No. 190-872-14-027 (opened Oct. 20, 2014).
[88] Inspection Div., Cartagena, U.S. Secret Service, *Colombia Investigation, Initial Report, April 13, 2012-May 24, 2012* 3 (May 24, 2012) [hereinafter USSS Cartagena Report May 2012].
[89] *Id.* at 5-7.
[90] *Id.*
[91] *Id.* at 132.
[92] Inspection Div., Cartagena, U.S. Secret Service, *Colombia Investigation, Third Report, September 21, 2012-March 29, 2013* 19-24 (Mar. 29, 2013) [hereinafter USSS Cartagena Report Mar. 2013].
[93] *Id.*

one senior agent retired, five resigned, three were removed from employment, and one had his appointment terminated during his trial period.[94]

On May 18, 2012, then-USSS Director Mark Sullivan received a briefing on the USSS investigation-to-date by USSS investigators.[95] Five days later, on May 23, 2012, Sullivan testified before the Senate Homeland Security and Governmental Affairs Committee (HSGAC).[96] At the hearing, Sullivan repeatedly assured Senators that the misconduct in Cartagena resulted from the poor judgment of a few agents, not from systemic problems afflicting the agency as a whole.[97] Sullivan testified that he was "confident this is not a cultural issue" and "not a systemic issue."[98] He explained that USSS has "zero tolerance for this type of behavior," and he did not "believe [those who engaged in misconduct] did it because they believed this type of behavior would be tolerated."[99] Sullivan denied knowledge of other similar incidents of misconduct, aside from one 2008 incident in Washington, D.C. which resulted in the individual being separated from USSS.[100] Additionally, Sullivan claimed that individuals involved in the Cartagena misconduct had been asked if they previously engaged in similar misconduct and they had answered in the negative.[101] Sullivan understood misconduct to include "casual sexual relationships" regardless of location.[102]

Both the internal investigation by USSS and the independent investigation by DHS OIG yielded facts rendering certain parts of Sullivan's testimony to HSGAC inaccurate. Some of this information should have been known to Sullivan prior to his testimony. At a minimum, USSS should have corrected Sullivan's statements made to Congress upon learning the contradictory information. Based on the results of these investigations, the Committee further found that USSS did not administer consistent disciplinary action to those involved in the Cartagena misconduct.

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[94] Inspection Div., Cartagena, U.S. Secret Service, *Colombia Investigation, Fourth Report, March 30, 2013-November 29, 2013* 10-11 (Nov. 29, 2013) [hereinafter USSS Cartagena Report Nov. 2013].
[95] USSS Cartagena Report May 2012, *supra* note 88, at 126.
[96] *Secret Service on the Line: Restoring Trust and Confidence: Hearing Before S. Homeland Sec. & Governmental Affairs Comm.*, 112th Cong. (2012) [hereinafter May 23, 2012 HSGAC Hearing].
[97] *See, e.g., id.* at 6.
[98] *Id.* at 13.
[99] *Id.*
[100] *Id.* at 11-12.
[101] *Id.* at 10-11 ("LIEBERMAN: Director Sullivan, let me ask you, with respect to your own investigation thus far and the individuals alleged to have behaved improperly, were they asked whether they had engaged in similar conduct on other occasions?
SULLIVAN: Yes, sir, they were.
LIEBERMAN: And what was their answer?
SULLIVAN: Their answer was that they had not.").
[102] *Id.* at 26 ("LIEBERMAN: OK. So but just to make the point, the concern that we've expressed, Senator Collins, quite explicitly and well, I think, that what we're worried about, what you're worried about, is that an agent with a responsibility to protect the president, vice president could be compromised by being involved in a casual sexual relationship while on assignment on the road. So ultimately, it doesn't matter whether it happens in Cartagena, Colombia, or Chicago, Illinois. True?
SULLIVAN: That's correct sir.").

A. Similar Misconduct in Past

FINDING: USSS personnel who engaged in sexual misconduct in Cartagena had engaged in similar misconduct on past occasions.

Shortly after the Cartagena misconduct, two employees involved admitted to USSS investigators their involvement in similar misconduct. One employee admitted to having sexual relationships with female foreign nationals (FFNs) in Italy, Ireland, Russia, New York City, and Colombia, and a sexual relationship with an American citizen in the Republic of Korea.[103] Another employee admitted involvement in a romantic relationship with a Colombian national in 2010.[104]

Later, one senior employee who solicited a prostitute in Cartagena, but refused to answer USSS investigators' questions about a relationship with an FFN in El Salvador, admitted to OIG that he previously solicited prostitutes in El Salvador and Panama.[105]

B. USSS Internal Investigation

FINDING: Then-Director Mark Sullivan at times provided inaccurate or incomplete information to Congress.

USSS knew of the misconduct of the first two employees identified above well before Sullivan received the May 18, 2012 briefing on USSS's investigation. At the May 23, 2012 hearing, however, Sullivan inaccurately claimed to Congress that individuals involved in the misconduct in Cartagena told USSS investigators that they had not previously engaged in similar misconduct.[106] Sullivan should have been made aware this claim was inaccurate based on information known to USSS before his briefing. After Sullivan's testimony, USSS's investigators continued to find evidence of misconduct. When USSS learned this information, it had a further obligation to update Congress that Sullivan's testimony had been inaccurate. No such correction was made.

At the hearing, Senator Susan M. Collins expressed concern that the employees who engaged in misconduct did so in such a conspicuous manner—by checking in their FFN guests to the hotel—that they may have believed their misconduct would be tolerated.[107] Sullivan assured Senator Collins that this incident was not indicative of a larger problem and that he "[did] not

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[103] USSS Cartagena Report May 2012, *supra* note 88, at 34, 125.
[104] *Id.* at 51.
[105] Office of Inspector Gen., U.S. Dep't of Homeland Sec., *United States Secret Service Cartagena Review- Phase One*, at 326 (Sept. 26, 2012) (I12-USSS-OSI-00800) [hereinafter DHS OIG Cartagena Review-Phase One].
[106] May 23, 2012 HSGAC Hearing, *supra* note 96, at 10-11.
[107] *Id.* at 12.

believe they did it because they believed this that type of behavior would be tolerated."[108] He further testified that USSS has "zero tolerance for this type of behavior."[109]

Emails uncovered in USSS's investigation, however, demonstrate the brazen conduct of those engaged in the misconduct. Notable examples include:

- On April 9, 2012, at 4:43 p.m., a senior agent forwarded an email to 54 USSS recipients regarding logistics for the trip to Cartagena, Colombia. In the body of the message, the senior agent wrote, "See logistics below. Our motto for this trip is una mas cerveza por favor." [One more beer, please.]

- On April 10, 2012, at 9:13 a.m., a special agent sent an email to another special agent stating, "Swagg cologne-check/Pimp gear-check/Swagg sunglasses-check/Cash fo dem hoes-check." Continuing in the same email thread, on April 10, 2012, at 9:19 a.m., the first special agent replied to the second special agent, "Plenty of magnums . . . double check!"

- On April 12, 2012, at 12:06 a.m., a special agent sent an email to a senior special agent with the subject line, "Re: Saludos de [name of supervisory agent]." In the body of the message, the special agent stated, "Pleyclb bosque [nightclub name] off hook."

- On April 12, 2012, at 11:25 a.m., a special agent sent an email to another special agent stating, "I'm dying for the report from el noche pasado." [I'm dying for the report from last night] "Tonite [sic] we ride." The second special agent responded on April 12, 2012, at 12:19 p.m., stating, "Tengo un cuento incredible para ti." [I have an incredible story for you.]

- On April 12, 2012, at 11:30 a.m., a Uniformed Division (UD) officer sent an email to another UD officer stating, "You should have seen what I did with my hotel room :)." Continuing on April 12, 2012, at 4:10 p.m., the UD officer returned the other UD officer's email and stated, "I was only joking this morning, now that I have herd [sic] the news around here."[110]

These emails not only provide circumstantial evidence of the actual misconduct, but demonstrate a complete disregard for the consequences of publicizing it. This indicates that the employees did not believe their misconduct would be punished. These emails were pulled on April 13, 2012 as part of USSS's first report into the Cartagena misconduct, which covered the investigative period between April 13, 2012 and May 24, 2012.[111] Thus, the content of these emails were known at least to USSS investigators prior to Sullivan's testimony.

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[108] *Id.* at 12-13.
[109] *Id.* at 13.
[110] USSS Cartagena Report May 2012, *supra* note 88, at 16-17.
[111] *Id.*

It is particularly troublesome that a senior supervisor emailed fifty-four employees that his motto of the trip was "una mas cerveza por favor."[112] Emails between those involved in the misconduct and individuals not involved indicate that employees did not hesitate to publicize their behavior. There is no evidence in the investigative record that those who became aware of the misconduct did anything to report or stop it.

Other facts further indicate the tolerance for misconduct at USSS. While still in Colombia, and after being interviewed about the misconduct, a senior agent felt it necessary to ask and receive permission from a more senior official to contact USSS employees and explicitly tell them not to bring guests back to the hotel.[113] If USSS's culture did not tolerate this behavior, then this email would not be necessary. In the weeks following the misconduct, USSS also issued a directive that made clear that laws of the U.S. apply to USSS employees abroad.[114]

The following measures relating to foreign car plane staffing are effective immediately.

1. Car planes will be staffed with two GS-15 supervisors – one from the Office of Professional Responsibility and one from the field.

2. The car plane supervisors will be responsible for briefing the standards of conduct expectations prior to departure to the destination country, as well as for enforcing these standards while in the foreign country.

3. All personnel traveling will have to have completed relevant LMS-based ethics training in order to be eligible for protective travel.

4. The Security Clearance Division will intensify country-specific briefings covering all pertinent topics prior to departure for the destination country.

5. Laws of the United States shall apply to Secret Service personnel while abroad.

Headquarters (Deputy Director) Smith

Sullivan provided inaccurate testimony about the security of equipment and documents at the May 23, 2012 hearing. He stated:

> We also confirmed that none of the 12 individuals [who brought FFNs to the hotel] had any sensitive security documents, firearms, radios, or other security-related equipment in their hotel room.[115]

[112] *Id.*
[113] *Id.* at 22.
[114] Message from Alvin Smith, Dep. Dir, U.S. Secret Service to U.S. Secret Service (Apr. 27, 2012, 4:05 p.m.); *see also* May 23, 2012 HSGAC Hearing, *supra* note 96, at 13.
[115] May 23, 2012 HSGAC hearing, *supra* note 96, at 7.

These comments echoed a May 1, 2012 letter from USSS to Representative Peter T. King, then Chairman of the House Committee on Homeland Security. Chairman King previously asked:

> Did the USSS employees involved in this alleged incident possess any sensitive documents in their hotel room, particularly those related to the President's schedule in Colombia? If so, were those documents lost, stolen, or compromised in any fashion? If not, how was that determination made?[116]

USSS responded:

> The investigation indicates that the USSS employees involved in this alleged incident did not have sensitive documents in their hotel room, as well as security-related equipment, such as guns.[117]

Prior to Sullivan's May 23, 2012 testimony, however, the USSS investigation found three of the twelve agents who brought FFNs back to their rooms reported having equipment, work-related documents, or credentials locked in safes in their rooms.[118] The fact that the agents locked the items in safes indicates their sensitive nature.

USSS's investigation later found eight other USSS employees in Cartagena, none of whom were apparently involved in the misconduct, did not use appropriate measures to secure their sensitive paperwork, and/or equipment.[119] These employees kept these items in personal bags or suitcase at times left unattended.[120] Six of those employees did not have locks for their bags or suitcases.[121]

Sullivan also gave incomplete and what turned out to be inaccurate information to Congress regarding derogatory intelligence information concerning one of the FFNs involved in the Cartagena incident. At the May 23, 2012 HSGAC hearing, Sullivan had the following exchange with Senator Collins:

> COLLINS: Have you now been able to definitively conclude that the women were not associated with – that they were not foreign agents, that they did not work for drug cartels, that they were not involved in human trafficking, that they were

[116] Letter from Hon. Peter King, Chairman, H. Comm. on Homeland Sec. to Hon. Mark Sullivan, Dir., U.S. Secret Service (April 20, 2012).
[117] Letter from Hon. Mark Sullivan, Dir., U.S. Secret Service to Hon. Peter King, Chairman, H. Comm. on Homeland Sec. (May 1, 2012).
[118] USSS Cartagena Report May 2012, *supra* note 88, at 23, 29, 66.
[119] *Id.* at 127-129; Inspection Div., Cartagena, U.S. Secret Service, *Colombia Investigation, Second Report, May 25, 2012-September 20, 2012* 42-43 (Sept. 20, 2012) [hereinafter USSS Cartagena Report Sept. 2012].
[120] USSS Cartagena Report May 2012, *supra* note 1, at 127-129; USSS Cartagena Report Sept. 2012, *supra* note 119.
[121] USSS Cartagena Report May 2012, *supra* note 1, at 127-129; USSS Cartagena Report Sept. 2012, *supra* note 119.

not working for FARC, for example, or other terrorist groups?

SULLIVAN: One of the first things we did, Senator, was to get the names of all the women. We had their country identification number. We provided those names and identifiers to some of our various partners out there who could verify for us if there was any connection with any type of criminal activity or criminal organization, as well as any type of intelligence concerns that we may have. The – all of the information that we've received back is – has concluded that was no connection either from a counter – an intelligence perspective or a criminal perspective.[122]

Similarly, USSS told Congressman King that "USSS requested that an [intelligence community] agency conduct name checks on the FFN's" and those "name checks produced negative results for any known connection to foreign terrorist organizations, drug or human trafficking organizations."[123]

Contrary to the statements above, a records check during the USSS investigation did return a possible association for one of the FFNs:[124]

> Continuing on April 19, 2012, DAD [redacted] received the results of the classified [redacted] Program [redacted] traces from SII, which revealed one possible association for one of the FFNs (retained in ISP under separate cover).

In a July 2012 interview, a supervisor who was on the ground in Cartagena told DHS OIG the following:[125]

> [redacted] stated that he did watch the testimony that Mark Sullivan, Director, USSS, provided to Congress regarding the incident in Colombia. [redacted] remembered that Senator Susan Collins asked a leading question pertaining to the prostitutes having an association to terrorist and/or criminal organizations. [redacted] recalls that Sullivan stated that none of the prostitutes had such ties. At the time of the testimony, [redacted] did not know why Sullivan made that statement, when in fact; [redacted] knew that one of the prostitutes had an intelligence query linked to a criminal organization.

[122] May 23, 2012 HSGAC Hearing, *supra* note 96, at 28.
[123] Letter from Hon. Mark Sullivan, Dir., U.S. Secret Service to Hon. Peter King, Chairman, H. Comm. on Homeland Sec. (May 1, 2012).
[124] USSS Cartagena Report May 2012, *supra* note 88, at 57.
[125] Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Interview – Nelson Garabito," Case I12-USSS-OSI-00800, at 2.

DHS OIG would investigate the misstatement and confirm that USSS was aware that "the FFNs underwent a national security check in April 2012, which resulted in one match of the FFNs against a national security index," but that it "consisted of a partial name match" and therefore believed it was "not a positive response."[126] In November 2012, DHS OIG consulted with the Department of Justice (DOJ) Public Integrity Section regarding the namechecks and Sullivan's misstatements to Congress.[127] DOJ then informed DHS OIG that "the findings did not merit prosecution."[128]

In a White Paper submitted to Congress, USSS stated the following regarding the derogatory information:[129]

> Record checks requested through another Federal Government agency developed classified, derogatory information possibly concerning one of the FFNs. This information consisted of an allegation that was over ten years old, and was loosely based on a similar name with virtually no other identifiers. The Federal Government agency that conducted the name checks could not substantiate the accuracy of the allegation itself, let alone that the allegation related to the same FFN that had contact with the Secret Service employee.

Regardless of the reliability of the allegation, Sullivan's statement to Congress that there was "no connection either from . . . an intelligence perspective or a criminal perspective" did not provide the full range of information collected on the FFNs.

C. DHS OIG Investigation

DHS OIG initially declined to investigate the Cartagena matter. After receiving a request from Congress, however, Acting Inspector General Charles Edwards agreed to undertake an investigation. DHS OIG limited the scope of the investigation to the events of Cartagena, and referred all reported information of broader organizational issues within USSS to OIG's Inspections Division to be included in a later "culture report." The investigation, which substantiated the allegations of misconduct, culminated in a Report of Investigation (ROI) titled "USSS Cartagena Review" that was transmitted to then-Secretary Napolitano on September 26, 2012.[130] While the ROI was transmitted after Sullivan's May 23, 2012 testimony to HSGAC, any new information should have prompted USSS to inform Congress of the additional information pertaining to Sullivan's testimony.

DHS OIG did not initially release the ROI publicly. The ROI contains information contradicting Sullivan's testimony to HSGAC that individuals engaged in the misconduct had

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[126] Memorandum from Charles Edwards, Deputy Inspector Gen., U.S. Dep't of Homeland Sec. to Hon. Janet Napolitano, Sec'y, U.S. Dep't of Homeland Sec., [redacted], (Mar. 1, 2013) at 3.
[127] *Id.* at 6.
[128] *Id.*
[129] U.S. Secret Service, *Information Related to Intelligence Community Checks on the Identities of Female Foreign Nationals Involved in the Cartagena Incident* (on file with H. Comm. on Oversight & Gov't Reform).
[130] DHS OIG Cartagena Review–Phase One, *supra* note 105.

not previously engaged in similar misconduct, individuals who brought FFNs back to their rooms did not have sensitive documents in their rooms, and that this type of misconduct was known to not be tolerated.[131] The ROI also contains information about employee perceptions and awareness of previous misconduct that undermines Sullivan's assurances there was no cultural problem within USSS.

During the course of the investigation, DHS OIG interviewed 251 USSS employees about the misconduct in Cartagena. Thirty-two employees declined to be interviewed, including ten senior level managers or senior executives.[132] Less than half of those interviewed believed the events in Cartagena to be an anomaly, and eleven relayed knowledge of similar misconduct on other occasions.[133] DHS OIG did not interview the FFNs involved because the Department of Justice (DOJ) denied OIG's request for a Mutual Legal Assistance Treaty (MLAT).[134] An MLAT would have allowed OIG to work with Colombian authorities. DOJ denied this request because OIG sought the information for a congressional proceeding rather than a U.S. criminal matter.[135] Due to the denial of the MLAT, OIG relied on the FFN statements previously obtained by USSS.[136]

The ROI contained information related to similar alleged incidents of misconduct and general perceptions and attitudes regarding similar misconduct. One employee involved in the Cartagena misconduct told DHS OIG he "heard stories of people getting prostitutes while on international trips and suspected it was common in countries where prostitution was prevalent, such as Indonesia, Japan, Korea, and Brazil."[137] He believed "being with prostitutes was tolerated by USSS supervisors, as long as you did not get caught."[138] He further stated USSS supervisors also participate by getting prostitutes themselves.[139] Another employee stated "he had brought women to his hotel rooms on numerous occasions . . . both in the U.S. and abroad."[140]

Another employee involved in the misconduct told DHS OIG investigators he witnessed similar behavior on "other foreign trips" in two continents, including witnessing "[agents] from [the Presidential Protective Division] drinking excessively and 'hooking up' with 'working girls' and 'non working girls.'"[141] According to the DHS OIG report, he knew this because other agents used him to "**translate with girls and negotiate with the prostitutes because he spoke Spanish in return for them buying him drinks.**"[142]

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[131] *See supra* p. 30-33.
[132] DHS OIG Cartagena Review–Phase One, *supra* note 105, at 3.
[133] *Id.*
[134] *Id.* at 50.
[135] Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, *Other – MLAT Request Rejection*, Case I12-USSS-OSI-00800.
[136] *Id.*
[137] *Id.* at 30.
[138] *Id.*
[139] *Id.*
[140] *Id.* at 33.
[141] *Id.* at 43.
[142] *Id.* (emphasis added).

The same agent told DHS OIG "on another occasion, [he] returned to his assigned hotel from a club with a USSS supervisor in a taxi and the supervisor went to the front desk to advise them he [the supervisor] was expecting a young lady to come back to his room for the night."[143] When investigators asked one of the more senior employees why so many USSS employees involved did not know of others engaged in similar behavior, he explained "considering how much USSS [agents] travel they learn what is permissible and legal in certain locations overseas and what is not."[144]

Information in the ROI demonstrates a general belief that those involved in the misconduct believed USSS tolerated this type of behavior. Many of the USSS personnel involved cited other instances where they believed USSS had failed to discipline fellow employees, including supervisors, for similar behavior.[145] Several of these incidents are detailed later in this report in the USSS Culture and Accountability for Misconduct section.[146]

At a minimum, the ROI suggests that the individuals involved did not believe their behavior constituted grounds for strong discipline. One said he "had never been instructed to not bring females back to his hotel room" and "USSS Security Clearance Division held a meeting . . . and advised that you do not have to report a one night stand with a foreign national."[147] Another stated he "attended a counterintelligence briefing . . . along with many other SAs, wherein they were told that 'one night stands' with foreign nationals were acceptable and only needed to be reported if the relationship continued."[148] The individual provided signed statements from other agents to corroborate this information.[149] An individual not involved in the misconduct told DHS OIG that "USSS personnel on detail may meet members of the opposite sex and have consensual sex" and that he "saw nothing wrong with behavior and commented 'to each their own.'"[150] Another described hearing of "'wheels up' parties" and the term "Wheels Up, Rings Off."[151]

Two of the most senior employees involved in the misconduct expected their punishments to be much less severe, signaling comparisons to past instances of misconduct. One

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[143] *Id.*
[144] *Id.* at 6.
[145] *See, e.g.*, Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 7-8; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 5-6; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 5-7; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 5-6.
[146] *See infra* p. 71.
[147] DHS OIG Cartagena Review–Phase One, *supra* note 105, at 33.
[148] *Id.* at 8.
[149] *Id.*
[150] Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 2.
[151] Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] ," Case I12-USSS-OSI-00800, at 3.

believed USSS would only temporarily remove him from duty as a punishment[152] and reportedly commented: "I better not get time on the beach for this."[153] "Time on the beach" is law enforcement slang for unpaid administrative leave. Another reported being told by two managers that he would probably only get 3-5 days punishment.[154] That agent ultimately retired after being allowed to use all of his sick leave.[155] A more junior employee also reported being told if it "would not have been for the media interest, this situation would have been handled differently."[156] That perception was echoed by another employee involved in the misconduct, who told DHS OIG that "because of media coverage and embarrassment to the agency, [I] was punished more severely."[157]

It is unlikely Sullivan was not aware of such attitudes and the general perception of misconduct, making his testimony to Congress even more unacceptable. Further undermining Sullivan's testimony and USSS's investigation, according to the DHS OIG investigation, four employees who brought FFNs back to their hotel rooms had USSS documents or equipment in their hotel room safes.[158] These four employees are in addition to the three employees who the USSS investigation discovered had documents or equipment in their rooms when they brought an FFN back.[159] It is troubling DHS OIG uncovered information USSS did not relative to this central security concern. It demonstrates the inaccuracy of Sullivan's testimony that "none of the 12 individuals [who brought FFNs to the hotel] had any sensitive security documents, firearms, radios, or other security-related equipment in their hotel room."[160] Many employees not involved in the misconduct told DHS OIG that they had stored classified material, their weapons, or other sensitive or work-related documents, such as their schedules or credentials, in their hotel room safes.[161] The concerns involved with handling such information and equipment

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[152] DHS OIG Cartagena Review–Phase One, *supra* note 105, at 7.
[153] *Id.* at 29.
[154] *Id.* at 11.
[155] *Id.* at 12.
[156] *Id.* at 14.
[157] Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 3.
[158] DHS OIG Cartagena Review–Phase One, *supra* note 105, at 10, 16; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 4; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 5.
[159] *See supra* p. 32 and note 118.
[160] May 23, 2012 HSGAC hearing, *supra* note 96, at 7.
[161] *See, e.g.*, Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 2; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 2; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 3; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 1; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 2; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] ," Case I12-USSS-OSI-00800, at 1; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 1; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 3; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted] " Case I12-USSS-OSI-00800, at 2.

are heightened in an agency with an accepting attitude about having casual sexual relationships while on duty.

The ROI also contained adverse allegations about USSS's handling of discipline related to the misconduct. DHS OIG, in an interview with one of the individuals who engaged in the misconduct in Cartagena, learned that another individual engaged in the misconduct allegedly "threatened to go to the media with knowledge of several other incidents similar to the situation in Cartagena, but was allowed to keep his position as a result."[162] That employee was initially placed on administrative leave,[163] but ultimately later resigned.[164] The ROI does not contain a finding to support or negate the allegation.

D. Standards for Sexual Misconduct

FINDING: Standards for sexual behavior as they pertain to maintaining security clearances may not have been applied consistently.

Punishment for the misconduct in Cartagena appears to have largely hinged on whether the employee paid an FFN for sexual services or knew the FFN was a prostitute. This is in contrast to Sullivan's testimony that USSS takes all "casual sexual relationships" while on duty very seriously. Specifically, of the thirteen employees involved, three brought FFNs back to their rooms and engaged in sexual activity, did not pay the FFN, and stated they did not believe that the FFNs were prostitutes. These employees received only non-disciplinary Security Clearance Warning Letters and Memoranda of Counseling, and had their security clearances reinstated.[165] Unlike other documents that become a permanent part of a federal employee's record, a Memorandum of Counseling does not stay in an employee's personnel file.[166] If USSS actually took all "casual sexual activity" seriously, then these three employees would have received more severe discipline similar to the other ten employees involved.

Under federal adjudicative guidelines, certain types of behavior are deemed security concerns and may result in an individual losing his or her security clearance.[167] One such condition is "sexual behavior that causes an individual to be vulnerable to coercion, exploitation, or duress."[168] The Adjudicative Guidelines also highlight concerns with "conduct involving questionable judgment, lack of candor, dishonesty, or unwillingness to comply with rule and

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[162] Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview: [redacted]" Case I12-USSS-OSI-00800, at 6; *see also* DHS OIG Cartagena Review–Phase One, *supra* note 105, at 19.
[163] USSS Cartagena Report Mar. 2013, *supra* note 92, at 24.
[164] USSS Cartagena Report Nov. 2013, *supra* note 94, at 10.
[165] USSS Cartagena Report May 2012, *supra* note 88, at 5 and 6.
[166] Telephone Briefing from Office of Gen. Counsel, U.S. Secret Service to H. Comm. on Oversight & Gov't Reform staff (May 29, 2015) [hereinafter May 29, 2015 USSS OGC Telephone Briefing].
[167] Title 32, Code of Federal Regulations, "Adjudicative Guidelines for Determining Eligibility for Access to Classified Information."
[168] U.S. Secret Service, Adjudicative Guidelines for Determining Eligibility for Access to Classified Information, Guideline D: Sexual Behavior.

regulations."[169] Furthermore, "conduct, especially while traveling outside the U.S., which may make the individual vulnerable to exploitation, pressure, or coercion by a foreign person, group, government, or country" is also a security concern.[170] Thus, the non-payment of an FFN for sexual activity—the apparent basis for the disparate treatment of individuals involved in the misconduct—does not fully mitigate the inherent security risks of such an encounter. An employee who does not pay an FFN for sexual activity still leaves himself open to blackmail and being seduced into compromising situations. These concerns are compounded by alcohol use.

After Cartagena, USSS issued the Table of Penalties and the Standards of Ethical, Professional, & Personal Conduct. The Table of Penalties outlines two separate offenses for sexual activity while on duty—one for the solicitation of payment for sexual services and another for sexual activity without solicitation or payment. The former offense can result in a standard penalty of forty-five days of unpaid leave, fourteen-thirty days of unpaid leave if the conduct is mitigated, and removal if the conduct is aggravated.[171] The latter offense can result in a standard penalty of fourteen days unpaid leave, five-ten days of unpaid leave if the conduct is mitigated, and removal if the conduct is aggravated.[172] The delineation of these two different penalties reflects the current legal status of prostitution throughout most of the United States. The recognition of the need for discipline for an agent who engages in a casual sexual relationship while on duty appears to be reflected in this new penalty.

E. Summary

In his testimony to HSGAC, Sullivan spoke positively of accountability and abatement of misconduct at USSS. Unfortunately, the facts uncovered by USSS and DHS OIG tell a different story. In finding that less than half of those interviewed by DHS OIG considered the behavior in Cartagena to be an anomaly, and based on the behavior and attitudes demonstrated in emails uncovered by USSS, the results of the investigations into Cartagena demonstrate that, at least as of April 2012, problems pertaining to alcohol and sexual behavior while on duty were not isolated to the incidents in Colombia.

3. September 16, 2014 CDC Incident

FINDING: The President's security was breached at least three times at the CDC.

On September 16, 2014, President Obama visited the Centers for Disease Control and Prevention (CDC) in Atlanta, Georgia. During this visit, President Obama used a freight

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[169] U.S. Secret Service, Adjudicative Guidelines for Determining Eligibility for Access to Classified Information, Guideline E: Personal Conduct.
[170] U.S. Secret Service, Adjudicative Guidelines for Determining Eligibility for Access to Classified Information, Guideline B: Foreign Influence.
[171] U.S. Secret Service Directives System, Office of Human Res. and Training Manual, Section PER-05(13), *UNITED STATES SECRET SERVICE TABLE OF PENALTIES*, Nov. 15, 2013 [hereinafter USSS Table of Penalties], Solicitation of Payment for Sexual Services, Offense Code 5.29, at 23 [App. at 97-137].
[172] *Id.* at Sexual Misconduct – Consensual, Offense Code 5.27, at 23.

elevator operated by a CDC contract guard to move inside the building. After President Obama made his final movement on the freight elevator, USSS personnel observed the contract guard in the departure tent taking pictures of the President's limousine. USSS personnel instructed the contract guard to leave the tent. Once the President departed, USSS personnel confronted the contract guard. According to USSS, only when CDC personnel subsequently requested the guard's weapon did USSS realized that he was armed—and had been armed and was unpinned while in the elevator with the President.[173]

USSS initially determined the CDC did not provide adequate information about its contract security guards in advance of the President's visit, and attempted to place the blame for the security breaches on the CDC. The Committee's investigation and a second investigation by USSS, however, found that four days ahead of the President's arrival, CDC submitted a Critical Systems Program questionnaire to USSS indicating all CDC security personnel would be armed. All USSS personnel later interviewed by USSS stated they had a clear understanding, prior to the event, that all contract security personnel would be armed.[174]

The Committee's investigation found a string of failures that resulted in three breaches in President Obama's security: first, by allowing unvetted armed guards in close proximity to the President; second, by allowing the President onto an elevator with an unpinned but armed individual with an arrest history, including an arrest for reckless conduct with a gun in an incident that involved shooting at a vehicle with a three-year-old child in the back seat; and third, by allowing that unpinned guard to follow the President into a departure tent. The failures were both on the part of the Presidential Protective Division (PPD), which travels with the President, as well as USSS personnel in the Atlanta Field Office. The circumstances surrounding these breaches are detailed below.

A. Underlying Incident

i. Failure to Solicit and Obtain Information for Background Checks

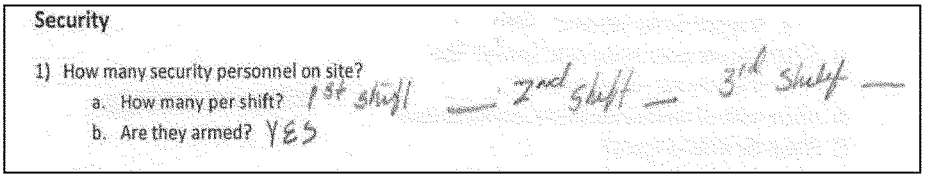
FINDING: USSS failed to conduct background checks on CDC's security guards, all of whom were armed.

In order to conduct background checks, USSS requests the name and identifying information of individuals who might come into proximity with the president. In this case, USSS "failed to properly solicit and obtain personal information from the CDC Security Services necessary to conduct name and [Arms Reach Program] checks in accordance with USSS/PPD policy."[175] CDC officials told the Committee that USSS "only asked for a spreadsheet listing the names of people (along with date of birth, sex, title, and [Social Security Number]) who were

[173] Oct. 17, 2014 CDC Memo, *supra* note 12, at 1.
[174] *Id.* at 11.
[175] *Id.* at 13.

meeting with the President while at CDC," and that "[n]one of the staff of the Security Services Office were on any list provided to USSS to include the contract guard in the elevator who functions within the office."[176] A USSS special agent separately requested [the CDC security office] send the list of names and personal identifiers directly to White House staff instead of him.[177] When White House staff subsequently sent the list, which did not include CDC security personnel, to a USSS special agent, that special agent forwarded the list to the PPD Lead Agent and Protective Intelligence advance agent without reviewing it.[178] It is not apparent whether the PPD Lead Agent or the Protective Intelligence advance agent reviewed the list or noticed it was missing CDC security personnel. Had they reviewed it they should have noticed the missing names of CDC security personnel.

Despite initially blaming CDC, USSS eventually found that PPD and Atlanta Field Office site agents shouldered most of the responsibility for the breach as a result of these lapses. CDC gave USSS notice that CDC security personnel would be armed, arguably increasing the need for USSS to conduct background checks on those individuals. A USSS security questionnaire completed by CDC prior to the President's visit specifically asked if on-site security personnel were armed.[179] CDC answered affirmatively and returned the questionnaire to USSS on September 12, 2014, four days before the President's visit.[180]


Security

1) How many security personnel on site?
   a. How many per shift? 1st shift — 2nd shift — 3rd shift —
   b. Are they armed? YES

CDC confirmed to the Committee, on a phone briefing and in email, that all guards at the CDC were armed.[181]

One of the special agents in charge of the visit recently returned to the PPD shift from the First Lady's detail.[182] This was his first significant site advance visit after returning.[183] Atlanta Field Office management, USSS advance members, and the CDC Security management team all indicated they believed this special agent was overwhelmed.[184]

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[176] Email from Public Health Analyst, Centers for Disease Control & Prevention to H. Comm. on Oversight & Gov't Reform staff (Apr. 3, 2015, 3:15 p.m.) [hereinafter Apr. 3, 2015 Email].
[177] Oct. 17, 2014 CDC Memo, *supra* note 12, at 9.
[178] *Id.*
[179] Completed "Site Survey" Questionnaire from Centers for Disease Control & Prevention to U.S. Secret Service (Sept. 12, 2014).
[180] *Id.*
[181] Telephone Briefing from Safety, Sec. and Asset Mgmt., Centers for Disease Control & Prevention to H. Comm. on Oversight & Gov't Reform staff (Apr. 1, 2015) [hereinafter April 1, 2015 CDC Telephone Briefing]; Apr. 3, 2015 Email, *supra* note 176.
[182] *Id.* at 10.
[183] *Id.*
[184] *Id.*

ii. Proximity of Armed CDC Security Personnel to President

FINDING: USSS allowed unvetted armed guards near the President.

CDC told the Committee "no other guards [besides the elevator operator] came within close proximity to the President."[185] Director Clancy reiterated that point at a November 19, 2014 House Judiciary hearing in the following exchange with Representative George E.B. Holding:

> HOLDING: One other follow-up question, then I'll yield back. Regarding the security guard who was armed and hadn't been cleared, were there any other security guards armed but not [cleared] at the event in Atlanta?
>
> CLANCY: Sir, as I've been briefed, there were other armed security at the CDC. But they were not on the inner perimeter. They were on the outside of our inner perimeter, which is not uncommon on the outside perimeter to have arms…
>
> HOLDING: So, there were armed security who had not been cleared on the outside of the perimeter, Were there any on the inside of the perimeter, like the individual that we've noted?
>
> CLANCY: As I've been briefed, sir, not on the inside of the perimeter, other than the elevator operator who was armed.[186]

However, USSS's first review indicated there were security personnel in close proximity to the President.[187] That review stated, "It was discovered after the visit that none of the security personnel in close proximity to [President Obama] were name checked or [Arms Reach Program] checked because they did not submit any of their own names."[188]

In an email sent the day after the incident, Assistant Special Agent in Charge (ASAIC) Jack Coffey wrote to Special Agent in Charge (SAIC) Robert Buster, head of PPD:

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[185] *Id.*

[186] *United States Secret Service: Hearing Before the H. Comm. on Judiciary*, 113th Cong. 34 (Nov. 19, 2014) (No. 113-118).

[187] Email from [redacted], U.S. Secret Service to Jack Coffey, Jr., Asst. Special Agent in Charge, Presidential Protective Div., U.S. Secret Service, et al. (Sept. 16, 2014, 11:58 p.m.) [hereinafter Sept. 16, 2014 Email] (emphasis added).

[188] *Id.*

> No other armed CDC security officers were in our secure areas. They were in non secure areas. We did have unarmed CDC officers in our secure area. They were not name checked and should have been.[189]

The aforementioned information provided by the CDC shows that all CDC security personnel were armed that day, and that CDC had sent notification of that fact to USSS. Thus, the guards mentioned by Coffey as being "unarmed CDC officers in our secure area" would have in fact been armed, and Director Clancy's testimony that there were not armed guards "on the inside of the perimeter" appears inconsistent. CDC also told the Committee that USSS agents interacted with guards all over campus and "had no particular reaction to the visible weapons."[190]

Additionally, USSS's second review stated that armed contract security guards supported the USSS security plan by holding exterior posts and two stairwell access posts.[191] USSS failed to conduct background checks on these guards just as it did all other CDC guards that day.

iii. Distribution of Credentials at CDC

FINDING: USSS improperly distributed pins to CDC security staff without conducting appropriate checks.

A basic element of USSS's protective operations at site visits is the use of special credentials, known as "SARGE pins," to help control who has access to the various layers of security around the president.[192] These pins are physical temporary identifiers worn on an individual's lapel.[193] Each pin has a specific letter: S for Staff, A for Airport, R for Resident, G for Guest, and E for Enforcement (armed law enforcement or private security).[194]

Without having conducted the appropriate name checks, a USSS special agent provided pins to the CDC Security Services management team and to another USSS special agent to distribute.[195] The distribution of these pins without having conducted the proper background checks violated USSS policy. Thus, as USSS's second review found, "PPD and Atlanta [Field Office] CDC site agents failed to appropriately control the distribution of SARGE System pins to only name checked personnel."[196]

Given USSS's failure to vet guards and follow proper pin distribution procedures, the Committee believes that the policies and procedures for advance visits, specifically regarding the

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[189] Email from Jack Coffey Jr., Asst. Special Agent in Charge, Presidential Protective Div., U.S. Secret Service to Robert Buster, Special Agent in Charge, Presidential Protective Div, U.S. Secret Service (Sept. 17, 2014, 12:46 a.m.).
[190] Apr. 3, 2014 Email, *supra* note 250.
[191] Oct. 17, 2014 CDC Memo, *supra* note 12, at 11.
[192] U.S. Secret Service Protective Operations Manual, OPO-9 (Aug. 24, 2007), at 4.
[193] *Id.*
[194] *Id.*
[195] Oct. 17, 2014 CDC Memo, *supra* note 12, at 10.
[196] *Id.* at 13.

vetting and pinning of individuals who are in close proximity to the President, should be further analyzed by DHS OIG.

iv. Elevator Operator's Arrest History

FINDING: USSS did not realize the armed guard who rode in an elevator with the President was previously arrested for reckless conduct with a gun.

An armed security guard was stationed in the elevator in order to operate it for the President. Like the other guards, USSS did not conduct a background check. When USSS did later conduct a records check on the armed guard, it returned a criminal history of three arrests for misdemeanors.[197] One of the arrests was for reckless conduct with a weapon, when he intervened in a shooting incident at a neighbor's apartment by shooting at and hitting a fleeing suspect's vehicle while a three-year old was in the back seat, though this charge was Nolle Prossed due to the death of the defendant (the fleeing suspect) and a primary witness.[198] The two other arrests were for simple assault during a domestic dispute with the guard's future wife, and for simple assault after a domestic dispute with his sister, and these arrests were stricken from his record and dismissed, respectively.[199] The guard was never convicted for any of the three misdemeanors.[200]

Had USSS properly screened the armed guard and learned of his arrest history, he likely would have been excluded from serving as an elevator operator per USSS protocols.[201]

v. Allowing Unpinned Individuals near President

FINDING: USSS allowed the President to enter an elevator with an unpinned individual.

Neither the freight elevator manifests contained in the USSS Preliminary Survey report nor the USSS CDC site diagrams included a generic elevator operator position.[202] The PPD site agent claimed that on September 11, 2014, he requested the CDC Security Services team provide an unarmed elevator operator during the President's visit.[203] The CDC Security Services team has no record of USSS making any such request.[204]

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[197] *Id.* at 12.
[198] Email from Brian Christensen, U.S. Secret Service to Timothy Hollern, Inspector, Inspection Div., U.S. Secret Service (Oct. 3, 2014, 4:29 p.m.).
[199] Oct. 17, 2014 CDC Memo, *supra* note 12, at 12.
[200] *Id.*
[201] Sept. 16, 2014 Email, *supra* note 223.
[202] *Id.* at 10.
[203] *Id.* at 9.
[204] *Id.*

Regardless, USSS did not provide the armed guard elevator operator with a SARGE pin.[205] He should have received one under current USSS procedures had he passed the proper screening.[206] Thus, USSS found that PPD and Atlanta Filed Office CDC site agents "failed to appropriately vet, manifest and SARGE pin the freight elevator operator."[207]

Although other USSS personnel knew the elevator operator was armed, the PPD site agent also "failed to ask [the security guard] if he was armed prior to the arrival of President Obama."[208]

Even disregarding the fact that the guard was armed and had a violent arrest history, USSS should not have allowed the President into an elevator with an unpinned individual. The pinning system is USSS's primary means of controlling presidential access. Allowing the President into an elevator with an unpinned individual represents a major breach of the President's security.

vi. Breach at President's Departure

FINDING: The armed guard also breached the President's security at the departure tent.

After President Obama made his final movement from the freight elevator to a loading dock to depart the CDC, the contract guard followed the President and the group accompanying him.[209] The guard then began taking pictures of the President with his cell phone.[210] Despite being unpinned and armed, he was not stopped by USSS at the time. USSS would later find that the "PPD shift failed to provide adequate rear coverage of the security formation on the movement from the freight elevator on the second floor to the departure tent."[211]

This breach was only detected because after taking the initial pictures, the guard went back to the freight elevator, saw that no one else was waiting to get on the elevator, and then returned to the President's departure tent through a different entrance to take more pictures.[212] At that time, SAIC Buster observed the guard, who was motioned out of the tent by another USSS special agent.[213]

After the President had departed, USSS contacted the guard's management.[214] When management asked for the guard's gun during a subsequent interview, the USSS special agent

[205] Oct. 17, 2014 CDC Memo, *supra* note 12, at 10.
[206] U.S. Secret Service Protective Operations Manual, OPO-9 (Aug. 24, 2007), at 4.
[207] Oct. 17, 2014 CDC Memo, *supra* note 12, at 13.
[208] *Id.* at 13.
[209] Oct. 17, 2014 CDC Memo, *supra* note 12, at 11.
[210] *Id.* at 11-12.
[211] *Id.* at 14.
[212] *Id.* at 12.
[213] *Id.*
[214] *Id.* at 7.

realized that the security guard had been armed throughout the day.[215] The guard was subsequently fired for leaving his post and for lying about his actions by telling USSS personnel he did not attempt to take pictures of the President.[216]

vii. USSS Protective Methodology

FINDING: USSS did not adhere to its own protective methodology while the President was at the CDC.

USSS failed to comply with its own protective methodology, jeopardizing the security of the President in the process. According to the Protective Methodology section of USSS's Protective Operations Manual, a core principle of the mission is "proactive protection," or the "the use of preventative controls and countermeasures to avoid incidents that may place protected persons, places, and events at risk of harm or disruption."[217] The manual lists components that are important to providing a safe and secure environment.[218]

Manual : Protective Operations	**Section : OPO-02**
RO : OPO	**Date : 08/24/2007**

The process of providing a safe and secure environment begins with the following components:

- Gathering, analyzing, and controlling the dissemination of relevant intelligence information
- The protective advance
- The Preliminary Survey – specification of every aspect of the visit or event which may have an impact on the protective environment, including:
- The arrival and departure of protectees
- The vetting and screening of those who may be in proximity to protectees

As the facts above demonstrate, USSS violated its own protective methodology prior to the President's visit, during the President's time in the CDC building, and while the President was departing. USSS's failure to properly take into account information that all guards would be armed, failure to conduct appropriate background checks, failure to stop the President from getting into an elevator with an unpinned individual, and failure to secure the departure tent area amount to violations of all five of the above bullets.

viii. Video Evidence of the Incident

FINDING: Video coverage of the President's CDC site visit did not capture any of the breaches.

[215] Oct. 17, 2014 CDC Memo, *supra* note 12, at 7.
[216] Apr. 1, 2015 CDC Telephone Briefing, *supra* note 179.
[217] U.S. Secret Service, Protective Operations Manual, OPO-02 (Aug. 24, 2007), at 3-4.
[218] *Id.*

The Committee obtained and reviewed all relevant video footage from the day of the President's visit to the CDC. None of the footage shows the armed guard in the elevator with the President. There was no taped footage from the elevator or in the conference room where the interview of the guard took place, and no camera visibility of the President's departure where the armed guard breached the security formation in an attempt to take pictures of the President. There is video of the armed guard when he left his post to make a phone call, as shown in the picture below.[219] Not only was the President accompanied by an armed security guard who had not been properly vetted by USSS, there is no video evidence of the guard's proximity to the President.



B. Subsequent Developments

i. USSS's Incomplete and Problematic Initial Review

FINDING: USSS initially blamed the CDC after an insufficient review of the incident.

[219] Centers for Disease Control & Prevention, *Surveillance Video of Pres. Obama's Sept. 16, 2014 Visit to Atlanta CDC.*

In the hours following the breach, USSS personnel met at the Atlanta Field Office to review the incident.[220] The Committee obtained the email summary of that meeting. Key excerpts include:

- CDC policy states that security personnel are not allowed to photograph any visiting VIPs. [Security guard] admitted to knowing this policy and intentionally violated that policy because he was excited to see the President.

- **Subsequent investigation determined that [security guard] had a criminal history that would have precluded him from serving as the elevator operator but not excluded him from serving in a security function at that site**.

- Was [security guard] wearing an E pin [credential for law enforcement]?[221] No, because he is not a sworn officer. He also was not issued an R pin [credential for residents] because his name was not submitted by CDC security supervisors to [special agent] for [Arms Reach Program][222] checks. **It was discovered after the visit that none of the security personnel in close proximity to [President Obama] were name checked or [Arms Reach Program] checked because they did not submit any of their own names.**

- Did [special agent] make a request that the elevator operator not be armed? SA [special agent] stated he did make the request of one of two CDC security supervisors. When asked, both supervisors could not recall this request. **However, it was also discovered there were additional omissions by CDC security regarding name checks and [Arms Reach Program] checks**.[223]

The Arms Reach Program is an enhanced background screening of individuals who will have private or close proximity to the President and utilizes a review of partner agencies' databases. The procedures of the program are classified.

The above email inaccurately places the blame on CDC by implying that it was CDC's responsibility ensure that name checks and Arms Reach Program checks were successfully completed. It was not the responsibility of CDC personnel to check their own names. That responsibility belonged to USSS alone.[224] Further, as discussed above, CDC provided all information requested by USSS in advance of the visit.

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[220] Oct. 17, 2014 CDC Memo, *supra* note 12, at 9.
[221] U.S. Secret Service Protective Operations Manual, OPO-9 (Aug. 24, 2007), at 4.
[222] Nov. 13, 2014 Letter from Clancy, *supra* note 12.
[223] Sept. 16, 2014 Email, *supra* note 187 (emphasis added).
[224] *Id.* at 13.

The leadership of PPD received some, but not all, of this information in an email from ASAIC Jack Coffey to SAIC Robert Buster. After updating SAIC Buster, ASAIC Coffey forwarded the update he provided to SAIC Buster to another USSS employee with the instructions, "Close hold on this please. Do not disseminate or discuss."[225] The individual responded: "Yes sir, mums [sic] the word."[226]

USSS referred information from the interview with the armed guard elevator operator and subsequent meeting at the Atlanta Field Office to the Protective Intelligence and Assessment Division, but the case was not referred for further action, and the review resulted in no discipline.[227]

ii. Failure to Fully Brief White House Staff

FINDING: USSS failed to inform White House staff during a briefing after the incident that the guard was armed.

When provided with a clear opportunity to inform White House staff that the guard in the elevator with President Obama was armed but had not received a background check, USSS failed to do so. According to a USSS interview with SAIC Buster, USSS briefed the White House staff in Atlanta on the inappropriate photography portion of the incident.[228] USSS did not, however, tell White House staff or President Obama that the guard in question had not received a background check, or that he carried a weapon while in close proximity to the President.[229] The failure to provide this information to the White House is inexplicable.

iii. Then-Director Pierson's Testimony to Congress

FINDING: Then-Director Julia Pierson did not inform the President his security had been breached until two weeks later, after the incident was made public.

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[225] Email from Jack Coffey Jr., Asst. Special Agent in Charge, Presidential Protective Div., U.S. Secret Service to [redacted], U.S. Secret Service (Sept. 17, 2014, 9:31 a.m.).

[226] Email from [redacted], U.S. Secret Service to Jack Coffey Jr., Asst. Special Agent in Charge, Presidential Protective Div., U.S. Secret Service (Sept. 17, 2014, 11:55 a.m.).

[227] Oct. 17, 2014 CDC Memo, *supra* note 12, at 1. When an incident (the occurrence of an event or activity that may be of protective interest) occurs, information is required to be analyzed to develop protective intelligence products. Typically, the Protective Intelligence and Assessment Division (PID) does not refer incidents to the field for further investigation. When PID does refer an incident to the field office, the field office assists in gathering information required to identify subjects or groups involved, gather technical information, report chronological information on a major crime, or monitor another agency's investigation. U.S. Secret Service, Protective Intelligence & Info. Manual (Jan. 7, 2013), at 1.

[228] Interview by Timothy Hollern, Inspector, Inspection Div., U.S. Secret Service with Robert Buster, Special Agent in Charge, U.S. Secret Service (Oct. 7, 2014).

[229] *Id.*

News of the incident became public on September 30, 2014, hours after a Committee hearing on the September 19, 2014 White House fence-jumping incident.[230] At that hearing Chairman Chaffetz, then Chairman of the National Security Subcommittee, and Julia Pierson, then-Director of USSS, had the following exchange:

> CHAFFETZ: What percentage of the time do you inform the President if his personal security [has], in any way, shape, or form, been breached?
>
> PIERSON: Percent of the time? One hundred percent of the time we would advise the President.
>
> CHAFFETZ: You would advise the President?
>
> PIERSON: Yes.
>
> CHAFFETZ: In the calendar year 2014, how many times has that happened?
>
> PIERSON: I have not briefed him, with the exception of one occasion for the September 19 incident.
>
> CHAFFETZ: So the only time you have briefed the President on perimeter security, the President's personal security, the First Family's security, has been one time in 2014?
>
> PIERSON: That is correct.[231]

After this hearing, however, the Committee learned that neither Pierson nor anyone else at USSS notified the President of the CDC breach until September 30, 2014, hours before the story broke in the media.[232] Pierson knew about the incident, including the fact the guard was armed, within hours after it occurred on September 16, 2014.[233] Thus, despite Pierson's testimony that she advised the President on security breaches "one hundred percent of the time," the President did not know about this breach in his security for two weeks. Although President Obama initially expressed confidence in Director Pierson's leadership of the agency, the next day, he accepted Pierson's resignation.[234]

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[230] WASH. POST Sept. 30, 2014 article, *supra* note 10.
[231] *White House Perimeter Breach: New Concerns about the Secret Service: Hearing Before the H. Comm. on Oversight & Gov't Reform*, 113th Cong. 74 (Sept. 30, 2014) (No. 113-154).
[232] Nov. 13, 2014 Letter from Clancy, *supra* note 12.
[233] Email from Protective Intelligence Operations Center Info, U.S. Secret Service, to [REDACTED] (Sept. 16, 2014, 6:35 p.m.).
[234] Carol D. Leonnig, *Julia Pierson resigns as Secret Service director after series of security lapses*, WASH. POST, Oct 1, 2014.

iv. Second USSS Review of the Incident

FINDING: USSS conducted a more thorough review of the incident after media attention.

If not for the attention from the media and Congress following the revelation of the CDC incident, USSS's investigation may have been limited to its cursory, and incorrect, initial review. After Secretary Johnson became aware of the CDC incident on September 30, 2014, the same day the story became public, he ordered USSS to conduct an additional review.[235] This second, more thorough, review disputed some of USSS's original findings regarding the solicitation and collection of information necessary for name checks being the fault of CDC.[236]

USSS's second and more thorough review included 30 interviews with individuals involved in the incident.[237] It was completed on October 17, 2014.[238] As a result of the second review, USSS issued one special agent a ten-day Proposed Suspension.[239] USSS does not appear to have proposed discipline for any other individuals involved, including any of the special agent's supervisors or other agents involved. There also does not appear to be any discipline in connection to the armed guard breaching the "rear coverage of the security formation on the movement from the freight elevator on the second floor to the departure tent."[240]

v. Inaccurate Information in Letter to the Committee

FINDING: USSS provided incomplete information to Congress.

On October 7, 2014, Members of the Committee wrote to USSS seeking clarification of several issues.[241] In a November 13, 2014 response, Acting Director Clancy stated: "As the newly appointed Acting Director, I am devoting my utmost attention to the recent incidents, and I appreciate the opportunity to address your concerns."[242]

In that letter, USSS referenced both its same-day review of the incident as well as the second review ordered by Secretary Johnson, which was completed on October 17, 2014—well prior to the November 13, 2014 letter to the Committee.[243] However, USSS failed to include the

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[235] Nov. 13, 2014 Letter from Clancy, *supra* note 12.
[236] Oct. 17, 2014 CDC Memo, *supra* note 12.
[237] *Id.*
[238] *Id.*
[239] Inspection Div., U.S. Secret Service, Mission Assurance Inquiry Case Report Details (opened June 23, 2011) (190-872-14-025).
[240] Oct. 17, 2014 CDC Memo, *supra* note 12, at 14.
[241] Letter from Hon. Darrell Issa, Chairman, H. Comm. on Oversight & Gov't Reform, Hon. Elijah Cummings, Ranking Member, H. Comm. on Oversight and Gov't Reform, Hon. Jason Chaffetz, Chairman, Subcomm. on Nat'l Sec., and Hon. John F. Tierney, Ranking Member, Subcomm. on Nat'l Sec. to Hon. Joseph Clancy, Dir., U.S. Secret Service (Oct. 7, 2014).
[242] Nov. 13, 2014 Letter from Clancy, *supra* note 12.
[243] Oct. 17, 2014 CDC Memo, *supra* note 12, at 1.

results of the second review, which differed substantially from the results of the first review, in the November 13, 2014 letter to the Committee.[244]

For example, the November 13 letter incorrectly stated that USSS employees did not know the CDC contract security guard who operated the elevator was armed until an interview with the guard immediately following the incident when his supervisor asked for his pistol.[245]

> - 4:40 p.m. (approximately) – The Presidential Protective Division (PPD) site agent contacted CDC Security Services management regarding the attempts of the contractor who operated the elevator to take photographs of President Obama in the departure area. The PPD site agent met with CDC Security Services management, supervisors from Professional Security Corporation (PSC), and the contractor in question in a nearby room. During the meeting, a PSC supervisor suspended the contractor and took his PSC-issued pistol. The PPD site agent realizes that this individual was armed while operating the elevator and requests a Secret Service protective intelligence team to interview the contractor. This is the first time Secret Service employees became aware that the contractor was armed.

While this may have been the first time that the PPD site agent realized that the guard was armed, it was not the first time that USSS employees generally became aware of this fact. USSS's second investigation had confirmed nearly a month prior to this letter that "all of the USSS advance team personnel interviewed had a clear understanding that PSC personnel were armed."[246] This applied to both security personnel in uniform, with visible weapons, and those who wore suited attire and did not have visible weapons, such as the armed elevator operator.[247] Furthermore, CDC guards and USSS agents participated in multiple rehearsals with the guard in question present and armed.[248]

C. Standards for Security Personnel at Presidential Visits

FINDING:	**An individual with an arrest history that includes reckless conduct with a gun may not be disqualified from serving in a security function during a Presidential visit.**

This incident highlights the possibility that different protocols should be considered. Despite the armed guard's arrest history, and the fact that it would have disqualified him from

[244] Nov. 13, 2014 Letter from Clancy, *supra* note 12.
[245] *Id.* at 2.
[246] Oct. 17, 2014 CDC Memo, *supra* note 12, at11.
[247] Apr. 3, 2014 Email, *supra* note 250.
[248] *Id.*

operating the elevator for the President, he would not have been excluded from serving in a security function at the site for the President's visit.[249]

According to the CDC, the guard's "arrest history did not disqualify him from employment as a security guard at CDC."[250] The guard met various background standards and checks before working at the CDC, including: (1) a National Agency Check with Written Inquiry (NACI) investigation through the Office of Personnel Management, which dates back five years and contacts law enforcement authorities; (2) a comprehensive pre-assignment evaluation by his contract employer, which included a search of records of criminal convictions; (3) an investigation by the Georgia Board of Private Detective and Security Agencies to receive a license to carry a weapon for private security, which disqualifies individuals with criminal convictions; and (4) a Bioterrorism Security Risk Assessment by the Federal Bureau of Investigation (FBI) Criminal Justice Information Services Division in order to receive access to select agents and/or toxins.[251]

Passage of these checks and employment at CDC, however, does not mean an individual should be allowed to provide security support to the President. At the very minimum, USSS should be aware of the criminal backgrounds or arrest histories of those providing security to the President, and have clear protocols pertaining to resulting prohibitions providing security functions.

D. Summary

USSS jeopardized the President's security during his visit to the CDC. USSS allowed the President's security to be breached at least three times in addition to failing to follow its own security protocols in a number of ways.

USSS's failure to promptly and adequately investigate the incident, and forthrightly address concerns about the incident, was also problematic. First, USSS did not inform the President or his staff that the guard in the elevator had been armed and had a violent arrest history, including an arrest for reckless conduct with a gun; second, USSS conducted a problematic initial review that inaccurately placed blame on CDC, and may not have conducted the more thorough review if not for media attention focused on the incident; third, USSS provided inaccurate information at a Committee hearing; fourth, USSS provided what appears to be inaccurate information at a House Judiciary Committee hearing; and fifth, USSS provided inaccurate information in response to a letter from the Committee.

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[249] *Id.*
[250] *Id.*
[251] Letter from Sherri Berger, Chief Operating Officer, Centers for Disease Control & Prevention to Hon. Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform (Feb. 24, 2015).

4. March 4, 2015 Incident

On March 9, 2015, Director Clancy learned of allegations that five days earlier, on March 4, two USSS supervisors, Marc Connolly and George Ogilvie, possibly intoxicated after attending a retirement party for a fellow supervisor, interfered with a crime scene surrounding a threatened bomb just outside White House grounds.[252] Connolly was Deputy Special Agent in Charge (DSAIC)—the second-in-command—on President Obama's Presidential Protective Division (PPD). Assistant to the Special Agent in Charge (ATSAIC) Ogilvie was a senior supervisor in the Washington (D.C.) Field Office's protection squad.[253] USSS personnel referred the matter to DHS OIG that day.[254] Two days later, after being informed that press accounts of the allegations would be published later that evening, Director Clancy notified the Committee of the incident.[255]

The next day, the Committee requested information on the incident, including all video footage, photographs, or audio recordings.[256] The Committee understands that USSS has undertaken some efforts to extend its formerly 72-hour retention period for security video footage. Various state agencies, public universities, and private sector entities routinely retain security video tapes for at least thirty days and USSS would be well served to follow such best practices.

Director Clancy subsequently briefed Committee members on March 17, 2015. To obtain more information, the Committee sent an extensive document request on March 19, 2015.[257] Between mid-April to mid-May 2015, Committee staff also conducted transcribed interviews of six USSS employees on duty or with responsibilities pertaining to the March 4 incident.[258]

On May 14, 2015, DHS OIG released its public report, which concluded "it was more likely than not that both Connolly's and Ogilvie's judgment was impaired by alcohol."[259] According to DHS OIG's investigation, DSAIC Connolly, ATSAIC Ogilvie, and two non-agent

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[252] Email from Gov't & Pub. Affairs staff, U.S. Secret Service to H. Comm. on Oversight and Gov't Reform staff (Mar. 17, 2015, 11:34 a.m.).
[253] OIG Mar. 4 Report, *supra* note 27, at 2.
[254] *Id.*
[255] Telephone Briefing from Hon. Joseph Clancy, Dir., U.S. Secret Service to Hon. Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform (Mar. 11, 2015).
[256] Letter from Hon. Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform and Hon. Elijah Cummings, Ranking Member, H. Comm. on Oversight and Gov't Reform to Hon. Joseph Clancy, Dir., U.S. Secret Service (Mar. 12, 2015).
[257] Letter from Hon. Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, Hon. Elijah Cummings, Ranking Member, H. Comm. on Oversight and Gov't Reform, Hon. Ron DeSantis, Chairman, Subcomm. on Nat'l Sec., and Hon. Stephen F. Lynch, Ranking Member, Subcomm. on Nat'l Sec. to Hon. Joseph Clancy, Dir., U.S. Secret Service (Mar. 19, 2015) [hereinafter Mar. 19, 2015 Letter].
[258] The Committee conducted transcribed interviews of Assistant to the Special Agent in Charge Kimberly Tello as well as Uniformed Division personnel Officer Samuel Mason, Lieutenant Charles Miller, Captain Michael Braun, Inspector Keith Williams, and Deputy Chief Alfonso Dyson.
[259] OIG Mar. 4 Report, *supra* note 27, at 17.

USSS personnel with them were likely the last to leave a nearby retirement party that night.[260] The report further revealed that at 10:45 p.m.—just minutes before Ogilvie drove Connolly to the White House grounds in Ogilvie's government-owned vehicle—Ogilvie paid the bartender for eight glasses of scotch, two vodka drinks, one glass of wine, and three glasses of beer.[261] Of those, Ogilvie could not recall what happened to five of the glasses of scotch, the glass of wine, and two or three of the beers, claiming he gave them away to others but being unable to recall the identities of the beneficiaries.[262]

During this same time, at the White House, UD officers were on high alert after an individual had placed a package outside of a guard booth and stated it contained a bomb. The area was closed off to await the arrival of the Washington Metropolitan Police Department bomb squad.[263] Yet both at the bar and in ATSAIC Ogilvie's government-owned vehicle afterwards, both ATSAIC Ogilvie and DSAIC Connolly failed to check their devices indicating that the White House was at a Condition Yellow.[264] Approximately thirty minutes after the bomb threat, Ogilvie and Connolly approached a roadblock closing off traffic to the area,[265] ignored an officer directing the vehicle to turn around,[266] turned on the vehicle's police lights or sounded an air horn to pass,[267] and slowly drove straight to the precise E Street entrance where the alleged bomb was awaiting examination by the bomb squad.[268] Surveillance footage shows the vehicle maneuvered around a steel bike rack, "push[ed] [a] barrel . . . more than five feet . . . to shove the barrel out of the way," and "passed within inches of the suspicious package"—a threatened bomb outside of USSS's most important protected residence, the White House.[269] DHS OIG concluded, "[T]wo highly experienced Secret Service supervisors drove into a crime scene inches from what the rest of the Secret Service was treating as a potential explosive device and which, under different circumstances, could have endangered their own lives and those of the UD officers responding."[270]

When confronted by UD officers at a vehicle blocking gate 100 yards further into the White House complex, Ogilvie and Connolly initially failed to respond, described by one officer as having a "deer in the headlights look."[271] The officers notified their watch commander, who walked from an entirely different part of the White House complex to come investigate the situation with DSAIC Connolly and ATSAIC Ogilvie, who acknowledged to the watch commander that they had been drinking.[272]

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[260] *Id* at 2.
[261] *Id*. at 3.
[262] *Id*.
[263] *Id*. at 5.
[264] *Id*. at 8-9, 10.
[265] *Id*. at 6.
[266] *Id*. at 6-7.
[267] *Id*. at 7.
[268] *Id*. at 7-8.
[269] *Id*.
[270] *Id*. at 17.
[271] *Id*. at 9.
[272] *Id*. at 9-10.

Notifications of the incident that night went from the watch commander up the chain of command, but ultimately stopped with the two leaders of the UD, one of whom essentially reports through DSAIC Connolly to PPD SAIC Robert Buster.[273] No one in USSS wrote up the incident.[274] Despite both agents and UD officers talking of the incident for days, the Office of Professional Responsibility would not be notified of the incident until March 9 when Director Clancy himself learned of the incident—through a source outside of USSS.[275]

The purpose of the DHS OIG investigation "centered around the activities of two senior Secret Service personnel."[276] The Committee's investigation into this incident also included further review of how USSS responded to and reported the possible misconduct of the senior agents, as well as how the agency responded to and investigated the original incident of the suspicious package that was claimed to be a bomb. Although the DHS OIG report provides a substantial narrative of most of the underlying facts these circumstances, it did not discuss some of the significant issues of the original incident. These are described below.

A. Unnecessary Delay in Arresting Heather Brookins

FINDING: A warrant was not issued for the suspect in a timely manner.

On March 4, 2015, the suspect pertaining to the original incident of the suspicious package, Heather Brookins, evaded initial arrest after placing what she claimed to be a bomb outside an entry gate to White House. Three days later, on March 7, 2015, the Louisa County Sheriff's Office in Virginia apprehended her on unrelated charges.[277] The Committee interviewed several USSS personnel involved in the response to the suspicious package, including UD Officer Samuel Mason. Stationed at a guard booth designated "South Park 15," located near E Street on the southeast corner of the White House complex, Officer Mason was on the scene when Brookins made the bomb threat. Officer Mason described the events:

> Roughly 10:25 p.m. She pulled up. I saw her there. Like I said, 9 times out of 10, they're waiting for the green light to do a left turn or something, they went the wrong way, et cetera. I gave her a few moments, and then I was going outside the booth. At the same time, she got out of her car, so I went to address her. The first thing I was telling her is, "Ma'am, you can't park here," because that's, like I said, a thousand times a day.
>
> Instantly, she arose my suspicion when she says, "I have something for you," and I was like, "Ma'am, we can't take packages. We can't—we can't do this. And, you know, you have to mail it or whatever," you know, because we get that a lot of times, too, I want to mail a letter, I want

[273] *Id.* at 18.
[274] *Id.* at 15.
[275] *Id.* at 14.
[276] *Id.* at 2.
[277] Staff Report, *Louisa cops solve White House problem*, CENTRAL VIRGINIAN, Mar. 12, 2015.

> to hand a letter, so on and so forth.
>
> She's like, "I have something for you. It's a book . . . actually, it's a f***ing bomb."
>
> And then I was like, "Back up." I was yelling at her; screamed back. She set it down—she laid it on the ground at that point. I retrieved my radio to alert the complex what was going on.
>
> At that point, she was returned to her car. I went out to the car, opened up the closest door to me, which was the front passenger door. I was screaming at her, "Get out of the car. Get out." And she said, "I don't have to do anything you say," put it in reverse, went backwards 5, 6 feet or so. I was inside the pocket of the door, so she took me with her. That's when I leaned in, put it in park, and screamed at her again. No other assets were there yet, and I didn't want to run around on the front of the car or even the back at that time, obviously, if she went into reverse. Then she put it in drive and started—headed southbound on 15th Street.[278]

As USSS began to secure the area, UD officers attempted to locate Brookins' car.[279] The officers at the scene provided a description of the car but not the license plate number.[280] Within seconds of Brookins leaving the scene, two UD cruisers began pursuit.[281] One of the UD cruisers spotted a vehicle matching the description, but discontinued pursuit when a second UD cruiser radioed in that he stopped a vehicle matching the description.[282] However, the second cruiser stopped the wrong vehicle, allowing Brookins to evade arrest after cruisers discontinued pursuit of the first vehicle.[283]

After reporting the license plate number, a UD officer at the scene learned the owner of the car was married to Brookins, a person of record with USSS.[284] Brookins encountered Capitol Police the day before while staying at a hotel in the area.[285] USSS agents traveled to the hotel early in the morning after the incident but discovered that Brookins had already checked out.[286] Only then did USSS issue a "be on the lookout" (BOLO) alert for Brookins.[287] USSS agents traveled to Brookins' house early the same morning and interviewed her husband, who informed

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[278] H. Comm. on Oversight & Gov't Reform, Transcribed Interview of Samuel Mason (Apr. 17, 2015), at 27-28.
[279] OIG Mar. 4 Report, *supra* note 27, at 5.
[280] *Id.*
[281] *Id.*
[282] *Id.* at 5-6.
[283] *Id.* at 6.
[284] *Id.*
[285] *Id.*
[286] *Id.*
[287] Letter from Hon. Joseph Clancy, Dir., U.S. Secret Service to Hon. Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform (Mar. 23, 2015) [hereinafter Mar. 23, 2015 Letter].

them that Brookins traveled to Virginia.[288] USSS located Brookins at 6:00 p.m. on March 5, 2015, in Gordonsville, Virginia.[289]

USSS interviewed Brookins at 7:05 a.m. the next morning, March 6,[290] but, according to USSS documents, agents were "unable to arrest the subject," and that the warrant for her arrest was issued on March 10.[291] At 12:31 p.m., USSS's Protective Intelligence Operations Center (PIOC) cancelled the BOLO for Brookins.[292] Later that night, Louisa County, Virginia Police responded to a verbal dispute involving Brookins at the hotel, but reported Brookins left the premises before they arrived.[293]

On the morning of March 7, Louisa County Police responded to a department store after receiving a report of a suspicious vehicle.[294] The vehicle belonged to Brookins.[295] Police found her sleeping in the driver's seat and charged her with trespassing, loitering, disorderly conduct, and obstruction of justice after she threw items out the window and refused to comply with officers.[296] When Brookins refused to exit the vehicle, officers broke the window to remove her.[297] She was then committed to a hospital in Charlottesville, Virginia.[298] However, when Louisa County Police contacted USSS's PIOC that morning regarding Brookins' status as a USSS look-out, USSS informed them the BOLO was no longer in effect.[299]

A warrant was not issued for Brookins until March 10—six days after the events of March 4—for Assault with a Dangerous Weapon, not for any bomb-related threats.[300] Charges in Virginia were dismissed in lieu of other prosecution, and Brookins was then transferred to USSS custody and taken to federal court in southern Virginia.[301] Her case is pending.

B. Need for Clarity in Misconduct Investigations

FINDING: USSS supervisors did not know the process for referring misconduct to the Office of Professional Responsibility.

[288] OIG Mar. 4 Report, *supra* note 27, at 6.
[289] *Id.*
[290] *Id.*
[291] Mar. 23, 2015 Letter, *supra* note 287.
[292] *Id.*
[293] *Id.*
[294] *Id.*
[295] *Id.*
[296] *Id.*
[297] *Id.*
[298] *Id.*
[299] *Id.*
[300] *Id.*
[301] Email from Office of Gov't & Pub. Affairs, U.S. Secret Service to H. Comm. on Oversight & Gov't Reform Committee staff (Apr. 27, 2015).

Inspectors serve as the highest level of management in the USSS UD under the top three in the UD chain of command: the Chief, the Assistant Chief, and the Deputy Chief.[302] According to Inspector Keith Williams, when a UD employee is aware of misconduct, the practice is to report it up the chain of command to headquarters. Williams gave this hypothetical example for a UD officer, whose next-level reporting official is a sergeant, that was suspect of some type of misconduct:

> If there's an incident that requires disciplinary action, the sergeant's involved with it who will inform his lieutenant, but it's the ultimate decision of the watch commander whether or not the disciplinary action will be sent up for recommendation. . . . It would be forwarded on to the deputy chief for his review, and then sent on to the Office of Integrity for their decision whether or not disciplinary action will go forward.[303]

Yet UD Deputy Chief Alfonso Dyson, the third highest-ranking official in the UD and the highest-ranking operational UD official at the White House, provided conflicting information to the Committee as to his role compared with the role of the Office of Integrity or Office of Professional Responsibility. Initially, Dyson stated the Office of Professional Responsibility investigates allegations and determines whether misconduct occurred:[304]

> Q. Who is ultimately responsible in the Secret Service for investigating possible misconduct allegations to determine whether or not there was actual misconduct?
>
> A. So that would be the Office of Integrity, along with the Office of Professional Responsibility, the Inspection Division.
>
> * * *
>
> Q. [I]f the Office of Integrity is supposed to investigate and determine if there is misconduct, would it be up to you to determine whether

[302] H. Comm. on Oversight & Gov't Reform, Transcribed Interview of Alfonso Dyson (May 12, 2015), at 10-11 [hereinafter Dyson Tr.].

[303] H. Comm. on Oversight & Gov't Reform, Transcribed Interview of Keith Williams (Apr. 30, 2015), at 15-16 [hereinafter Williams Tr.].

[304] In interview excerpts in this section, the Office of Integrity is often used interchangeably with the Office of Professional Responsibility. USSS personnel were unclear on which office misconduct should be reported to—one of the many areas of confusion USSS personnel evidenced regarding disciplinary procedures in the agency. The Office of Professional Responsibility, not the Office of Integrity, is in fact responsible for convening USSS's Intake Group to receive allegations of misconduct. The Office of Integrity only plays a role in ensuring consistency in discipline once allegations have been investigated. U.S. Secret Service Directives System, Office of the Dir. Manual, Section ITG-06(01), *DISCIPLINARY AND ADVERSE ACTIONS – GENERAL*, Jan. 31, 2014, at 5-6. However, the Office of Integrity also sits on the Intake Group, so the outcome should be the same regardless of which of these two entities allegations are conveyed to. *Id.* at 3. USSS personnel may possibly associate the Office of Integrity with investigating misconduct due to the fact that its creation was a highly-publicized event in response to the Cartagena scandal.

there's misconduct, or would it be ultimately up to the Office of Integrity?

A. It's ultimately up to the Office of Integrity.

Q. So your obligation is to report all potential misconduct to the Office of Integrity so that they can determine whether or not there was actual misconduct?

A. Well, it's up to them to determine whether or not it's actual misconduct and if there would be disciplinary action taken.[305]

Dyson, however could not provide a clear explanation of what matters should, in fact, be referred to the integrity process:

Q. What types of matters would you report to the Office of Integrity?

A. There is a wide range of things. **If an officer violated some policy, but that's not necessarily always going to go to Integrity.** It really varies. It's kind of difficult. There's no set rule on every single misconduct issue.

Q. So what would be the types of misconduct issues that would not—then for which there would not be an obligation to report to the Office of Integrity?

A. Well, I guess if we go back a little bit, **if there's actual misconduct and it violates a policy, then that in itself will go to Integrity.** So if we are speaking of misconduct, as we are, that generally would go to Integrity.[306]

Dyson ultimately stated a matter is only referred to the Office of Integrity after the UD makes its own determination on whether misconduct occurred:

Q. If there's an incident that takes place and there is any allegation that there may have—it may have involved misconduct, would that be something that you would need to report up the chain to the Office of Integrity?

A. That is something that I would look at, along with the watch commander of the shift, and then if there is some facts to show that there is some sort of misconduct, then we would take the next step.

[305] Dyson Tr., *supra* note 302, at 13-15.
[306] *Id.* at 12 (emphasis added).

> But if there is just an allegation that something may have happened, I don't know that that would be reported to the Office of Integrity.

Q. So you would do the fact finding ultimately, not the Office of Integrity?

A. Not necessarily just a formal fact finding, but we would actually inquire as to what happened, or someone on my team, probably the watch commander, will look into the issue, and then **they would advise me as to whether or not there's misconduct, and if there is actually misconduct, then it will be forwarded.**

Q. Okay. So when you say, "if there is actually misconduct," so you make determination that there is or is not misconduct, and if you determine that there is misconduct, then it goes to the Office of Integrity just for disciplinary purposes?

A. Based on the information I receive from the supervisors, the watch commander included, and usually the inspectors, so they bring me the information, and then I will look at it, and if there is misconduct, then we will report it.[307]

C. Reliance on Self-Reporting of Misconduct

FINDING:	**USSS senior supervisors believed fellow senior supervisors would self-report their own misconduct.**

After the March 4 incident, no one reported the full details of DSAIC Marc Connolly's conduct to SAIC Buster or the Office of Integrity. According to the DHS OIG report, Deputy Chief Dyson stated that he did not report the incident because he believed that Connolly would self-report.[308] Chief Simpson went even further, stating that not only did he assume that Connolly was going to self-report, Simpson did not believe it was his job to report Connolly.[309] Neither Dyson nor Simpson followed up on whether Connolly actually fulfilled his obligation to self-report.[310] Simpson told DHS OIG that he did not believe he had a duty to report:

> Simpson thought that Connolly would have reported the incident to Robert Buster, Special Agent in Charge, PPD, Washington DC, who is Connolly's direct line of supervision. Normally, Dyson would have been responsible to report the incident to Buster, but Dyson did not report the

[307] *Id.* at 15-16 (emphasis added).
[308] OIG Mar. 4 Report, *supra* note 27, at 15.
[309] *Id.*
[310] Dyson Tr., *supra* note 302, at 112.

> incident because Dyson believed that Connolly would have self-reported the incident. In this instance the notifications should have been reported from Connolly through Buster to Callahan. Simpson did not report the incident to Callahan because it is not Simpson's responsibility to report an incident involving a Special Agent of the USSS. Simpson is responsible to report incidents involving UD Officers to Callahan.[311]

The DHS OIG memorandum makes no record of whether Simpson believed he had any responsibility to report to the Office of Integrity. However, Inspector Williams informed Committee staff that he understood referrals to the Office of Integrity to go through the Office of the Chief of the UD:

> [U]ltimately on the Uniformed Division side a deputy chief will send that information to the Office of the Chief, and then the Office of the Chief will ultimately send that information to the Office of Integrity. . . . It's sort of like a dual role. [T]he paperwork goes up the chain of command like that, but it will go to the Office of the Chief, and the Office of the Chief will make sure it gets in the hands of the office of integrity.[312]

For his part, Deputy Chief Dyson offered contradictory testimony in his transcribed interview with Committee staff. He acknowledged his obligation to report the misconduct of others:

> Q. Do you have an obligation to report misconduct when you become aware of?
>
> A. If I am aware of misconduct, then I have an obligation to report it.[313]

Yet he also emphasized the obligation of individuals to self-report:

> Q. So, just to make sure we're clear, at the Secret Service, all employees have a general obligation to report misconduct; is that correct?
>
> A. Yes. But—
>
> Q. Okay.

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[311] Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview – Kevin Simpson, Chief, USSS, UD, WHB," Case I15-USSS-SID-06777, at 2 [hereinafter DHS OIG Simpson MOA].
[312] Williams Tr., *supra* note 303, at 47-48.
[313] Dyson Tr., *supra* note 302, at 106.

> A. —there's also an expectation that the individual involved will self-report.[314]

In the case of special agents, Dyson seemed to believe that USSS could rely on the obligation to self-report:

> Q. If anyone . . . on the special agents' side had committed misconduct that you observed, would you rely on them to report that misconduct up their chain of command, or would you have an independent obligation to report it yourself?
>
> A. Well, if I have a discussion with the individual and, after the discussion I'm led to believe you're going to make the notification, I would not make the notification.[315]

However, he also referenced the fact that Connolly was a supervisor as one of the factors that led him to believe self-reporting was sufficient:

> [W]ith Marc Connolly being a SES GS-15, the number two person on the President's detail, there was no reason for me to believe he wouldn't self-report this, especially after he and I discussed it, and I made sure he knew that he should report it.[316]

Although Dyson had only been Deputy Chief and a colleague of Connolly's for a short four and a half weeks, he took it for granted that Connolly would self-report: "There was nothing about Marc Connolly that I knew of in my short time knowing him that indicated that he would not self-report this to SAIC Buster."[317] In fact, Dyson stated this expectation went for all managers: "We all have and there's this expectation that especially us, as managers, will self-report. I really viewed this as another one of those cases where the individual would self-report."[318]

The DHS OIG report concluded both Dyson and UD Chief Kevin Simpson "could have reported the incident."[319] Yet the report failed to note that under USSS's Table of Penalties, all supervisors have an obligation to report misconduct in Offense Code 5.6, dereliction of supervisory responsibility. This obligation is discussed in greater detail in the Failure to Report Misconduct section later in this report.[320]

Whether Dyson allowed Connolly to self-report because of Connolly's status as a fellow supervisor in the chain of command or as a special agent is unclear. However, it is clear it is not

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[314] *Id.* at 48.
[315] *Id.* at 105.
[316] *Id.* at 104.
[317] *Id.* at 118.
[318] *Id.*
[319] OIG Mar. 4 Report, *supra* note 27, at 18.
[320] *See infra* p. 81.

sufficient to rely on individuals to report their own misconduct. Not only did the misconduct not get reported up the chain in this instance, but in general, relying on someone to self-report because they are a fellow supervisor may send the message to rank-and-file USSS personnel that supervisors get preferential treatment and do not have to abide by the same rules.

D. Disparate Treatment

FINDING:	**The typical process for evaluating whether security clearances should be suspended was not followed for the two senior supervisors directly involved in the March 4, 2015, incident.**

Even after USSS leadership became aware of the events of March 4, 2015, and referred the matter to the Inspector General, Connolly and Ogilvie's clearances were not suspended, which was generally inconsistent with this type of misconduct.

USSS's Security Officer at the time, Robin DeProspero-Philpot, told the Committee that in this type of case, an individual's security clearance is normally suspended during an investigation into their conduct. DeProspero-Philpot stated:

> [A.] The only case . . . that I don't feel that the process was followed, necessarily—in other words, there was no briefing given by me or my Deputy Assistant Director; I found out the information about the March 4 incident, that I was told that no clearances would be suspended, the two employees would be on administrative leave until an investigation was done.
>
> Q. And you had no input in that decision.
>
> A. No.
>
> Q. But you typically would.
>
> A. Yes.
>
> Q. Do you have any insight as to why this was treated differently?
>
> A. No, I didn't—no.
>
> Q. You didn't ask questions?
>
> A. I did not ask questions.
>
> Q. Who told you that this would be different?

A. As I recall . . . I think it was my Deputy Assistant Director, Pete McCauley.[321]

DeProspero-Philpot said that, had the normal process been followed, she would have suspended the clearances of Ogilvie and Connolly pending additional investigation.[322]

E. Lack of Candor with Committee Staff

FINDING: Deputy Chief Alfonso Dyson may not have been candid with Committee staff.

Deputy Chief Alfonso Dyson was one of the UD supervisors who chose not to report the misconduct to the Office of Professional Responsibility. In the Committee's interview of Dyson, he used the phrase "don't recall" eighty-eight times.[323] Some of his responses raised questions about whether he was being candid with Committee staff. For example, Dyson claimed that he didn't know the vehicle made contact with any barrier:

> Q. Now, in addition to looking at security camera footage related to the suspicious package incident itself on March 4, 2015, did you ever review any security camera footage related to Agents Connolly and Ogilvie's attempted entrance at the White House complex on the night of March 4, 2015 at all?
>
> A. I did. I saw a video. And this was very short, but it showed the vehicle pulling up at the orange barrier. I may have even seen the vehicle nudge the barrier. But that would have been sometime long after things had really kind of blown up and it was all over the media. And I don't remember when. But it certainly wasn't within the first several days because that wasn't a topic of discussion. I didn't know any of that happened.
>
> * * *
>
> I certainly don't recall any knowledge of Ogilvie driving and hitting a barrier. If I did, then when Rich Coughlin called me on the 9th and said that someone hit a gate in the drunk driving thing, I would have cleared it up. No, Rich, they moved the barrier. I would have said some sort of follow-up as relates to what the vehicle struck or moved or pushed or whatever. But I completely

[321] H. Comm. on Oversight & Gov't Reform, Transcribed Interview of DeProspero-Philpot (Sept. 14, 2015), at 185 [hereinafter DeProspero-Philpot Tr.].
[322] *Id.*
[323] Dyson Tr., *supra* note 302, at 20-22, 28, 29, 30, 31, 33, 35, 53, 55, 56, 58, 59, 63, 66, 82, 97-99, 100, 101, 107, 109-114, 122, 125, 134, 139, 142, 144, 145, 147, 148, 150, 155, 156, 159, 161, and 162.

> dismissed it to Rich when he called because, as far as I knew, none of that happened.[324]

However, in his interview with DHS OIG, Dyson said that Connolly told Dyson in a phone call that they drove around a road block.[325] According to the DHS OIG report, Dyson called Connolly at 11:19 p.m., just over twenty minutes after Connolly and Ogilvie went through the entrance to the White House complex at South Park 15.[326] Within minutes of that call, Dyson received a forwarded email from the JOC describing a vehicle entering SP15 and moving an orange barrel.[327] Dyson in turn sent that e-mail to both SAIC Buster and Connolly.[328]

From: ALFONSO DYSON (UDW)
To: ROBERT BUSTER (PPD); MARC CONNOLLY (PPD)
Subject: Fw: SP15
Date: Wednesday, March 04, 2015 11:46:46 PM

Fyi
Deputy Alfonso M. Dyson
U.S. Secret Service

From: MICHAEL BRAUN (UDW)
Sent: Wednesday, March 04, 2015 11:34 PM Eastern Standard Time
To: ALFONSO DYSON (UDW); KEITH WILLIAMS (UDW)
Subject: Fw: SP15

Joc video

From: ALDO FRASCOIA II (UDW)
Sent: Wednesday, March 04, 2015 11:32 PM
To: MICHAEL BRAUN (UDW)
Subject: SP15

Capt.
The individual that entered sp15 moved the orange barrel, that was blocking the entrance, with his vehicle. He never exited his vehicle but moved it with his car then backed up and moved it again.

[324] *Id.* at 149-150.
[325] Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview – Alfonso Dyson, Deputy Chief, USSS, WHB," Case I15-USSS-SID-06777, at 2 [hereinafter DHS OIG Dyson MOA].
[326] OIG Mar. 4 Report, *supra* note 27, at 10.
[327] Email from Michael Braun, Uniformed Div., U.S. Secret Service, to Alfonso Dyson, Deputy Chief, Uniformed Div., U.S. Secret Service, and Keith Williams, Inspector, Uniformed Div., U.S. Secret Service (Mar. 4, 2015, 11:34 p.m.).
[328] Email from Alfonso Dyson, Deputy Chief, Uniformed Div., U.S. Secret Service, to Robert Buster, Special Agent in Charge, Presidential Protective Div., U.S. Secret Service, and Marc Connolly, Deputy Special Agent in Charge, Presidential Protective Div., U.S. Secret Service (Mar. 4, 2015, 11:46 p.m.).

When asked whether he received any such emails, Dyson claimed he believed the email referred to the female driver who left the suspicious package:

> Q. Did you receive any emails regarding DSAIC Connolly's presence at the White House complex?
>
> A. I can't recall a specific email saying that DSAIC Connolly was there. I don't recall seeing any emails that night, but I also don't recall even checking my emails that late at night.[329]
>
> * * *
>
> Q. So, in the course of that night, did you ever have an understanding that DSAIC Connolly's vehicle, the vehicle in which we now know he was not the driver, but as you understood it that night, did you have any understanding that the vehicle had moved a barrel near the package?
>
> A. I don't think anyone told me that, but there was an email that came out stating that, but I don't even think I saw that email until the next day sometime. I don't recall checking my emails that night, from the timeframe of the package. I remember a bunch of phone calls and falling asleep, getting up and going to work the next morning. And I think – I'm not 100 percent, but I think that's when I saw that email about the vehicle.
>
> Q. Who was the email from?
>
> A. I believe the email was from [Watch Commander] Mike Braun. It might have been from Keith Williams, but I believe it was from Mike Braun to Keith Williams and myself.
>
> Q. So what was your reaction when you received that email?
>
> A. I think my initial reaction—and again, I'm trying to recall from a couple months ago—was that . . . the email referenced a vehicle moving the barricade or a barrier, but . . . the email didn't specify that it was DSAIC Connolly. And if I recall correctly, I think I believed it was the individual's car or the individual who actually left the package or something. I don't think my mindset was that it was DSAIC Connolly's car.[330]

[329] Dyson Tr., *supra* note 302, at 98.
[330] *Id.* at 98-99.

Yet Deputy Chief Dyson received the email shortly after Inspector Williams notified him of the concerns about DSAIC Connolly and ATSAIC Ogilvie's vehicle and Connolly himself provided information about driving around a road block. Additionally, though Dyson stated he did not "recall seeing any emails that night," he in fact forwarded the e-mail on to both SAIC Buster and Connolly. As a result, it is difficult to trust Dyson's claim that he was not aware the email forwarded by the Watch Commander, Captain Michael Braun, was about the vehicle containing Connolly and Ogilvie.

F. Discipline for Those Involved

i. Individuals Named in OIG Report

FINDING: USSS initially did not discipline Deputy Chief Alfonso Dyson after the Inspector General found he did not report the incident.

The day before DHS OIG publicly released its report, DSAIC Marc Connolly reportedly notified USSS leadership that he planned to retire.[331] As a result, USSS did not consider disciplinary measures for Connolly.[332]

ATSAIC George Ogilvie received a demotion from his position as a GS-14 supervisory special agent to a GS-13.[333] He also received a thirty-day suspension and a transfer out of USSS's Washington (D.C.) Field Office.[334]

UD Chief Kevin Simpson received a 5-day suspension for Offense Code 5.6, dereliction of supervisory responsibility, in USSS's Table of Penalties.[335] According to Clancy, on March 12, Simpson told Clancy that he had not been aware of the allegation of Connolly and Ogilvie drinking.[336] However, Simpson acknowledged in his interview with DHS OIG that Dyson reported to Simpson information reported up the chain from Captain Braun that Connolly had a smell of alcohol on his breath.[337]

Deputy Chief Alfonso Dyson initially received no proposed discipline despite DHS OIG's finding that Dyson could have reported the incident but failed to do so.[338]

Four other employees received a letter of reprimand or memorandum of counseling, including ATSAIC Kimberly Tello, Captain Michael Braun, and Lieutenant Charles Miller.[339] A

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[331] Carol D. Leonnig, *Secret Service agent retiring amid probe into conduct at White House*, WASH. POST, May 13, 2015.
[332] May 29, 2015 USSS OGC Telephone Briefing, *supra* note 165.
[333] May 29, 2015 USSS OGC Telephone Briefing, *supra* note 165.
[334] *Id.*
[335] USSS Table of Penalties, *supra* note 171, Dereliction of Supervisory Responsibility, Offense Code 5.6, at 18.
[336] Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Person Interview – Joseph Clancy, Director, USSS," Case 115-USSS-SID-06777, at 4 [hereinafter DHS OIG Clancy MOA].
[337] DHS OIG Simpson MOA, *supra* note 311, at 1-2.
[338] May 29, 2015 USSS OGC Telephone Briefing, *supra* note 165.

letter of reprimand constitutes formal discipline and stays in an employee's file for three years, even if the employee is reassigned to another office; a memorandum of counseling does not constitute formal discipline, but is written up by an employee's supervisor and kept by the supervisor for one year or until the employee is reassigned to another office.[340]

ii. Individuals Not Named in OIG Report

FINDING: DHS OIG did not investigate whether other USSS employees violated the "10-hour rule" that prohibits consuming alcohol and reporting for duty.

The conduct of other individuals was not investigated as part of the DHS OIG review of the March 4 incident. When Inspector General John Roth appeared before the Committee in a May 14 hearing on the DHS OIG report, he testified: "We interviewed some of the individuals who were at the sort of farewell party in which alcohol was served. Some of them had alcohol and then, for example, went back to the office to continue to work."[341] Roth could not provide an estimate of how many individuals fell into such a category.[342] Roth testified that his office "did not really press it" because the DHS policy about not driving after even one drink "was really unknown to the Secret Service" and "[n]o one within the Secret Service understood it."[343]

According to the USSS Standards of Ethical, Professional, & Personal Conduct, a desk reference provided to every USSS employee, employees "may not consume alcohol within 10 hours of reporting for duty."[344] The DHS OIG report mentions the rule in passing and does not state whether Ogilvie, Connolly, or any other USSS employee violated the rule. Inspector General Roth later testified before the Committee that it was unlikely that either Ogilvie or Connolly violated the rule, since the incident at South Park 15 took place just before 11:00 p.m. and their duty hours did not begin until 9:00 a.m. the next day.[345]

Yet any other agent or officer who went back to work after consuming alcohol—regardless of whether or not they traveled in a government-owned vehicle, which Roth focused on—would have violated the 10-hour rule. DHS OIG did not follow up on this issue in its investigation. When asked whether others might have violated the rule Roth pivoted back to Ogilvie and Connolly,[346] even though he testified a short while later that other employees told DHS OIG they "would have a beer and a sandwich, say good-bye, and then go back to work."[347]

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[339] *Id.*
[340] *Id.*
[341] OGR Hearing on OIG Mar. 4 Report, *supra* note 36.
[342] *Id.* at 66.
[343] *Id.* at 35.
[344] *Standards of Ethical, Professional, & Personal Conduct: A Desk Reference for United States Secret Service Employees*, 2013, at 49. *See also*, "Use of Intoxicants," U.S. Secret Service Directive System Section PER-05(05) (Jul, 19, 2012) and Section ITG-04 (Dec. 1, 2014).
[345] OGR Hearing on OIG Mar. 4 Report, *supra* note 36,at 57-58.
[346] *Id.*
[347] *Id.* at 66.

Altogether, DHS OIG interviewed five of the approximately thirty to forty USSS personnel who attended Donovan's retirement party.[348]

DHS OIG also did not pursue the issue of whether it was appropriate to drive a government-owned vehicle to a retirement function regardless of whether alcohol was consumed. Clancy told DHS OIG in his interview that he believed USSS personnel could use their government-owned vehicles to attend social functions.[349] However, at least two USSS employees told DHS OIG that just one month before the March 4 incident, they received ethics training which specifically indicated the inappropriateness of taking a government-owned vehicle to a retirement event.[350] USSS personnel may have employed creative means to circumvent this ethics rule; Ogilvie told DHS OIG that he understood that government-owned vehicle driving logs were not to record any mileage other than the drive from home to office or office to home. As a result, Ogilvie's driving log for March 4, 2015, listed no usage of the government-owned vehicle to drive to the retirement party and back to the White House Complex.[351]

G. Summary

The March 4, 2015 incident is significant for several reasons. First, the potential intoxicated driving occurred in the midst of an incident with potentially devastating consequences—a bomb threat at the White House. This is the type of event against which USSS should constantly be vigilant. Second, the incident involved two managers within USSS—one a high-level supervisor with prominence to both special agents and UD officers. Third, and perhaps most importantly, the incident was not initially reported as it might have been for lower-ranking personnel, and the supervisors subsequently appeared to receive preferential treatment during the investigation—both emblematic of the type of inconsistent treatment rank-and-file some USSS employees have alleged is common in USSS and which they say negatively impacts to morale. Combined together, these factors make both the underlying incident and USSS's subsequent handling of it extraordinary troubling, and indicative of serious problems within the agency.

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[348] Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview – [redacted]" Case I15-USSS-SID-06777; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview – [redacted]," Case I15-USSS-SID-06777; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview – George David Ogilvie, ATSAIC, USSS, WFO," Case I15-USSS-SID-06777 [hereinafter DHS OIG Ogilvie MOA]; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview – [redacted]" Case I15-USSS-SID-06777; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview – [redacted]" Case I15-USSS-SID-06777.

[349] DHS OIG Clancy MOA, *supra* note 336, at 6.

[350] Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview – [redacted]" Case I15-USSS-SID-06777, at 4; Office of Inspector Gen., Dep't of Homeland Sec., Memorandum of Activity, "Personal Interview – [redacted]," Case I15-USSS-SID-06777, at 5.

[351] DHS OIG Ogilvie MOA, *supra* note 348, at 30; Email from George Ogilvie, U.S. Secret Service to Office of Inspector Gen., Dep't of Homeland Sec. (Apr. 15, 2015, 11:49 a.m.).

IV. USSS Culture and Accountability for Misconduct

When DHS OIG released its report on the March 4, 2015 incident, it noted that the incident should be viewed in light of "the Secret Service's reputation for punishing or ignoring those who would further investigate or report such violations."[352] Inspector General John Roth personally raised this issue in his May 14, 2015 testimony before the Committee, where he stated that Watch Commander Braun's alleged fears were "[c]ertainly consistent with some of the things that we found in the 2013 report with regard to a high percentage of people failing to report misconduct, believing that either nobody would listen, or you would, in fact, be affirmatively retaliated against."[353]

Roth also pointed out that when DHS OIG conducted an electronic survey as part of its December 2013 report, forty-four percent of respondents felt they could not report misconduct without fear of retaliation.[354] According to the report:

> Employees consistently cited fear of reprisal or retaliation as a reason for not reporting solicitation of prostitution, criminal sexual behavior other than solicitation, excessive alcohol consumption, foreign contacts, or personal conduct. . . . During interviews, supervisors and employees described the USSS as a small and competitive agency, which can make fear of retaliation or alienation an issue.[355]

Widespread fear of retaliation suggests misconduct may be underreported at USSS and would therefore not be accurately reflected in agency disciplinary data.

According to the results of the 2015 Federal Employee Viewpoint Survey, filed between April 27 and June 5, 2015,[356] USSS employees increasingly believe they cannot report misconduct without fear of retaliation:[357]

[INTENTIONALLY BLANK]

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[352] OIG Mar. 4 Report, *supra* note 27, at 18.
[353] OGR Hearing on OIG Mar. 4 Report, *supra* note 36, at 50.
[354] OIG 2013 Misconduct Report, *supra* note 39, at 42; *see also* OGR Hearing on OIG Mar. 4 Report, *supra* note 36, at 29.
[355] OIG 2013 Misconduct Report, *supra* note 39, at 42.
[356] Office of Personnel Mgmt., *2015 Federal Employee Viewpoint Survey: Department of Homeland Security, 2015 Agency Management Report* (Sept. 29, 2015) at 5 [hereinafter DHS FEVS] [App. at 139-177].
[357] DHS FEVS USSS Data, *supra* note 34, at 7.

17. I can disclose a suspected violation of any law, rule or regulation without fear of reprisal.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	400,156	61.2%	18.7%	20.1%	18,409	
2015 Department of Homeland Security	41,186	50.2%	20.0%	29.8%	1,687	
2015 U.S. Secret Service (USSS)	**1,233**	**36.8%**	**22.1%**	**41.1%**	**41**	↘
2014 U.S. Secret Service (USSS)	1,082	46.7%	25.7%	27.5%	35	↘
2013 U.S. Secret Service (USSS)	1,357	52.7%	22.1%	25.2%	38	↘
2012 U.S. Secret Service (USSS)	2,143	55.6%	21.9%	22.5%	53	→
2011 U.S. Secret Service (USSS)	935	57.4%	22.7%	19.8%	21	→
2010 U.S. Secret Service (USSS)	548	57.3%	21.2%	21.5%	27	

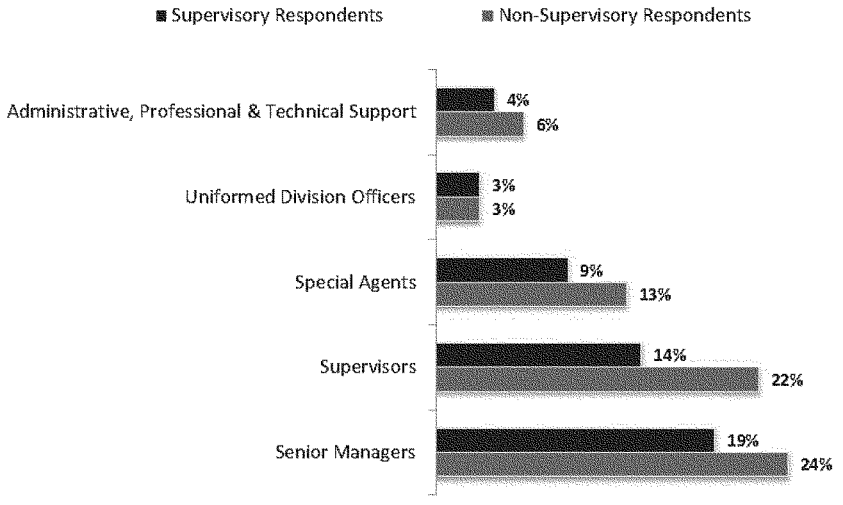
According to this data, since 2014, less than half of respondents indicated that they could report misconduct without retaliation.[358]

USSS whistleblowers who provided information to the Committee alleged that there has been a disciplinary double standard that allowed agents and officers who have close relationships with supervisors, including those whose close relationships are the result of being "legacy" employees (relatives of current or former employees), to receive milder discipline for misconduct or to avoid disciplinary action altogether. Some whistleblowers have reported USSS leadership is not consistent when it metes out disciplinary action for misconduct.

It is clear the perception of inconsistency in discipline for misconduct exists. In December 2013, DHS OIG surveyed USSS personnel and found only sixty-one percent of survey respondents were willing to affirmatively state they believed management did not tolerate misconduct.[359] Nearly one in five survey respondents—a "noteworthy number," according to DHS OIG—believed USSS management tolerated misconduct.[360] Twenty percent of those were supervisors.[361] Additionally, nearly twenty-five percent of non-supervisory respondents stated they believed supervisors and senior managers were not held accountable. Even among supervisory respondents, twenty percent believed senior managers are not held accountable for misconduct.[362] Overall, only fifty percent of respondents believed senior managers are held accountable, and only fifty-five percent believed supervisors are held accountable.[363]

[358] *Id.*
[359] *Id.* at 1.
[360] *Id.* at 31.
[361] *Id.*
[362] *Id.* at 32-33.
[363] *Id.* at 31-32.

Figure 14: Percentage of respondents who believe the following occupational specialties and managerial levels are not held accountable when they engage in misconduct or illegal activity, by response of supervisors and non-supervisors.



Source: OIG electronic survey results for Questions 6-10

In the wake of the Cartagena scandal, USSS implemented certain changes to its disciplinary procedures by centralizing responsibility for the process in an Office of Integrity and adopting a uniform Table of Penalties. By December 2014, when the Protective Mission Panel released its findings, a year had elapsed since those changes. Yet the Panel found the perception of disparate treatment remained a problem:

> The Panel did not review individual past incidents in detail to determine whether appropriate discipline was imposed. It is clear, however, that the rank-and-file—and even very senior current and former members of the Secret Service—do not have confidence that discipline is imposed in a fair and consistent manner. That is a problem for any organization.[364]

With respect to disciplinary action, perception can be damaging. Morale can be harmed by the *perception* of a double standard. The Panel added:

> In order for the Service's agents and officers to meet its high standards, they must see that the organization believes in its standards and enforces them in a consistent, evenhanded manner. . . . Accountability creates the

[364] *Id.* at 36.

culture of performance that the Secret Service needs to meet its zero-failure mission.[365]

Unlike the Protective Mission Panel, the Committee reviewed past incidents in detail, and has concerns that discipline may have been imposed inconsistently. Such findings could suggest deep-rooted issues. Current DHS Inspector John Roth stated at the May 14, 2015 Committee hearing: "[G]iven the nature of what it is that we've seen since [2013], I believe that there is a serious problem within the Secret Service."[366]

1. Protection of Communications

FINDING: USSS utilized non-disclosure agreements that do not comply with whistleblower protections.

The Whistleblower Protection Enhancement Act of 2012[367] and a similar longstanding appropriations rider[368] both require that all non-disclosure agreements include precise language, which states that the agreement does not supersede employee rights relating to communications to Congress, reporting to an Inspector General, or any other whistleblower protection.[369] It is a prohibited personnel action to implement or enforce any non-disclosure policy, form, or agreement that does not contain this precise language.[370]

The Committee found that in the course of conducting an internal investigation, USSS's Inspection Division administered a non-disclosure form that did not contain the required language. On November 17, 2015, the Committee wrote USSS asking that USSS immediate replace non-disclosure forms that did not comply with the Whistleblower Protection Enhancement Act.[371]

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[365] *Id.* at 35.

[366] OGR Hearing on OIG Mar. 4 Report, *supra* note 36, at 29.

[367] 5 U.S.C. § 2302(b)(13).

[368] Consolidated and Further Continuing Appropriations Act, Pub. L. No. 113-235 Division E, § 713 (2015).

[369] Both provisions state that no agency may "implement or enforce" "any nondisclosure policy, form or agreement, if such policy form, or agreement does not contain the following statement":

> These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.

[370] 5 U.S.C. § 2302(b)(13).

[371] Letter from Hon. Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform and Hon. Elijah Cummings, Ranking Member, H. Comm. on Oversight and Gov't Reform to Hon. Joseph Clancy, Dir., U.S. Secret Service (Nov. 17, 2015).

2. USSS Disciplinary Structure and Procedures

A. Former Disciplinary System

Prior to changes in recent years, the disciplinary process at USSS headquarters essentially had two prongs. Where allegations of internal misconduct required investigation, those were conducted by the Inspection Division, over the years a component of its own Office of Inspection, the Office of Investigations, and eventually the Office of Professional Responsibility. The Inspection Division provided its findings to the Employee Relations Branch (ERB), located within the Personnel Division of the Office of Human Resources and Training, to make recommendations for disciplinary action. USSS policy required supervisors and managers contemplating disciplinary and adverse actions to contact ERB for guidance even when the Inspection Division did not conduct an investigation.[372] USSS gave the supervisor discretion to determine the ultimate discipline as the deciding official. As a USSS official described to the Committee, this resulted in supervisors meting out punishments slightly less severe than those previously doled out by other supervisors, resulting in a downward trend of severity of discipline.[373] Once the penalty was decided, ERB prepared the relevant materials for personnel actions, such as preparing letters of reprimand or notices of proposal and decision.[374] Despite the fact that USSS's Office of Chief Counsel (OCC) did not have access to the files on past instances of misconduct,[375] OCC provided guidance to the USSS parties involved at each stage of the process, including both ERB as well as the supervisor making the determination of discipline.[376]

In February 2001, the Treasury Department Office of Inspector General released an integrity oversight review of USSS's disciplinary process.[377] Among other findings, the report found USSS was unable to track how misconduct allegations were handled USSS-wide because it had no centralized tracking or reporting system for such allegations.[378] As a result, misconduct allegations might never make it to the Inspection Division; misconduct reporting occurred at the discretion of the Assistant Director's office to which the employee was assigned.[379]

Even when misconduct was investigated by the Inspection Division, and thus discipline was under the direction of USSS headquarters officials, the report concluded: "[I]n several cases,

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[372] Office of Investigations, Office of Inspector Gen., U.S. Dep't of the Treasury, *Integrity Oversight Review of the United States Secret Service Inspection Division* (Feb. 2001), at 9 [hereinafter OIG 2001 Inspection Division Report]; OIG 2013 Misconduct Report, *supra* note 39, at 3.
[373] Briefing from Office of Strategic Planning and Policy, U.S. Secret Service to H. Comm. on Oversight & Gov't Reform (Oct. 8, 2015) [hereinafter Oct. 8, 2015 USSS OSP Briefing].
[374] OIG 2013 Misconduct Report, *supra* note 39, at 3-4.
[375] H. Comm. on Oversight & Gov't Reform, Transcribed Interview of Deborah Eldredge (Sept. 14, 2015), at 87-88 [hereinafter "Eldredge Tr."].
[376] *Id.* at 81.
[377] OIG 2001 Inspection Division Report, *supra* note 372.
[378] *Id.* at 5.
[379] *Id.* at 6.

discipline administered was not consistent with penalties imposed for similar instances of misconduct."[380]

In its response to the weaknesses identified in the Treasury OIG report, USSS indicated it would establish a disciplinary review board to ensure "equitable treatment of offenses" and provide a "central repository for ethical, legal, and policy offenses."[381] Despite what USSS told OIG in 2001, USSS did not establish such a board until January 31, 2014, after the Cartagena scandal sparked a host of reforms to the disciplinary process.[382]

B. Changes to Disciplinary System

In the wake of the 2012 Cartagena scandal, USSS's disciplinary process received significant attention. In May 2012, USSS established a Professionalism Reinforcement Working Group (PRWG), a panel of five government executives co-chaired by former Director John Berry of the Office of Personnel Management (OPM) and Director Connie Patrick of the Federal Law Enforcement Training Center (FLETC).[383] The PRWG was supported by approximately seventy subject matter experts from OPM, FLETC, the Federal Bureau of Investigation, the military, and USSS.[384]

After eight months of review, the PRWG made seventeen recommendations. One of the recommendations stated:

> The USSS should consider implementing a cross-agency disciplinary review panel on which supervisors and managers will serve on a rotating basis. This has the advantages of creating a transparent process, exposing many agency personnel to the process, and removing the burden from the direct supervisor to apply discipline.[385]

On February 7, 2013, USSS released a "Strategic Action Plan to Reinforce Professionalism" that consolidated the recommendations into twelve objectives it intended to pursue. The objective related to the two recommendations above, Objective 7, was titled "Foster transparency in the discipline process and encourage the reporting of misconduct by employees." It outlined changes USSS intended to implement to its structure for imposing discipline.[386]

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[380] *Id.* at 11.
[381] Memorandum from Gregory J. Regan, Dep. Asst. Dir., U.S. Secret Service to Michael C. Tarr, Asst. Insp. Gen., Office of Inspector Gen., U.S. Dep't of the Treasury, *Integrity Oversight Review, U.S. Secret Service, QA-2000-8-2* (Jan. 25, 2001), at 2.
[382] Oct. 8, 2015 USSS OSP Briefing, *supra* note 373; *see also* Office of Gov't & Pub. Affairs, U.S. Secret Service, *Follow Up from 10/8/15 Briefing on the Status of USSS Implementation of PMP Recommendations*, at 1 [hereinafter Oct. 8, 2015 USSS OSP Briefing Follow Up].
[383] *Analyzing Misconduct in Federal Law Enforcement: Hearing Before the H. Subcomm. on Crime, Terrorism, Homeland Sec., and Investigations*, 114th Cong. (Apr. 15, 2015) (written statement of Mark Hughes, Chief Integrity Officer, U.S. Secret Service).
[384] *Id.*
[385] Recommendations of the Professionalism Reinforcement Working Group (2012).
[386] U.S. Secret Service, *Strategic Action Plan to Reinforce Professionalism* (Feb. 7, 2013), at 12.

On November 15, 2013, USSS released its new Table of Penalties, providing recommended standards of discipline for a wide variety of categories of misconduct, including under mitigated and aggravated circumstances.[387] USSS's table is particularly similar to the table of penalties of the Federal Bureau of Investigation.[388] USSS said that it used the FBI's table as a model, then "incorporate[d] the mission" of USSS in order to make modifications.[389] Both agencies recommend the same discipline for many categories of misconduct, such as recommending a standard penalty of forty-five days for "DUI/DWI – Government Vehicle."[390] For some categories of misconduct, USSS recommends stronger discipline than the FBI. For example, "Loss of Weapon" has a penalty of three days in the FBI table and ten days in the USSS table.[391]

USSS, however, also recommends weaker discipline for other categories. For example, "Violation of Ethical Guidelines" has a standard penalty of fourteen days in the FBI table, but only a penalty of five days in the USSS table.[392] "DUI/DWI – Privately Owned Vehicle" has a penalty of thirty days in the FBI table, while USSS breaks its table down into fourteen days for a law enforcement officer and seven days for non-law enforcement personnel.[393]

In response to findings from the 2013 DHS OIG misconduct report,[394] USSS implemented a policy regarding when directorates can conduct their own fact-finding investigations.[395] The policy was implemented the same week USSS released the Table of Penalties. Under the new policy, directorates are authorized to conduct their own fact-finding investigations for:

- Tardiness (non-habitual);
- Absence without leave (less than one workday);
- Minor violations of the appearance policy;
- Performance issues (minor issues that do not affect the mission);
- Discourtesy or disruptive behavior (minor, non-habitual);
- Failure to follow instructions or leave policies (minor, non-habitual);

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[387] USSS Table of Penalties, *supra* note 171.
[388] Federal Bureau of Investigation, Offense Codes and Penalty Guidelines Governing FBI's Internal Disciplinary Process, Jan. 15, 2012 [hereinafter FBI Table of Penalties].
[389] Oct. 8, 2015 USSS OSP Briefing, *supra* note 373.
[390] FBI Table of Penalties, *supra* note 388, DUI/DWI – Government Vehicle, Offense Code 4.3, at 12; USSS Table of Penalties, *supra* note 171, DUI/DWI – Government Vehicle, Offense Code 4.6, at 15.
[391] FBI Table of Penalties, *supra* note 388, Loss of Weapon, Offense Code 3.4, at 10; USSS Table of Penalties, *supra* note 171, Loss of Firearm, Offense Code 3.4, at 12.
[392] FBI Table of Penalties, *supra* note 388, Violation of Ethical Guidelines, Offense Code 2.12, at 9; USSS Table of Penalties, *supra* note 171, Violation of Ethical Guidelines, Offense Code 2.11, at 29.
[393] FBI Table of Penalties, *supra* note 388, DUI/DWI – Privately Owned Vehicle, Offense Code 4.4, at 12; USSS Table of Penalties, *supra* note 171, DUI/DWI – Privately Owned Vehicle, Law Enforcement Officer, Offense Code 4.7, at 15, and DUI/DWI – Privately Owned Vehicle, Non-Law Enforcement Personnel, Offense Code 4.8, at 16.
[394] OIG 2013 Misconduct Report, *supra* note 39, at 49-50.
[395] U.S. Secret Service Directives System, Office of Prof'l Responsibility Manual, Section RES-02, *FACT-FINDING INVESTIGATIONS*, Nov. 19, 2013.

- Miscalculation of leave (minor, non-habitual);
- Loss of Government property valued at $500 or less;
- Harassment (see HRT Manual section HRT-04(06));
- Loss of Government issued identification or access cards (not including badges); and
- Security violations (first violation).[396]

Directorates may also conduct their own fact-finding investigation if a letter of reprimand is within the mitigated penalty range for the misconduct in question and the Inspection Division gives the directorate permission.[397]

In December 2013, USSS created a new Office of Integrity, overseen by a Chief Integrity Officer who reports to the Office of the Deputy Director. The next month, in January 2014, the new misconduct and disciplinary procedures went into effect. Under the new procedures, when USSS receives allegations of misconduct, the Inspection Division convenes and chairs an "Intake Group" to review the allegations and determine whether further investigation is warranted.[398] If further investigation is warranted, the Intake Group refers the matter back to the Inspection Division and also notifies the Office of Integrity.[399]

The Office of Integrity took over disciplinary responsibilities from ERB, becoming responsible for preparing and issuing materials related to personnel actions, such as letters of reprimand and notices of proposal and decision.[400] OCC retained responsibility for "[p]roviding legal advice, consultation, drafting and review, in regard to all disciplinary and adverse actions, grievance, appeals, and reviews."[401]

C. Transparency in Disciplinary Process

A second PRWG recommendation stated:

> To the extent consistent with law, the USSS should inform all employees of acts of misconduct by agents and officers and the disciplinary consequences of this misconduct in a way that does not identify the affected employees but reinforces the consequences of misconduct violations. Additionally, senior leadership should have regular communications with agents and officers promoting a transparent culture where reporting misconduct is expected.[402]

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[396] *Id.* at 1-2.
[397] *Id.* at 2.
[398] U.S. Secret Service Directives System, Office of the Dir. Manual, Section ITG-06(01), "DISCIPLINARY AND ADVERSE ACTIONS – GENERAL," Jan. 31, 2014, at 5.
[399] *Id.*
[400] *Id.* at 6.
[401] *Id.*
[402] Recommendations of the Professionalism Reinforcement Working Group (2012).

In its December 2013 report, OIG noted concerns USSS leadership expressed with regard to the recommendation, but DHS OIG nevertheless supported the PRWG recommendation:

> USSS senior leadership stated that USSS has the challenge of balancing the workforce's apparent need to know disciplinary outcomes with privacy concerns, especially given the small size of the agency relative to other law enforcement agencies such as FBI. Our survey showed that some employees perceive that USSS tolerates misconduct, does not hold employees accountable, and does not take appropriate action against supervisors and senior managers. These announcements would aid USSS' credibility in responding to reported misconduct and remind the workforce of the consequences of engaging in misconduct.[403]

USSS finally issued the first such executive summary of misconduct in September 2015, nearly three years after the PRWG's recommendation on this issue.[404] However, the report does not contain any correlation between the offense committed and the discipline administered. The Director and other leadership received a more detailed report of the misconduct.[405]

3. Security Clearance Revocation Process

FINDING:	**The independence of DHS's Security Appeals Board may be called into question when adjudicating USSS clearance revocation decisions because the Board is composed of three members from USSS.**

Although USSS procedures require the Security Clearance Division to be represented on the Intake Group convened by the Office of Professional Responsibility, the security clearance revocation process is separate and distinct from the formal disciplinary process which follows after the Inspection Division refers its findings to the Office of Integrity. Nevertheless, USSS generally prefers to resolve security concerns before considering disciplinary action.[406] From fiscal years 2011 through 2013, USSS was among the three components with the highest number of security clearance revocations within DHS.[407]

Given this fact, it is important that the revocation process have appropriate checks and balances. Just as with the formal disciplinary process, some USSS employees have accused USSS of utilizing the revocation process inconsistently. All USSS employees should be able to receive a fair hearing and receive due process in revocation matters.

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[403] OIG 2013 Misconduct Report, *supra* note 39, at 34.
[404] Oct. 8, 2015 USSS OSP Briefing, *supra* note 373.
[405] *Id.*
[406] Telephone Briefing from Office of Gen. Counsel, U.S. Secret Service to H. Comm. on Oversight & Gov't Reform staff (Apr. 13, 2015); *see also* OIG 2013 Misconduct Report, *supra* note 39, at 3.
[407] U.S. Gov't Accountability Office, *Personnel Security Clearances: Additional Guidance and Oversight Needed at DHS and DOD to Ensure Consistent Application of Revocation Process*, GAO-14-640 (Sept. 2013), at 4.

According to the DHS handbook on its Personnel Suitability and Security Program, clearance revocations function as follows: if a USSS employee chooses to appeal an initial Notice of Determination revoking a security clearance, the decision goes to a Second-Level Deciding Authority, who completes a Notice of Review to reverse or uphold the Notice of Determination. If the Notice of Review upholds the Notice of Determination, the employee has the right to appeal to a three-person Security Appeals Board ("Board") within fifteen days.[408] All three Board members, however, are USSS personnel, because USSS staffs the Board for DHS.[409] Unlike employees in other DHS component agencies, it is impossible for USSS personnel to have their appeal heard by individuals outside the agency. This leaves the Security Appeals Board vulnerable to criticisms that it lacks independence, both in perception and fact.

As one footnote from a September 2014 report issued by the Government Accountability Office stated:

> All members of the board over the last 10 years have been Secret Service employees and thus were involved with the appeals cases of Secret Service employees. Nearly 30 percent (15 of 50) of the DHS cases that went to the appeals board from fiscal years 2011 through 2013 involved Secret Service employees, which could result in employees facing a board that might not be independent.[410]

Guidance dating back to the earliest days of the Department, known as "DHS Management Directive 11048," required Board members to be USSS officials.[411] USSS's Chief Counsel Donna Cahill told the Committee that USSS's role in appointing the members of the Board was a holdover from an interim measure taken when DHS was established, and USSS believed DHS needed to finalize a more formal process.[412] DHS seems to have at least initiated such a process. In June 2009 DHS issued new guidance, DHS Instruction 121-01-007 Revision # 00, which requires the Board be appointed by a Secretary or a designee.[413] The December 2013 OIG report found "appointments to the Board and the composition of the Board have not been made in accordance with [that] policy."[414]

According to the 2013 DHS OIG report on misconduct: "USSS officials have expressed interest in relocating the Board from the Department-level and including members who are not from USSS."[415] Specifically, one senior official at USSS told DHS OIG that moving the Board

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[408] Dep't of Homeland Sec., *The Department of Homeland Security Personnel Suitability and Security Program*, DHS Instruction Handbook 121-01-007 (June 18, 2009), at 31.
[409] *See* OIG 2013 Misconduct Report, *supra* note 38, at 6.
[410] U.S. Gov't Accountability Office, *Personnel Security Clearances: Additional Guidance and Oversight Needed at DHS and DOD to Ensure Consistent Application of Revocation Process*, GAO-14-640 (Sept. 2013), at 35 n.51.
[411] OIG 2013 Misconduct Report, *supra* note 38, at 74.
[412] Telephone Briefing from Office of Chief Counsel, U.S. Secret Service to H. Comm. on Oversight & Gov't Reform staff (May 29, 2015) [hereinafter May 29, 2015 USSS OCC Briefing].
[413] OIG 2013 Misconduct Report, *supra* note 38, at 74.
[414] *Id.*
[415] *Id.*

out of USSS "would increase the appearance of fairness and due process" for those who appeal revocations.[416] The Committee found no evidence USSS is working to make this a reality.

In practice, nothing has changed since the 2013 OIG report; nearly two years later, the Board is still composed entirely of USSS employees.[417] The DHS OIG report recommended USSS "[i]nform the Secretary, or the Secretary's designee, when vacancies on the Board occur . . . ."[418] According to the 2013 report, USSS agreed to do just that.[419] After DHS OIG notified USSS of the problem and was in the final stages of finalizing its report and findings, USSS even pointed to a resulting November 25, 2013, memo issued by Director Pierson which referenced the issue.[420] Yet there was in fact a vacancy on the Board when the Chief Human Capital Officer, Thomas Dougherty, left the Board in mid-2014.[421] He was simply replaced on the Board by the next Chief Human Capital Officer.[422]

The Committee believes USSS should be more proactive in pushing DHS to appoint non-USSS employees to the Board. It is important USSS make these changes immediately to create a truly independent body to hear appeals from USSS employees.

RECOMMENDATION:	**DHS should promptly ensure the Security Appeals Board consists of employees from multiple different agencies.**

4. Response to Misconduct

Notwithstanding the changes USSS made to its disciplinary system in recent years, further changes are needed. The Protective Mission Panel found "organizationally, neither the previous, decentralized system nor the new Office of Integrity is perceived as holding the agency to its highest values."[423] The Panel recommended USSS "[i]mplement a disciplinary system in a consistent manner that demonstrates zero tolerance for failures that are incompatible with its zero-failure mission."[424] Necessary changes to USSS's response to misconduct are discussed below.

A. Failure to Report Misconduct

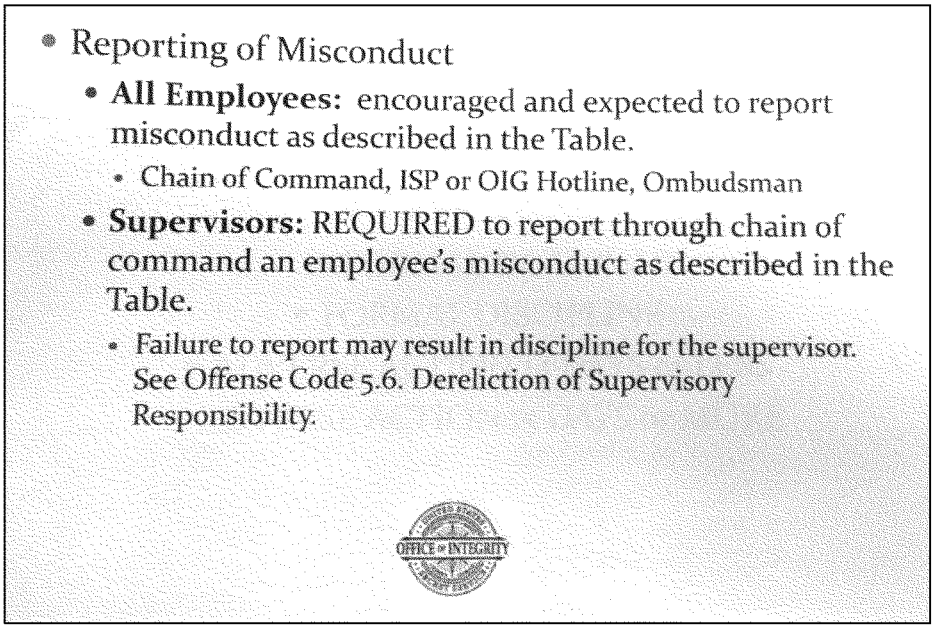
FINDING:	**USSS managers and supervisors do not always report misconduct.**

[416] *Id.*
[417] Oct. 8, 2015 USSS OSP Briefing, *supra* note 373.
[418] OIG 2013 Misconduct Report, *supra* note 38, at 75.
[419] *Id.* at 75-76.
[420] *Id.* at 76.
[421] Oct. 8, 2015 USSS OSP Briefing, *supra* note 373.
[422] *Id.*
[423] Panel Report, *supra* note 45, at 37.
[424] *Id.*

USSS employees are expected, but not required, by USSS policy to report misconduct involving fellow employees. However, managers and supervisors are. On the first page of the USSS Table of Penalties, the introduction states:

> Employees are encouraged and expected to report through their chain of command, or the Inspection Division Hotline, or the DHS Office of the Inspector General hotline, information that indicates another employee may have engaged in misconduct described in the Table of Penalties. **Supervisors are required to report through their chain of command an employee's misconduct** involving violations set forth in the Table of Penalties. Failure of a supervisor to report information required by this policy may result in disciplinary action. See Offense Code 5.6.[425]

This message is mirrored in the training materials USSS employees receive from USSS's Office of Integrity, which emphasizes the word "REQUIRED."[426]



The Table of Penalties itself does not include a penalty for employees who fail to report fellow employees; there are only penalties for an employee's failure to report information about

[425] USSS Table of Penalties, *supra* note 171, at 1 (emphasis added).
[426] *Id.* (capitalization in original).

themselves,[427] and a penalty for a supervisor "intentionally failing to report an employee's misconduct involving violations set forth in the Table of Penalties, the USSS Standards of Ethical, Professional, and Personal Conduct Desk Reference, [the] Human Resources and Training Manual, section SCD-02(01) relating to security policies and procedures, and other violations of law."[428]

Offense Code 5.6 Dereliction of Supervisory Responsibility	**A supervisor, or an employee acting in an authorized supervisory capacity, failing to exercise reasonable care in the execution of his duties or responsibilities; disregarding his duties or responsibilities; significantly deviating from appropriate methods of supervision; or intentionally failing to report an employee's misconduct involving violations set forth in the Table of Penalties, the USSS Standards of Ethical , Professional, and Personal Conduct Desk Reference, Human Resources and Training Manual, section SCD-02(01) relating to security policies and procedures, and other violations of law. This Offense Code does not require that supervisors report performance issues and other minor policy violations not otherwise described above.** **Mitigated: Letter of Reprimand - 3 Days** **Penalty: 5 Days** **Aggravated: 7-14 Days**

The March 4, 2015 incident, where top-level supervisors aware of potential misconduct relied on an individual to self-report rather than independently notifying the Inspection Division of the incident, showed continued problems with reporting persist notwithstanding the creation of the Office of Integrity and the Intake Group.[429] Supervisors and managers at USSS should not rely on an individual's commitment to "self-report." Allowing fellow supervisors or managers to self-report misconduct may reinforce a perception among the rank-and-file that such individuals consider themselves above the rules.

RECOMMENDATION:	**USSS must develop alternatives to self-reporting and hold managers and supervisors accountable in cases where they fail to report misconduct promptly.**

B. Conducting an Investigation before Reporting

FINDING:	**At times USSS supervisors lacked clarity about when to report possible misconduct to the Office of Professional Responsibility.**

[427] *Id.* at Failure to Report, Offense Code 5.17, at 21, and Failure to Report – Criminal/Serious Misconduct, Offense Code 5.18, at 21.
[428] *Id.* at Dereliction of Supervisory Responsibility, Offense Code 5.6, at 18.
[429] *See, e.g.*, H. Comm. on Oversight & Gov't Reform, Transcribed Interview of Michael Braun (Apr. 28, 2015), at 135 ("[A]t that point I believed that the Office of Integrity would take it over from there and do their investigation"), 187-88 ("It was my understanding that it would be turned over to the Office of Integrity and then that process would be starting shortly"), 206.

There is great potential for the disciplinary process to be undermined when supervisors conduct their own investigations.

In conjunction with the creation of the Office of Integrity, new guidelines adopted in December 2014 outline the responsibility of all USSS employees:

> 1. Report promptly and directly to the Department's Office of the Inspector General or to the Office of Professional Responsibility, U. S. Secret Service, any knowledge, information, or allegations coming to your attention which indicates that any employee or former employee may have:
>
>   - committed a criminal act, . . . or
>
>   - violated any provision of applicable Standards of Conduct or any rule of conduct issued by an office or bureau, or
>
>   - violated any provision of the merit system, or
>
>   - committed any other misconduct, other than minor misconduct ordinarily addressed by management.
>
> 2. If in doubt as to whether circumstances warrant referral of a matter to the Inspector General or the Office of Professional Responsibility, contact the Office of the Inspector General or the Office of Professional Responsibility for a decision.[430]

The procedures clearly indicate that even *allegations* coming to an individual's attention should be reported to the Office of Professional Responsibility.

Notwithstanding these new guidelines, as highlighted above in the March 4 case study, USSS supervisors could not definitively say whether it was the role of supervisors to establish misconduct had occurred before referring matters to the Office of Professional Responsibility for investigation.[431] Their lack of clarity on this issue suggests that USSS has not adequately implemented its new procedures requiring prompt referral.

RECOMMENDATION:	**Supervisors should receive formal training on the new guidelines for promptly referring allegations of possible misconduct to the Office of Professional Responsibility.**

[430] U.S. Secret Service Directives System, Office of the Dir. Manual, Section ITG-05, *INVESTIGATIONS OF ALLEGED EMPLOYEE MISCONDUCT*, Dec. 1, 2014, at 1.
[431] *See supra* pp. 58-61.

C. Referring Appropriate Misconduct to OIG

FINDING: At times USSS managers have failed to follow DHS procedures for referring certain types of misconduct to the inspector general.

The Committee reviewed dozens of cases in which the MOU and the DHS management directive applied and found that USSS generally referred them to DHS OIG in most cases. However, the Committee also found some cases where the documents do not indicate whether there was a referral, and several cases which raised questions regarding USSS's compliance with the MOU, which are discussed below.

Inspectors general can serve as neutral fact-finders in matters where there may be a conflict of interest within an agency, especially in cases where the alleged misconduct is very serious or when there are high-level agency officials involved. When USSS conducts its own investigations into these types of matters, instead of turning them over to DHS OIG, it has the potential to undermine the disciplinary process and send a message that USSS believes it does not have to answer to independent oversight. Handling such matters "in-house" similarly has the potential to undermine the culture of accountability the Protective Mission Panel stated was so necessary.

In December 2003, USSS signed a Memorandum of Understanding (MOU) with DHS OIG which delineates which types of matters need to be referred to DHS OIG when USSS receives an allegation of misconduct. Those matters include:

- All allegations of criminal misconduct against a USSS employee.
- All allegations of misconduct against employees at the GS-15, GM-15 level or higher, or against employees in the USSS Office of Inspection.
- All allegations regarding misuse or improper discharge of a firearm (other than accidental discharge during training, qualifying or practice).
- All allegations of fraud by contractors, grantees or other individuals or entities receiving Department funds or otherwise engaged in the operation of Department programs or operations.[432]

The MOU also states:

> In addition, the IG will investigate allegations against individuals or entities who do not fit into the categories identified above if the allegations

[432] *Memorandum of Understanding Between the U.S. Secret Service and the Office of Inspector General, Department of Homeland Security*, Dec. 2003, at 1-2 [hereinafter USSS/DHS OIG MOU] [App. at 179-180].

> reflect systemic violations, such as abuses of civil rights, civil liberties, or racial and ethnic profiling; serious management problems within the Department, or otherwise represent a serious danger to public health and safety.[433]

On June 10, 2004, DHS issued a management directive on policy regarding DHS OIG. The directive reiterated the information outlined above, and also added two additional categories of allegations to be referred to DHS OIG:

- All allegations of serious, noncriminal misconduct against a law enforcement officer. "Serious, noncriminal misconduct" is conduct that, if proved, would constitute perjury or material dishonesty, warrant suspension as discipline for a first offense, or result in loss of law enforcement authority. For purposes of this directive, a "law enforcement officer" is defined as any individual who is authorized to carry a weapon, make arrests, or conduct searches.

- All allegations of visa fraud by DHS employees working in the visa issuance process.[434]

Both the 2003 MOU and the 2004 DHS management directive contained a version of the following language, which makes clear that for the types of matters outlined above, the Inspection Division does *not* have the authority to merely conduct an investigation and then produce the results to DHS OIG after the fact:

> Such referrals shall be transmitted by the USSS Office of Inspection immediately upon the receipt of adequate information or allegations by the USSS Office of Inspection to reasonably conclude that misconduct may have occurred, and **no investigation shall be conducted by the USSS Office of Inspection prior to the referral**.[435]

For all allegations that do not fit the categories above, the 2003 MOU and the 2004 DHS management directive also included a provision for notifying DHS OIG:

> With regard to categories of misconduct not specified above, the USSS Office of Inspection should initiate the investigation upon receipt of the allegation, and shall notify within five business days the OIG's Office of Investigations of such allegation. The OIG shall notify the USSS Office of Inspection if the OIG intends to assume control over or become involved

[433] *Id.* at 2.
[434] Dep't of Homeland Sec. Management Directive System, MD # 0810.01, June 10, 2004, app. A, at A-1 [hereinafter MD # 0810.01] [App. at 182-187]. The updated directive stated that "any agreement of any kind issued by or entered into by any DHS official or Component that is inconsistent in any respect with this directive is hereby superseded to the extent that it is inconsistent with this directive.") *Id.* at 1.
[435] USSS/DHS OIG MOU, *supra* note 432, at 1 (emphasis added); see also MD # 0810.01, *supra* note 434, at 5.

> in such an investigation, but absent such notification, the USSS Office of Inspection shall maintain full responsibility for these investigations.[436]

Despite the MOU and the DHS management directive, the Committee found several cases which raised questions regarding USSS's compliance with the MOU.

In May 2011, a custodian in the Orlando Field Office alleged the Special Agent in Charge (SAIC) had sexually harassed and had unwanted physical contact with her.[437] As a GS-15, any allegation involving the SAIC should have been immediately referred to DHS OIG as per the MOU and management directive. Instead, the Inspection Division conducted its own investigation, interviewing twenty-three USSS employees, three custodial employees, and two local law enforcement officers.[438] USSS's entire file on the incident makes no mention of DHS OIG. In some cases such as these, allegations are referred to DHS OIG and referred back to USSS for investigation. It is not clear whether that happened in this case. The SAIC retired from USSS in December 2011.

The initial allegations of misconduct in Cartagena in April 2012 did not necessarily constitute alleged criminal misconduct, given that prostitution is legal in Colombia; they also did not involve employees at GS-15 level or higher. Accordingly, DHS OIG claimed in a January 2013 report that USSS followed the MOU and DHS management directive.[439] The subsequent DHS OIG report stated that DHS OIG "received reports that USSS officials continued to proceed with their investigative activities into the Cartagena incident, despite having been advised by DHS OIG on several occasions to cease their investigative activities, in order to enable to OIG to conduct an independent investigation."[440]

Failures to appropriately refer misconduct to DHS OIG continued even after the Cartagena scandal. On June 18, 2013, an Assistant Special Agent in Charge (ASAIC) on the Presidential Protective Division (PPD), met a woman in a bar at the Hay-Adams Hotel as he had dinner and drinks.[441] At approximately 10:30 p.m., she commented on how much alcohol the ASAIC had consumed, and he suggested that he stay in an extra bed in her hotel room.[442] In the room, he unloaded his duty weapon, and they slept in separate beds.[443] In the middle of the night, he was awakened by the sound of vomiting from the woman, who told him that he needed to leave immediately.[444] He collected his weapon, but forgot to collect a round of ammunition he had earlier ejected from the weapon's chamber.[445] He realized his mistake once he arrived in the

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[436] USSS/DHS OIG MOU, *supra* note 432, at 2; see also MD # 0810.01, *supra* note 434, at 6.
[437] Inspection Div., U.S. Secret Service, Inspection Division Case Details, Case Number 190-872-11-014 (opened May 12, 2011) at 1.
[438] *Id.*
[439] OIG Cartagena Report, *supra* note 39, at 7.
[440] DHS OIG Cartagena Review–Phase One, *supra* note 105.
[441] Inspection Div., Office of Investigations, U.S. Secret Service, Memorandum Report, Case Number 190-805-0000613 (Apr. 24, 2014), at 12.
[442] *Id.* at 13.
[443] *Id.*
[444] *Id.*
[445] *Id.*

Hay-Adams lobby, and asked a hotel security officer if he could return to a guest's hotel room to retrieve a "money clip" that he left behind.[446] However, the security officer would not permit him to return to the room, since he was not a registered guest and did not have a key.[447] When the hotel security officer ultimately went up to the room himself, the ASAIC got nervous and left the hotel without the round of ammunition, driving himself home.[448] The ASAIC briefed the Inspection Division on the incident in July 2013,[449] and PPD SAIC Buster issued a letter of reprimand on July 31, 2013.[450] The ASAIC was a GS-15 employee, and the incident should have been reported to DHS OIG immediately per the MOU. It was not until November 4, 2013, that USSS reported the incident to DHS OIG,[451] after the *Washington Post* made an inquiry about the incident in October 2013.[452]

In the summer of 2013, the USSS Inspection Division became aware of allegations against the Deputy Assistant Director in the Office of Investigations. As a Deputy Assistant Director, he was a member of the Senior Executive Service. The allegations concerned conduct that allegedly took place sometime in 2012 or prior, when he was the SAIC of the San Antonio Field Office.[453] As a GS-15, any allegation involving the SAIC should have been immediately referred to DHS OIG per the MOU and management directive. Instead, the Inspection Division conducted its own investigation and determined that the allegations of improper conduct against the Deputy Assistant Director were unfounded.[454] Only after the Inspection Division had completed its investigation did it refer the incident to DHS OIG."[455] However, DHS OIG only performs a fact-finding role, upon completion of which disciplinary action is always performed by the agency itself. This raises concerns that DHS OIG may not spend resources duplicating an investigation already conducted, and not having conducted any investigation, would not be in a position to question the conclusions of USSS's investigation.

RECOMMENDATION:	**USSS Office of Inspection should refer misconduct covered by the MOU to DHS OIG immediately upon receiving adequate information to reasonably conclude that misconduct may have occurred.**

[446] *Id.*
[447] *Id.*
[448] *Id.* at 13-14.
[449] *Id.* at 12.
[450] *Id.* at 36.
[451] Email from Dep't of Homeland Sec., Office of Inspector Gen., to H. Comm. on Oversight & Gov't Reform staff (Nov. 23, 2013, 2:29 p.m.).
[452] Carol D. Leonnig and David Nakamura, *Two Secret Service agents are cut from Obama's detail after alleged misconduct*, WASH. POST, Nov. 13, 2013.
[453] Inspection Div., U.S. Secret Service, Fact-finding Inquiry Case Report Details, Case Number 190-872-13-024 (opened Sept. 15, 2010), at 1.
[454] *Id.*
[455] Telephone Briefing from Office of Inspector Gen., Dep't of Homeland Sec. to H. Comm. on Oversight & Gov't Reform staff (Apr. 22, 2015).

D. Failure to Discipline

i. Employees Who Provide Inaccurate Information

FINDING: USSS leadership has at times failed to charge USSS personnel with "providing inaccurate information" or "lack of candor."

The USSS Table of Penalties includes six separate charges aimed at honesty. Four cover false or misleading information with regards to employment or security documents,[456] fiscal matters,[457] investigative activity,[458] and other official matters.[459] Each of these carries a standard penalty of fourteen days suspension. The Table of Penalties also includes categories for "Lack of Candor – No Oath"[460] and "Lack of Candor/Lying – Under Oath."[461] The standard penalty for lack of candor with no oath is seven days of suspension, while the standard penalty for lack of candor under oath is removal.[462]

Even when it occurs absent an oath, lack of candor is damaging because it can result in *Giglio* impairment, which affects the employee's future ability to testify as a witness in a criminal case. DHS OIG noted in its 2013 report on misconduct in USSS:

> Ultimately, a "Giglio-impaired" law enforcement officer could be deemed unable to testify as a witness in a criminal case and thus unable to perform a critical element of his or her job. Pursuant to *Giglio v. United States*, 405 U.S. 150 (1972) and *Brady v. Maryland*, 373 U.S. 83 (1963), the defense in a Federal criminal case is entitled to any information or evidence that tends to undermine the credibility or truthfulness of a witness. When the United States Attorney's Office makes a Giglio request, a Federal agency has an affirmative duty to conduct a pretrial examination of each testifying law enforcement officer's personnel file for any such derogatory information, *United States v. Henthorn*, 931 F.2d 29 (9th Cir. 1991). Because a lack of candor charge against a Federal law enforcement officer relates to his or her propensity for truthfulness, this material would have to be provided to the United States Attorney's Office and could potentially undermine the Government's case.[463]

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[456] USSS Table of Penalties, *supra* note 171, False/Misleading Information – Employment/Security Document(s), Offense Code 2.1, at 27.
[457] *Id.* at False/Misleading Information – Fiscal Matter(s), Offense Code 2.2, at 27.
[458] *Id.* at False/Misleading Information – Investigative Activity, Offense Code 2.3, at 28.
[459] *Id.* at False/Misleading Information – Other Official Matter(s), Offense Code 2.4, at 28.
[460] *Id.* at Lack of Candor/Lying – No Oath, Offense Code 2.5, at 28.
[461] *Id.* at Lack of Candor/Lying – Under Oath, Offense Code 2.6, at 28.
[462] *Id.* at Lack of Candor/Lying – No Oath, Offense Code 2.5, at 28, and Lack of Candor/Lying – Under Oath, Offense Code 2.6, at 28.
[463] OIG 2013 Misconduct Report, *supra* note 39, at 47 n.23.

In an effort to avoid a *Giglio* impairment, it has been publicly reported that managers at USSS have at times been reluctant to charge USSS employees with providing inaccurate information, even when USSS determined that an employee lied.[464]

The December 2013 DHS OIG report provided an example of this. The case involved a USSS special agent in 2010 traveling in support of a presidential visit.[465] The agent arrived at the airport four hours late smelling of alcohol and accompanied by local female foreign nationals (FFNs).[466] ERB recommended a seven-day suspension for three charges: failure to report to duty as scheduled, lack of candor with a USSS supervisor, and conduct unbecoming a USSS special agent.[467] The employee's SAIC issued the notice of proposed discipline, and in response, the employee requested that the SAIC remove the lack of candor charge.[468] The SAIC agreed to grant the request, rescinding the initial proposal and asking ERB to draw up a new suspension proposal without the lack of candor charge.[469] When ERB asked the SAIC whether or not the charge was supported by the evidence, the SAIC stated that "he did not want to affect the employee's future ability to testify in criminal cases, and explained that once the employee cleared his head and had time to reflect fully on the events, the employee acted in good faith."[470] DHS OIG noted, "It is unclear whether a supervisor is permitted to change the basis of a proposed penalty once it has been issued to the employee."[471] ERB specialists informed their manager of their concerns with changing the documents, but after discussion with Deputy Assistant Director Jane Murphy were ultimately told to remove the charge.[472]

TSSC Warning; 7 day suspension	Security Concerns - Adjudicative Guidelines E, G, B (Excessive Alcohol Consumption/Unwillingness to comply with rules and regulations/Conduct while traveling outside the U.S.); Discipline - Failure to Report for Duty and Conduct Unbecoming a Special Agent (Missed a departure after having consumed alcohol).

Overall, it is difficult to quantify how many times an employee has shown or acted with lack of candor, but has not been charged with this violation. The example above can be documented because of Murphy's direction that the lack of candor charge be removed. However, there are also other instances where USSS employees identified a lack of candor yet were not disciplined for it. For example, in January 2011, two special agents from the Clinton Protective Division were involved in an accident in the Dominican Republic in a government-rented vehicle.[473] One special agent said he consumed a glass of wine and a glass of champagne

[464] Susan Crabtree, *Exclusive: Agent misled Secret Service*, WASH. EXAMINER, Oct. 3, 2014.
[465] OIG 2013 Misconduct Report, *supra* note 39, at 45-46.
[466] *Id.*
[467] OIG 2013 Misconduct Report, *supra* note 39, at 47.
[468] *Id.*
[469] *Id.*
[470] *Id.* at 47-48.
[471] *Id.*
[472] *Id.* at 47 (Murphy also objected to Security Clearance Division interviewing employee to resolve counterintelligence concerns); *Cf. Id.* at 48-49. Murphy was subsequently promoted to serve as Assistant Director for Governmental and Public Affairs, and was serving in that role in January 2015 when demoted from the position along with several other assistant directors.
[473] Inspection Div., U.S. Secret Service, Fact-finding Inquiry Case Report Details, Case Number 190-872-11-005 (opened Jan. 5, 2011), at 1.

prior to the accident.[474] Investigators subsequently learned "[d]etails previously omitted and facts misrepresented" by the special agent. There is no mention in the case file of whether the special agent should have been charged or was disciplined for lack of candor.[475] In fact, only informal discipline was administered for failure to follow instructions and policy regarding vehicle accidents.[476] USSS concluded "no conclusive information was developed" to determine the agent "was impaired while operating a government-rented vehicle."[477]

In April 2013, USSS received allegations against a GS-14 ATSAIC in the Orlando Field Office.[478] The allegations included the ATSAIC failed to investigate an accident in a government-owned vehicle driven by a special agent who was close with the ATSAIC. The ATSAIC claimed it was because USSS's Administrative Operations Division (AOD) told him the vehicle would shortly thereafter be surveyed and "it was more beneficial for the government to avoid the cost of an accident investigation for a vehicle that was scheduled to be surveyed in one or two days."[479] Investigators found "[d]espite [the] ATSAIC['s] . . . claim that he contacted AOD and was advised that an accident investigation was unnecessary, there is no record of that conversation, and AOD personnel deny they would have advised him not to complete an investigation."[480]

Investigators concluded the ATSAIC failed to ensure the accident was properly investigated, but apparently made no formal finding on ATSAIC's veracity in the matter.[481] Inspectors also found the ATSAIC compelled a suspect to grant consent to search his residence, and induced a special agent to obtain food and beverages from a hotel for the USSS command post and have the hotel charge them as setup fees.[482] Ultimately, the Office of Integrity proposed a ten-day suspension for the ATSAIC.[483] In the end, however, the ATSAIC was only issued a letter of reprimand for "Inappropriate Interactions with a Criminal Suspect and Subordinate."[484]

A review of discipline imposed from fiscal years 2010 through 2014 shows when USSS does charge lack of candor, it is usually when the agency could impose discipline for other categories of misconduct. For instance, one male special agent was charged in 2012 with "Providing Inaccurate Information in [a] Matter of Official Interest" in conjunction with

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[474] *Id.*
[475] *Id.*
[476] *Incidents of Misconduct by Agents and Uniformed Division Officers FY 2010-2014, Employee ID 311663*, at 4 [hereinafter FY 2010-2014 USSS Discipline].
[477] *Id.*
[478] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000583 (opened Apr. 12, 2013), at 1 [hereinafter Special Investigation Case Number 190-805-0000583].
[479] Inspection Div., Office of Investigations, U.S. Secret Service, Memorandum Report, Case Number 190-805-0000583 (Aug. 15, 2013), at 74.
[480] *Id.* at 119.
[481] Special Investigation Case Number 190-805-0000583, *supra* note 478, at 1.
[482] *Id.*
[483] Inspection Div., Office of Investigations, U.S. Secret Service, Memorandum Report, Case Number 190-805-0000583 (July 1, 2014), at 3.
[484] Inspection Div., Office of Investigations, U.S. Secret Service, Memorandum Report, Case Number 190-805-0000583 (Apr. 14, 2015), at 3; FY 2010-2014 USSS Discipline, *supra* note 476, Employee ID 254202, at 10.

"Conduct Unbecoming a Secret Service Employee" for having an inappropriate relationship with Sara Jane Moore, the woman who attempted to assassinate President Gerald Ford, after she was released from prison in 2007.[485] The agent was specifically assigned to Moore's case, and had taken her to his son's wrestling matches on three occasions when he was on duty and assigned to monitor Moore.[486] Similarly, he brought Moore to his home for a Labor Day event at his house that a female special agent from USSS also attended; both agents received scheduled overtime pay as part of an assignment to monitor Moore that day in connection with a protective visit.[487] The special agent, who was marrying the female special agent, invited Moore to their wedding;[488] according to the agent, when he informed his ATSAIC of the idea, the ATSAIC asked to be seated next to Moore and joked, "At least we will know where she is."[489] The agent charged with "Providing Inaccurate Information" received a thirty-day suspension;[490] however, the ATSAIC, who was aware of the wedding invitation but did not inform other supervisors,[491] was apparently not charged with Dereliction of Supervisory Responsibility for failure to report the special agent's relationship or wedding invitation.[492]

Of thirteen examples where inaccurate information or a lack of candor played a role in the discipline imposed, ten were accompanied by another violation.[493] In two instances, a charge of lack of candor or providing inaccurate information was not accompanied by another violation. In 2010, a probationary special agent provided inaccurate information concerning loss of equipment, which resulted in the agent's termination during the probationary period.[494] In a February 2012 incident, a special agent was charged with providing inaccurate information concerning his association with a foreign national, which resulted in the agent resigning in lieu of adverse action.[495] Both were investigated by the employee's managers and not by USSS headquarters.[496]

In a third incident, an employee was charged with an offense completely unrelated to false information. In August 2012, a Uniformed Division (UD) officer who provided inaccurate information to a supervisor was disciplined for the generic charge of "Conduct Unbecoming a

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[485] *Id. at* Employee 253709, at 10; Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000510 (opened June 23, 2011); Inspection Div., Office of Investigations, U.S. Secret Service, Memorandum Report, Case Number 190-805-0000510 (Aug. 14, 2012).
[486] Inspection Div., Office of Investigations, U.S. Secret Service, Memorandum Report, Case Number 190-805-0000510 (Apr. 11, 2012), at 9.
[487] *Id.* at 6.
[488] *Id.*
[489] *Id.* at 10.
[490] Inspection Div., Office of Investigations, U.S. Secret Service, Memorandum Report, Case Number 190-805-0000510 (Aug. 14, 2012), at 9.
[491] Inspection Div., Office of Investigations, U.S. Secret Service, Memorandum Report, Case Number 190-805-0000510 (Jul. 13, 2012), at 25, 28, 33.
[492] FY 2010-2014 USSS Discipline, *supra* note 485, Employee ID 253709, at 10.
[493] *Id.*
[494] *Id.* at Employee ID 613487, at 2.
[495] *Id.* at Employee ID 652949, at 5.
[496] *Id.*

Secret Service Employee."[497] The officer received a two-day suspension.[498] This incident was also investigated by the employee's managers in the UD and not by the Inspection Division.[499]

2 day suspension	Conduct Unbecoming a Secret Service Employee (providing inaccurate information to supervisor)

RECOMMENDATION:	**USSS should clearly define what constitutes "providing inaccurate information" or "lack of candor" and agency personnel should always be independently charged when merited.**

ii. Resigning or Retiring in Lieu of Formal Discipline

FINDING:	**Some USSS employees have resigned or retired prior to being disciplined for misconduct.**

In 2001, the Treasury OIG noted that discipline was not administered in some cases because employees either resigned or retired prior to discipline being administered.[500] Federal agencies do not have disciplinary authority over individuals who resign their employment. Thus, when USSS employees facing disciplinary action as a penalty for misconduct resign or retire, no formal discipline can be imposed.

USSS told the Committee the agency "evaluates the specific facts and circumstances of each case and considers a number of factors to determine whether a settlement/employment agreement is appropriate and in the best interests of the Agency."[501] This includes the "likelihood of proving the case"; "a balancing of the time it would take to finally resolve a matter through the discipline and litigation process versus the time it would take to resolve the matter through settlement"; and "whether the employee is willing to accept in settlement a disciplinary or adverse action that is at the same or similar to the action the proposing or deciding official considers appropriate."[502] USSS also stated "nothing prevents an employee who is eligible to retire from retiring. Therefore, a retirement-eligible employee may choose to retire before an agency takes disciplinary or adverse action."[503]

For example, an ATSAIC of USSS was detailed to Carnegie-Mellon University in Pittsburgh, Pennsylvania.[504] For approximately nine months in 2005-2006, the ATSAIC

[497] *Id.* at Employee ID 254531, at 7.
[498] *Id.*
[499] *Id.*
[500] OIG 2001 Inspection Division Report, *supra* note 372, at 11.
[501] Email from Gov't & Pub. Affairs staff, U.S. Secret Service to H. Comm. on Oversight and Gov't Reform staff (Nov. 25, 2015, 3:04 p.m.).
[502] *Id.*
[503] *Id.*
[504] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000530 (opened Dec. 15, 2011), at 1.

commuted daily to Pittsburgh from Cleveland in his government-owned vehicle; ultimately, his SAIC found out about the travel and counseled him to stop, but did not discipline him.[505] A review of the employee's official car files at the beginning of 2012 revealed a discrepancy of 17,739 miles.[506] In January 2012, the ATSAIC admitted to inspectors that for the prior two years, he had falsified his time and attendance paperwork to reflect work when in fact he "failed to report to the office an average of two to three days a week and on the days he did report, he arrived late and left early."[507] He also kept at his personal residence approximately $50,000 worth of Carnegie-Mellon University equipment, which he failed to produce for inventory purposes.[508] On the same day the ATSAIC admitted time and attendance fraud USSS suspended his security clearance, and USSS continued its investigation. Approximately two weeks later on February 13, the ATSAIC informed USSS that he would retire at the end of the month.[509] USSS did not propose any discipline for him during that time period.

In May 2010, a USSS employee filed a harassment complaint against an ATSAIC in the New York Field Office, accusing him of unwanted touching and inappropriate comments and gestures, such as grabbing his genitals.[510] After interviews by the Inspection Division identified other allegations of inappropriate behavior, a search of the ATSAIC's computer revealed a sexually-explicit PowerPoint file and photographs depicting nudity.[511] In July 2010, USSS suspended the ATSAIC's security clearance.[512] That fall, the ATSAIC's security clearance was revoked and the employee was placed on indefinite suspension.[513] After the ATSAIC filed an appeal with the Merit Systems Protection Board and USSS's Security Appeals Board, he ultimately reached a settlement agreement with USSS's Office of Chief Counsel in May 2011.[514]

As described above, in May 2011, a custodian filed a complaint against a SAIC in USSS's Orlando Field Office. USSS suspended the SAIC's security clearance on May 17, 2011.[515] USSS's subsequent investigation concluded the SAIC "engaged in a pattern of unprofessional conduct,"[516] including unwanted physical contact with a custodian and three USSS employees,[517] "requests to view child pornography,"[518] having "a sexually explicit video file, nude photographs, and other inappropriate material in emails and email attachments,"[519] and

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[505] *Id.* at 2.
[506] *Id.* at 1.
[507] *Id.* at 1-2.
[508] *Id.*
[509] *Id.*
[510] Inspection Div., U.S. Secret Service, Case Details, Case Number 190-872-10-003 (opened May 18, 2010), at 1.
[511] *Id.* at 2.
[512] *Id.*
[513] *Id.*
[514] *Id.*
[515] Inspection Div., Office of Investigations, U.S. Secret Service, Memorandum Report, Case Number 190-805-0000509 (July 12, 2011), at 4.
[516] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000509 (opened June 15, 2012), at 1 [hereinafter Special Investigation Case Number 190-805-0000509].
[517] *Id.*
[518] Inspection Div., U.S. Secret Service, Inspection Division Case Details, Case Number 190-872-11-014 (opened May 12, 2011), at 1 [hereinafter Inspection Division Case Number 190-872-11-014].
[519] *Id.*

unreported relationships with female foreign nationals.[520] The SAIC clearly lied to inspectors regarding his inappropriate conduct, denying all of the allegations until confronted with contrary evidence.[521] Despite this, USSS never issued a notice of proposed discipline. Instead, USSS Chief Counsel Donna Cahill approved an employment agreement with the SAIC on September 12, 2011 which allowed him to remain on leave until he retired at the end of the year.[522]

During the Cartagena investigation, DHS OIG received a hotline complaint concerning the individual serving as the head of the Office of Professional Responsibility, Assistant Director George Luczko.[523] DHS OIG told the Committee that it developed evidence to indicate that Luczko misused his government vehicle by giving a ride to a foreign national and meeting another foreign national at a restaurant for unofficial purposes.[524] After Acting Inspector General Charles Edwards presented Director Julia Pierson with this information on July 13, 2013,[525] Luczko retired from USSS on August 31, 2013, and no disciplinary action was taken.[526]

In February 2014, an ATSAIC in USSS's Charlotte Field Office was found to have consumed alcohol on duty and participated in unauthorized outside employment.[527] The ATSAIC admitted to drinking vodka on duty to cope with anxiety and stated he was under treatment for it.[528] USSS suspended his security clearance on March 6, 2014.[529] On July 17, 2014, the ATSAIC entered into an employment agreement with USSS's Office of Chief Counsel whereby he remained on accrued leave until he retired earlier this year on April 30, 2015.[530]

According to statements to the Committee during the transcribed interview of the former chief of USSS's Human Capital Division, when formal discipline is not imposed, there is no permanent record of the employee's misconduct when they seek employment at another federal agency after their separation from USSS.[531]

RECOMMENDATION:	**Once the fact-finding phase of an investigation is completed, USSS should continue to move swiftly through the disciplinary process.**

[520] Special Investigation Case Number 190-805-0000509 , *supra* note 516, at 1.
[521] Inspection Division Case Number 190-872-11-014, *supra* note 518, at 1-2.
[522] Inspection Div., Office of Investigations, U.S. Secret Service, Memorandum Report, Case Number 190-805-0000509 (Sept. 21, 2011), at 3.
[523] Office of Inspector Gen., Dep't of Homeland Sec., *Memorandum of Activity, Other – Hotline Complaint (CI212306)*, Case 112-USSS-OSI-00800, at 1.
[524] Email from Dep't of Homeland Sec., Office of Inspector Gen., to H. Comm. on Oversight & Gov't Reform staff (Oct. 7, 2013, 2:59 p.m.).
[525] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000612 (opened Oct. 15, 2013), at 1.
[526] *Id.*
[527] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000629 (opened Feb. 21, 2014), at 1.
[528] *Id.*
[529] *Id.*
[530] *Id.*
[531] Eldredge Tr., *supra* note 375, at 95.

iii. Need for Appropriate Discipline

FINDING: At times USSS managers have failed to terminate employees promptly when serious misconduct has been substantiated.

The Committee's investigation has identified instances in which managers failed to take appropriate steps to remove employees who have committed serious misconduct. In response, some Committee Members feel that statutory changes are necessary to give USSS the ability to take more swift action in firing employees for substantiated misconduct. Other Members believe that USSS should instead streamline its the process to ensure prompt and appropriate disciplinary action.

In general, federal agencies may take actions to remove employees only for "such cause as will promote the efficiency of the service."[532] A removal action is an adverse action based upon misconduct, unacceptable performance, or a combination of both. An employee against whom an action is proposed is entitled to: (1) at least thirty days' advance written notice, unless there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed, stating the specific reasons for the proposed action; (2) a reasonable time, but not less than seven days, to answer orally and in writing and to furnish affidavits and other documentary evidence in support of the answer; (3) be represented by an attorney or other representative; and (4) a written decision and the specific reasons therefor at the earliest practicable date.[533]

Federal agencies may also remove an employee for unacceptable performance, which are performance-based actions.[534] These actions must be properly documented and an employee must be provided with an opportunity to improve performance before a removal action can be taken. An employee whose removal is proposed is entitled to: (1) thirty days' advance written notice of the proposed action which identifies the specific instances of unacceptable performance by the employee on which the proposed action is based and the critical elements of the employee's position involved in each instance of unacceptable performance; (2) be represented by an attorney or other representative; (3) a reasonable time to answer orally and in writing; and (4) a written decision that specifies the instances of unacceptable performance and that has been concurred in by an employee at a higher level than the employee who proposed the action.[535]

Federal employees generally have the right to appeal a removal action to the Merit Systems Protection Board (MSPB) or file a grievance under the agency's collective bargaining grievance procedures. Allegations of discrimination, reprisal for whistleblowing, and other prohibited personnel practices can be part of the MSPB appeal process or through the grievance

[532] 5 U.S.C. § 7513(a)
[533] 5 U.S.C. § 7513.
[534] 5 U.S.C. § 43.
[535] 5 U.S.C. § 4303(b)(1).

process. Employees can also file such allegations directly with the agency's Equal Employment Office or with the Office of Special Counsel.

During the 114th Congress, the Committee has held a series of hearings to examine federal employee misconduct.[536] Members of the Committee expressed dismay at the misconduct and some questioned whether agency leadership has the tools to adequately detect and punish wrongdoing by employees. Other Committee members noted that better implementation of existing laws could help by streamlining the disciplinary process. While USSS's firing authority doesn't materially differ from other agencies, the consequences of problems within the agency are more acutely felt by USSS due to its zero-failure mission.

RECOMMENDATION:	**USSS should review its disciplinary processes to find ways to streamline and make them more efficient and effective.**

5. USSS Culture of Misconduct

As noted above, Inspector General John Roth recently testified before the Committee: "[G]iven the nature of what it is that we've seen since [2013], I believe that there is a serious problem within the Secret Service."[537] This section examines whether these problems are new, or whether they have been an issue at USSS throughout the past several years.

A. OIG "Culture" Report

As USSS was in the midst of adopting the new Table of Penalties and creating the Office of Integrity, DHS OIG released its December 2013 report on misconduct and disciplinary issues. The 2013 OIG report was quickly dubbed the USSS "culture report" given such headlines as "Long-Awaited Report Largely Clears Secret Service of 'Culture' Problem."[538] The word "culture" is actually only used once in the report, to describe the "chain-of-command" tendencies of the Secret Service.[539] Nevertheless, a frequently quoted line from the report, which appears in the Executive Summary, states DHS OIG "did not find evidence that misconduct is widespread in USSS."[540] Within months, after agents passed out in a hallway from drinking in the

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[536] *U.S. Secret Service: Holding the Protectors Accountable: Hearing Before the H. Comm. on Oversight & Gov't Reform*, 114th Cong. (Mar. 24, 2015) (No. 114-16); *DOJ IG: Handling of Sexual Harassment and Misconduct Allegations: Hearing Before the H. Comm. on Oversight & Gov't Reform*, 114th Cong. (Apr. 14, 2015) (No. 114-17); *EPA Mismanagement: Hearing Before the H. Comm. on Oversight & Gov't Reform*, 114th Cong. (Apr. 30, 2015) (No. 114-26); *EPA Mismanagement Part II: Hearing Before the H. Comm. on Oversight & Gov't Reform*, 114th Cong. (July 29, 2015); *Federal Air Marshal Service: Oversight: Hearing Before the H. Comm. on Oversight & Gov't Reform*, 114th Cong. (Sept. 17, 2015).

[537] OGR Hearing on OIG Mar. 4 Report, *supra* note 36, at 29.

[538] Mike Levine, *Long-Awaited Report Largely Clears Secret Service of 'Culture' Problem*, ABC WORLD NEWS, Dec. 20, 2013; *see also Report finds Secret Service does not have 'culture' problem, despite questions over probe*, FOX NEWS, Dec. 20, 2013.

[539] OIG 2013 Misconduct Report, *supra* note 39, at 43.

[540] *Id.* at 1.

Netherlands and crashed a car in the Florida Keys in an incident involving alcohol,[541] the conduct of USSS agents was called into question.[542]

The DHS OIG report's one-page Executive Summary also stated DHS OIG did not find "any evidence that USSS leadership has fostered an environment that tolerates inappropriate behavior."[543] As noted above, at a Committee hearing on May 14, 2015, current Inspector General John Roth was asked by Representative Ron D. DeSantis about these two conclusions in the 2013 report:

> DESANTIS: [B]efore your tenure the DHS Office of Inspector General released a 2013 report which did not find evidence in the Secret Service that misconduct or inappropriate behavior is widespread or that leadership has fostered an environment that tolerates inappropriate conduct. So given your tenure, given this report, what are your thoughts about the 2013 DHS report? Is that an accurate reflection of what's going on in the culture of the Secret Service right now?
>
> ROTH: Certainly not right now, it is not, I mean. But one of the things about the report that you reference, the 2013 report, is that there are fascinating findings within it. For example, they did a survey, an electronic survey in which 138 electronic survey respondents personally observed excessive alcohol consumption and 86 percent of them indicated that they did not report such behavior. The report also indicated that of the 2,500-and-some electronic survey respondents, 44 percent of them felt that they could not report misconduct without fear of retaliation if they, in fact, reported that. So within that report itself there are some very, very disturbing trends. And I think, given the nature of what it is that we've seen since then, I believe that there is a serious problem within the Secret Service.[544]
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> * * *
>
> DESANTIS: Is there any indication that the process for discipline within the Secret Service has improved since the 2013 report?

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[541] Carol D. Leonnig, David Nakamura, and Michael Birnbaum, *Secret Service incident in Netherlands was on heels of car wreck during Obama's Miami trip*, WASH. POST, Mar. 26, 2014; *see also* Carol D. Leonnig and Julie Tate, *Police: Secret Service agent caused March 7 crash in South Florida before Obama visit*, WASH. POST, Mar. 27, 2014.

[542] *See, e.g.*, Aamer Madhani and Kevin Johnson, *Questions raised again about Secret Service culture*, USA TODAY, Mar. 27, 2014.

[543] OIG 2013 Misconduct Report, *supra* note 39, at 1.

[544] OGR Hearing on OIG Mar. 4 Report, *supra* note 36, at 29.

ROTH. Well, it certainly has improved since Cartagena. The Secret Service has taken steps to—they have an Office of Integrity now, for example. That is the one that imposes discipline. As a result of our 2013 inspection, we made a number of different recommendations, including the table of penalties, which they now have adopted. So I think the Secret Service is moving in the right direction in this area after Cartagena.

DESANTIS: It's safe to say . . . that the conclusions reached in the 2013 report, that there's a conflict between the conclusions you reached in your [2015] report.

ROTH: I would agree with that.[545]

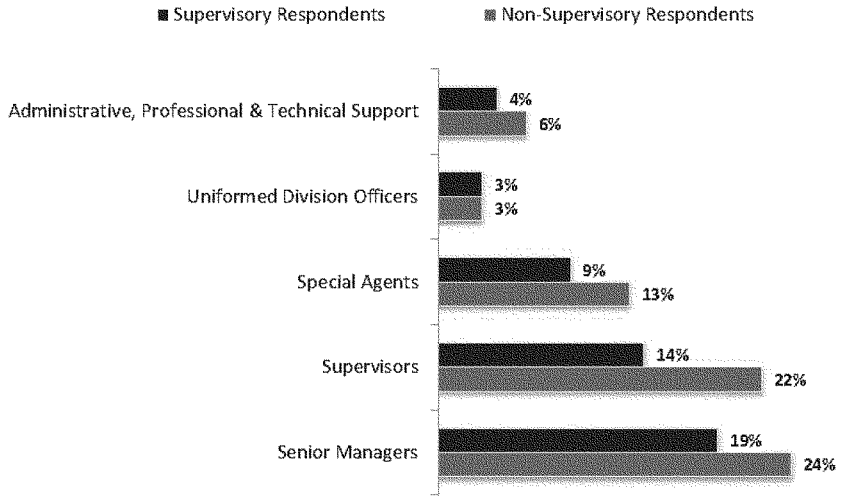
The Executive Summary of the 2013 OIG report stated only sixty-one percent of survey respondents believed management did not tolerate misconduct; however, a "noteworthy number" believed USSS management tolerated misconduct, including eighty-nine supervisors.[546] Twenty percent of supervisory respondents believed senior managers are not held accountable for misconduct.[547] Overall, only fifty percent of respondents believed senior managers are held accountable, and only fifty-five percent believed supervisors are held accountable.[548]

According to the OIG report, some USSS employees were hesitant to report misconduct. The top reason cited was that employees did not believe USSS management was supportive of employees reporting behavior that could cause a security concern.[549] Only fifty-five percent of respondents stated that they could report a suspected violation of any law, rule, regulation, or standards of conduct without fear of retaliation.[550] Further, eighty percent of respondents who personally observed behavior that could cause a security concern to USSS did not report it.[551]

[INTENTIONALLY BLANK]

[545] OGR Hearing on OIG Mar. 4 Report, *supra* note 36, at 30.
[546] *Id.* at 31.
[547] *Id.* at 32-33.
[548] *Id.* at 31-32.
[549] *Id.* at 37-38.
[550] *Id.* at 91.
[551] *Id.* at 36.

Figure 14: Percentage of respondents who believe the following occupational specialties and managerial levels are not held accountable when they engage in misconduct or illegal activity, by response of supervisors and non-supervisors.



Source: OIG electronic survey results for Questions 6-10

B. Alcohol-Related Misconduct

Historically, USSS's policy on alcohol prohibited "[o]perating or being in actual physical control of [any] owned, leased, or rented passenger motor vehicle . . . while intoxicated or impaired by alcohol or a controlled substance."[552] Thus, in the 2011 car accident in the Dominican Republic that involved alcohol, discipline hinged on whether the driver was "intoxicated or impaired." In response to criticisms at the time of the Cartagena scandal that USSS was too lenient with regard to a wide variety of conduct, the agency quickly adopted stricter standards for several behaviors.[553] The new standards, sent to all USSS employees on April 27, 2012, included the so-called "ten-hour rule," prohibiting the consumption of alcohol within ten hours of reporting for duty.[554]

[552] USSS Table of Penalties, *supra* note 170, DUI/DWI – Government Vehicle, Offense Code 4.6, at 15 (codifying the historic USSS policy on alcohol); *see also* DUI/DWI – Privately Owned Vehicle, Law Enforcement Officer, Offense Code 4.7, at 15, and DUI/DWI – Privately Owned Vehicle, Non-Law Enforcement Personnel, Offense Code 4.8, at 16.
[553] Email from Alvin Smith, Dep. Dir, U.S. Secret Service (Apr. 27, 2012, 4:05 p.m.).
[554] *Id.*

High-profile violations of the ten-hour rule have attracted public attention. As mentioned above, on March 23, 2014, a special agent on USSS's elite Counter Assault Team supporting a presidential visit to The Hague, Netherlands was found passed out under the influence of alcohol in a hotel hallway.[555] On March 24, he and two other agents were all sent back to the U.S. for improper conduct involving alcohol.[556] On March 25, the *Washington Post* broke the story,[557] and the next day, USSS made formal notifications to DHS OIG.[558] One special agent resigned on April 22, 2011, and the other two agents involved were issued 28-day and 30-day suspensions.[559] One of the individuals involved in the incident acknowledged to inspectors he had previously passed out due to excessive alcohol consumption in April 2011 on his first out-of-town assignment, which was to Chicago.[560]

During the 2014 United Nations General Assembly, one special agent was assigned to work each day at 9:00 a.m., yet stayed out one night drinking until 1:00 a.m.[561] The agent self-reported this information in connection with a misunderstanding regarding whether the agent had been involved in ordering an escort service, which the agent had not.[562] USSS referred the incident to DHS OIG on October 8, 2014, after the last date the Committee has full information on final disciplinary actions.[563]

As mentioned above, on March 7, 2014, two UD officer-technicians were involved in a late-night accident while driving a government-rented vehicle in Islamorada, Florida.[564] Although Florida Highway Patrol responding to the scene detected a slight odor of alcohol emanating from the driver, the officer-technician passed a horizontal gaze nystagmus field sobriety test.[565] According to USSS files, the UD notified the Inspection Division of the incident on March 19, at which point the Intake Group determined the Inspection Division should investigate.[566] The subsequent investigation, which included interviewing thirteen employees from various bars and restaurants and other private venues, revealed the driver had misused a government-rented vehicle, and four UD officer-technicians overall had violated USSS's ten-

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[555] Inspection Div., U.S. Secret Service, Mission Assurance Inquiry Case Report Details, Case Number 190-872-14-007 (opened Mar. 28, 2014), at 1[hereinafter Mission Assurance Inquiry Case Number 190-872-14-007].
[556] *Id.*
[557] Carol D. Leonnig and David Nakamura, *Secret Service agents sent home from Netherlands were warned to avoid trouble*, WASH. POST, Mar. 25, 2014.
[558] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000630 (opened Mar. 24, 2014), at 1.
[559] *Id.* at 1-2.
[560] Inspection Div., Office of Investigations, U.S. Secret Service, Memorandum Report, Case Number 190-805-0000630 (May 19, 2014), at 9.
[561] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000667 (opened Oct. 8, 2014), at 1.
[562] *Id.*
[563] *Id.*
[564] Mission Assurance Inquiry Case Number 190-872-14-007, *supra* note 555.
[565] Inspection Div., Office of Investigations, U.S. Secret Service, Memorandum Report, Case Number 190-805-0000631 (May 5, 2014).
[566] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000631 (opened Apr. 1, 2014), at 1.

hour rule.[567] One of the four UD officer-technicians resigned on October 4, 2014, two served 35-day suspensions in late 2014, and one had acknowledged his proposed 21-day suspension as of March 2, 2015.[568]

On the night of November 7, 2014, a special agent from the Washington (D.C.) Field Office was stopped by U.S. Park Police after losing control of his government-owned vehicle on the George Washington Parkway and sliding onto the grass shoulder.[569] A field sobriety test indicated the agent's blood alcohol level was .136, and the agent admitted he had had four or more drinks at a bar.[570] Park Police contacted USSS and requested a supervisor respond to the scene; the agent was then released to the USSS supervisor without being criminally charged.[571] On November 10, 2014, USSS's Intake Group determined the Inspection Division should conduct an investigation, but by mid-2015 USSS's file on the incident had not been updated to reflect whether an investigation occurred.[572]

On December 28, 2014, a GS-15 RAIC of the Lima, Peru Resident Office, was involved in an accident with his government-owned vehicle.[573] The RAIC's child was in the car at the time of the accident, a violation of government-owned vehicle policies.[574] Both local police and Department of State's regional security officer believed alcohol may have been a factor in the accident, as he "refused field sobriety tests and claimed that he is taking medication which causes drowsiness."[575] According to USSS files, local police "did not arrest RAIC [NAME REDACTED]due to his diplomatic status";[576] however, they did request the U.S. embassy interview him.[577] After DHS OIG declined to review the incident, USSS's Intake Group determined that USSS should conduct an investigation.[578] Meanwhile, USSS temporarily reassigned the RAIC to Washington, D.C. As of mid-2015, there was no indication in USSS's case file that he had received any discipline.

C. Sexual Misconduct

A review of USSS disciplinary files from both before and after the Cartagena incident revealed some instances of sexual misconduct. Such misconduct included solicitation of prostitution, other criminal sexual acts, and other sexual behavior that causes a security concern.

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[567] Mission Assurance Inquiry Case Number 190-872-14-007, *supra* note 555.
[568] Inspection Div., Office of Investigations, U.S. Secret Service, Memorandum Report, Case Number 190-805-0000631 (May 5, 2014), at 3.
[569] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000676 (opened Nov. 14, 2014), at 1.
[570] *Id.*
[571] *Id.*
[572] *Id.*
[573] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-804-0000682 (opened Jan. 8, 2015), at 1.
[574] *Id.*
[575] *Id.*
[576] *Id.*
[577] *Id.*
[578] *Id.*

According to USSS's Adjudicative Desk Reference, sexual behavior is a security concern when it "reflects a lack of judgment or discretion, or subjects the individual to undue influence or coercion, exploitation, or duress."[579]

A review of USSS records reveals disturbing instances of sexual misconduct. In April 2011, an agent in the Greenville (SC) Resident Office admitted to having sex at the USSS office in March 2010 with a woman who he was investigating for embezzlement.[580] The woman alleged that the agent had continually encouraged her to "trust" him that she would get a probationary sentence, and thus when he initiated sexual intercourse she cooperated out of fear he would otherwise allow her to be sentenced to prison.[581] The agent denied making such a deal, but failed a polygraph examination when asked if had ever told her he would seek probation for her in exchange for sex.[582] The agent subsequently resigned from USSS in August 2011, and USSS never proposed any formal discipline.[583]

In April 2012, USSS investigated allegations that an ASAIC in USSS's Special Services Division pointed a gun at his wife.[584] The ASAIC made some admissions to USSS investigators, but then failed a polygraph.[585] After "express[ing] regret and embarrassment at having lied to inspectors in early interviews,"[586] in early May 2012 the ASAIC admitted "he had numerous extramarital affairs in the form of one-night stands with eight women from his past and with two additional couples, whom he met through . . . online swinging websites."[587] Further, he admitted he had "spit in his wife's face and at the back of her head; thrown things at her; tossed water in her face twice; and used his hands in at least two instances to simulate a gun and then point it at her during arguments."[588] Notwithstanding this information, USSS failed to move forward with disciplinary procedures for the ASAIC; in May 2013, one year after the ASAIC's admissions, the Office of Chief Counsel advised the Inspection Division that the case "remain[ed] under administrative review."[589] The ASAIC finally resigned from USSS in July 2013 without USSS ever proposing any formal discipline.[590]

Overall, in its December 2013 report, DHS OIG stated that it had verified fourteen instances where USSS's Inspection Division had concluded employees engaged in sexual

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[579] OIG 2013 Misconduct Report, *supra* note 39, at 23.
[580] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000505 (opened Apr. 20, 2011), at 1.
[581] *Id.*
[582] *Id.*; also discussed in Office of Inspector Gen., Dep't of Homeland Sec., Report of Investigation I11-USSS-ATL-00706 (July 5, 2012), at 12.
[583] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000505 (opened Apr. 20, 2011), at 1.
[584] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000543 (opened May 1, 2012), at 1.
[585] *Id.*
[586] *Id.*
[587] *Id.*
[588] *Id.*
[589] *Id.* at 2.
[590] *Id.*

activity in exchange for money.[591] For example, in Las Vegas in April 2013, police and hotel security responded to a disturbance call from a room at the Quad Hotel Resort and Casino.[592] A UD officer was in the room with a prostitute and an unknown third individual.[593] The police determined that the officer hired a prostitute, exchanged money, and had sexual intercourse with her.[594] However, later that night, an argument ensued over money and the Las Vegas police responded.[595] The officer was not arrested or charged by Las Vegas police.[596] Five days after the incident, USSS placed the officer on administrative leave and suspended his security clearance the next day.[597] USSS subsequently moved forward with disciplinary procedures by suspending the officer indefinitely without pay.[598] He resigned in November 2013.[599]

However, DHS OIG's 2013 report also states that electronic and in-person survey respondents do not believe the solicitation of prostitutes is widespread in USSS. Out of 2,575 electronic survey respondents, 207 respondents (eight percent) indicated they were aware of USSS employees engaging in solicitation of prostitutes. Of the 207 respondents, nineteen indicated they personally observed this behavior.[600] The 2013 report also acknowledged, "Because of how matters are reported to ISP . . . , we were unable to confirm that these instances represent a comprehensive account of all alleged or confirmed activities related to sexual contact in exchange for money."[601] In fact, an electronic survey of USSS employees by DHS OIG found that out of 2,575 respondents, 207 were willing to acknowledge that they were aware of USSS employees engaging in solicitation of prostitutes.[602] Of those individuals, 46 percent did not believe solicitation of prostitution was isolated, and ten percent believed it was systemic.[603] Yet of those who personally observed solicitation of prostitutes, 100 percent admitted that they had not reported the behavior to USSS.[604]

Instances of solicitation for prostitution have continued to come to light since the 2013 DHS OIG report. In June 2014, a member of USSS's APT staff reported as part of his security clearance update investigation that he had been arrested by the D.C. Metropolitan Police Department in October 2011 for solicitation of prostitution.[605] As of mid-2015, there was no indication in the file that the employee had been disciplined.

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[591] OIG 2013 Misconduct Report, *supra* note 39, at 17.
[592] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000585 (opened Apr. 19, 2014), at 1.
[593] *Id.*
[594] *Id.*
[595] *Id.*
[596] *Id.*
[597] *Id.*
[598] *Id.* at 1-2.
[599] *Id.*
[600] OIG 2013 Misconduct Report, *supra* note 39, at 18.
[601] *Id.* at 15.
[602] *Id.* at 18.
[603] *Id.* at 19-20.
[604] *Id.* at 37.
[605] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000648 (opened June 23, 2014), at 1.

V. Management and Leadership

FINDING: USSS leadership needs to continue to reform the agency.

USSS leadership must strengthen its efforts to hold individuals accountable as it reforms the agency. This sentiment has been expressed again and again to the Committee. The Protective Mission Panel also felt strongly about this issue:

> Of the many concerns the Panel encountered, the question of leadership is, in our view, the most important. The Panel found an organization starved for leadership that rewards innovation and excellence and demands accountability. From agents to officers to supervisors, we heard a common desire: More resources would help, but what the Secret Service really needs is leadership.[606]

In addition to accounts from USSS personnel, it is clear from quantitative data such as employee separation surveys that USSS employees are disconnected from management.[607] UD officers and special agents who left the agency in fiscal year 2015 cited "Senior Leadership Commitment to the Mission" as one of the three poorest aspects of the job.[608] "Better communication between employees and management" and management "demonstrat[ing] an appreciation for the level of work accomplished" were commonly cited as factors that could cause employees to stay at USSS.[609]

While many USSS employees associate leadership deficiencies with USSS's senior leadership team (the so-called "8th floor" because of the location of the executive offices), Panel member Tom Perrelli testified at the Committee's February 12, 2015 hearing that the need for leadership across the organization affects morale agency-wide:

> [W]hat we really need is leadership. We need a different, dynamic leadership, not specified to one particular floor, but a clear sense from the rank and file that their confidence in the organization would really improve only if they saw substantial change at the top.[610]

Indeed, several of the recommendations in the Panel's December 15, 2014 report involved leadership. Related to the perception that USSS supervisors and senior leadership are simply looking to protect each other, even in the face of misconduct, is the question of how

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[606] Panel Report Exec. Summary, *supra* note 35, at 3.
[607] Workforce Planning Div., Office of Human Res. and Training, U.S. Secret Service, *Employee Separation Survey Results: FY 2015* (Oct. 1, 2014 - June 27, 2015)," July 13, 2015 [hereinafter USSS Employee Separation Surveys] [App. at 189-192].
[608] *Id.* at 2, 4.
[609] *Id.*
[610] *U.S. Secret Service: Identifying Steps to Restore the Protective Agency: Hearing Before H. Comm. on Oversight & Gov't Reform*, 114th Cong. 21 (Feb. 12, 2015) (No. 114-1) [hereinafter Protective Mission Panel Hearing].

individuals even get into supervisory or senior leadership positions in the first place. The Panel found:

> The Service needs to take a . . . fresh look at its promotion and rotation systems. There is a perception among active agents and officers that the promotion system results in the advancement of old hands who served together and got along, rather than on advancing those most capable of leading.[611]

The 2015 Federal Employee Viewpoint Survey found that this perception is held by 68.8 percent employees, with only 13.9 percent believing that promotions are based on merit.[612]

22. Promotions in my work unit are based on merit.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	391,579	32.9%	27.9%	39.2%	27,063	
2015 Department of Homeland Security	41,003	20.1%	23.1%	56.8%	1,919	
2015 U.S. Secret Service (USSS)	**1,217**	**13.9%**	**17.3%**	**68.8%**	**54**	↘
2014 U.S. Secret Service (USSS)	1,066	19.9%	25.3%	54.8%	49	↘
2013 U.S. Secret Service (USSS)	1,320	23.6%	30.3%	46.1%	72	↘
2012 U.S. Secret Service (USSS)	2,111	27.3%	26.7%	46.0%	81	→
2011 U.S. Secret Service (USSS)	922	27.9%	29.4%	42.7%	35	→
2010 U.S. Secret Service (USSS)	557	31.5%	24.0%	44.5%	21	

A much smaller 6.9 percent believe that pay raises depend on how well employees perform their jobs.[613]

33. Pay raises depend on how well employees perform their jobs.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	383,014	21.1%	26.5%	52.4%	27,671	
2015 Department of Homeland Security	40,085	14.1%	20.8%	65.1%	2,013	
2015 U.S. Secret Service (USSS)	**1,182**	**6.9%**	**20.1%**	**73.0%**	**63**	↘
2014 U.S. Secret Service (USSS)	1,035	12.2%	26.2%	61.6%	49	→
2013 U.S. Secret Service (USSS)	1,278	12.4%	29.7%	58.0%	68	↘
2012 U.S. Secret Service (USSS)	2,067	15.4%	31.1%	53.5%	96	→
2011 U.S. Secret Service (USSS)	890	15.9%	32.9%	51.2%	43	→
2010 U.S. Secret Service (USSS)	551	14.5%	32.9%	52.6%	18	

[611] Panel Report, *supra* note 45, at 22.
[612] DHS FEVS USSS Data, *supra* note 34, at 9.
[613] *Id.* at 13.

The Panel also made several recommendations regarding the rest of USSS's senior leadership:

> To be sure, the Secret Service has innovative thinkers within its ranks, and a number of them have impressed us with their forward-thinking approach. There are future leaders of the Service at the supervisory level but below the senior headquarters ranks. But the organization has not sufficiently invested in developing them at this point to put the agency wholly in their hands.
>
> * * *
>
> We are also hopeful that the agency's senior leadership team will, when possible, come from within and move the agency forward in a manner consistent with its core mission. We met with junior and mid-level agents, officers, and staff who were highly talented, innovative thinkers, committed to the agency, and could move it in positive directions in the future. They are the kind of energetic, dynamic, disruptive thinkers that the agency needs in leadership positions.[614]

On January 14, 2015, USSS announced four Assistant Directors were being demoted while two others were retiring, resulting in a turnover of six of the agency's eight Assistant Directors.[615] This came approximately one month after the release of the Protective Mission Panel report and its recommendations, and was during the time Clancy was then still serving as Acting Director. At the time, Clancy said in a statement: "Change is necessary to gain a fresh perspective on how we conduct business. I am certain any of our senior executives will be productive and valued assets either in other positions at the Secret Service or the department."[616]

However, a whistleblower expressed concern to the Committee that the new Assistant Directors all came from existing senior USSS leadership, and that individuals were merely elevated to the Senior Executive Service to fill the resulting vacancies in management. According to many whistleblowers, the new senior leaders resembled the experience and attitudes of their predecessors. Some whistleblowers told the Committee that until much of current leadership was replaced, there would be no real cultural change in the agency.

During a September 2015 meeting, two Protection Mission Panel members discussed their reaction to the major leadership changes that occurred after issuing their report. They believed the "housecleaning was a good move" and USSS had "significant improvement over where they were" in leadership, including at the Director and Assistant Director levels. However, they noted that the "8th floor" had resisted change in the past and significant leadership changes were still important. They also described how talent had been depleted in

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[614] Panel Report, *supra* note 45, at 38-39.
[615] Carol D. Leonnig, *Four top Secret Service executives told to leave their posts in agency shake-up*, WASH. POST, Jan. 14, 2015.
[616] *Id.*

recent years as highly-qualified employees left the agency after not being promoted to senior positions. This contributed to a "mixed bag" of those who recently received promotions.[617]

USSS senior leadership should continue to ensure that individuals are held accountable as reforms are made.

RECOMMENDATION:	**USSS should make additional positive changes in senior management ensure they uphold standards of excellence.**

1. Selection of Clancy as Permanent Director

FINDING:	**Top leadership from outside USSS will help the agency make necessary changes.**

On September 30, 2014, Director Julia Pierson appeared before the Committee to testify about the White House fence jumper. She resigned the next day, on October 1, 2014. In her place, Joseph Clancy was called back from the private sector to serve as the Acting Director.

On December 15, 2014, the Protective Mission Panel released its report. The panel recommended that the next permanent Director come from outside USSS.[618] The report stated: "The need to change, reinvigorate, and question long-held assumptions—from within the agency itself—is too critical right now for the next director to be an insider. . . . The Secret Service needs an agent for change."[619] The report also explained:

> The next director will have to make difficult choices, identifying clear priorities for the organization and holding management accountable for any failure to achieve those priorities. Only a director from outside the Service, removed from organizational traditions and personal relationships, will be able to do the honest top-to-bottom reassessment this will require.[620]

Notwithstanding the Panel's recommendation, on February 18, 2015, President Obama announced that he was appointing Clancy as permanent director. In September 2015, Committee staff met with two members of the Protective Mission Panel to get their take on the report nine months later.[621] They recognize that the most important consideration is that any president feels confident in the person appointed as director. However, both reiterated USSS still needs an outside director, although they do not believe it should or will happen at this stage in President

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[617] Briefing from Hon. Joseph Hagin and Hon. Thomas Perrelli, Protective Mission Panel to H. Comm. on Oversight & Gov't Reform staff (Sept. 22, 2015).
[618] *Id.*
[619] *Id.* at 38.
[620] *Id.* at 2.
[621] Briefing from Hon. Joseph Hagin and Hon. Thomas Perrelli, Protective Mission Panel to H. Comm. on Oversight & Gov't Reform staff (Sept. 22, 2015).

Obama's administration.[622] While Director Clancy has undertaken some positive reforms, a future outside director could make changes without feeling bound by custom or sentimentality.

RECOMMENDATION:	**The next president should take into account the Panel's recommendation for outside leadership when selecting a USSS director.**

2. *Resignation of Deputy Director Smith*

FINDING:	**After USSS's public announcement that then-Deputy Director A.T. Smith had accepted a position with another agency, he remained on USSS's payroll as a detailee until his retirement nine months later.**

On February 9, 2015, two days before a Committee hearing on the Protective Mission Panel Report, Director Clancy issued an internal message that stated in part:

> Today, A.T. Smith announced that he is stepping down as Deputy Director and has accepted another position within the Department of Homeland Security effective Tuesday, February 10, 2015. . . . Deputy Director Smith has had an exceptional law enforcement career spanning nearly 29 years within the Secret Service. His contributions to the agency have been invaluable. Today, I salute his distinguished service to the Secret Service and to the Nation. Please join me in thanking Deputy Director Smith for his exceptional dedication and service. We wish him continued success in his new responsibilities.

[INTENTIONALLY BLANK]

[622] *Id.*

From: DIR
Sent: Monday, February 09, 2015 12:14 PM
To: USA
Subject: 175.040 Deputy Director A.T. Smith

//Routine//

From: Headquarters (Director) File: 175.040

To: All Employees

Subj: Deputy Director A.T. Smith

Today, A.T. Smith announced that he is stepping down as Deputy Director and has accepted another position within the Department of Homeland Security effective Tuesday, February 10, 2015. Deputy Director Smith was appointed to his position in April 2012.

Throughout his tenure as the 18th Deputy Director of the Secret Service, A.T. led the development of a comprehensive 2014-18 Strategic Plan, defined solutions to critical operational and investigative challenges and implemented a variety of human capital initiatives to enhance employee development.

Deputy Director Smith has had an exceptional law enforcement career spanning nearly 29 years within the Secret Service. His contributions to the Agency have been invaluable. Today, I salute his distinguished service to the Secret Service and the Nation.

Please join me in thanking Deputy Director Smith for his exceptional dedication and service. We wish him continued success with his new responsibilities.

Headquarters (Director) Clancy

In addition, Director Clancy called both Chairman Chaffetz and Ranking Member Cummings to inform them that Smith was being transferred out of the agency. Accordingly, the Committee allowed Director Clancy to postpone his scheduled February 11 testimony before the Committee.

The media was unable to determine where in DHS Smith was going or what his role would be. On February 9, 2015, the *Washington Post* reported: "Smith, 56, has been invited to transfer to another position in the Department of Homeland Security, according to an email sent early Monday to USSS staff that also praises Smith's 29 years of service to the agency."[623]

The *New York Times* referenced USSS's announcement "that Mr. Smith had stepped down and taken a job at the Department of Homeland Security . . . ."[624]

The *Wall Street Journal* reported: "Deputy Director A.T. Smith, who has worked at the Secret Service for 29 years, will take 'another position within the Department of Homeland Security' on Tuesday, the agency said in a news release. . . . It wasn't immediately clear what position Mr. Smith would take."[625]

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[623] Carol D. Leonnig, *Under pressure from Congress, Secret Service deputy director resigns*, WASH. POST, Feb. 9, 2015.
[624] Michael S. Schmidt, *Secret Service Deputy Demoted as Panel Chairman Presses for Firing*, N.Y. TIMES, Feb. 9, 2015.
[625] Andrew Grossman, *Secret Service Reassigns No. 2 Official Days Before Hearing*, WALL ST. J, Feb. 9, 2015.

On February 11, 2015, the Associated Press honed in on the issue in an article titled "Ousted Secret Service No. 2 to mystery Homeland Security job":

> What new job in the Homeland Security Department is the ousted No. 2 official at the Secret Service doing? Nobody's saying. . . . In what appears to be a highly unorthodox employment shuffle, Smith — who earned as much as $183,000 a year — was permitted to take an unspecified job inside the highly regarded Homeland Security Investigations unit in U.S. Immigrations and Customs Enforcement. Both agencies are part of the Homeland Security Department. But no one will disclose Smith's new job title, his responsibilities or how much public salary he's earning. It's a mystery whether Smith is investigating cases, shuffling paperwork behind a desk or supervising agents.[626]

Two days later, the Associated Press returned to the issue, reporting:

> The former No. 2 agent at the Secret Service is moving to Immigration and Customs Enforcement as a 'senior adviser' for cybercrime after being forced out of the agency charged with protecting the president, according to an internal email obtained by The Associated Press. . . . DHS initially refused to disclose what Smith would do at ICE, saying only that he was transferring to that agency's Homeland Security Investigations unit.[627]

In fact, Smith had not been taken off USSS's payroll. In late April 2015, the Committee learned that Smith was still with the agency. Chairman Chaffetz questioned Director Clancy about the matter at the Committee's April 29, 2015 hearing:

> CHAFFETZ: I have got to ask you, Mr. Clancy: Is A.T. Smith still on the Secret Service payroll?
>
> CLANCY: Yes, sir. He's a detailee to another Homeland department.
>
> * * *
>
> CHAFFETZ: Whose decision was it—yours or Secretary Johnson's—to detail Smith rather than transfer him out of the agency?
>
> CLANCY: Sir, it was my decision.

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[626] Alicia A. Caldwell, *Ousted Secret Service No. 2 to mystery Homeland Security job*, ASSOCIATED PRESS, Feb. 11, 2015.

[627] Alicia A. Caldwell, *Former Secret Service No. 2 now cybercrime advisor at ICE*, ASSOCIATED PRESS, Feb. 13, 2015.

CHAFFETZ: So why do you keep him in the Secret Service? You sent out a press release that says he accepted a position within the Department of Homeland Security effective Tuesday, February 10, 2015, but he still works for the Secret Service.

CLANCY: Sir, he's detailed to—he is on our payroll. Yes, sir.

CHAFFETZ: Why?

CLANCY: Sir——

CHAFFETZ: You told me, you told the ranking member, you told the world—you all sent out a press release saying he was being transferred. But he still works for the Secret Service, doesn't he? He still gets a Secret Service——

CLANCY: He gets a Secret Service paycheck. Yes, sir.

CHAFFETZ: How long is he detailed for?

CLANCY: Sir, it has not been defined, the time limit.

CHAFFETZ: It has been since February.

CLANCY: Yes, sir.

* * *

CHAFFETZ: You said to us, to me personally, multiple times, the White House did, Homeland Security did, Secretary Johnson did, Mr. Mayorkas did, that you are implementing fundamental changes.

CLANCY: Yes, sir.

CHAFFETZ: And this guy is still on the payroll. You sent out a press release touting that he was going to another department and agency and he does no work for the Secret Service, and, yet, he is on your payroll. Don't ever come back here to Congress and tell me that you have a financial problem when you have got A.T. Smith on your payroll and you say you don't have enough money. You shouldn't have to pay for that out of your budget. He is a very, very senior person. You personally promised that he was being moved and transferred out of the Department, and he hasn't. I am not buying this unlimited detail thing. This is just classic

> Homeland Security shuffling around, and every one of your employees knows it. How do you think I know it? I don't go to work there. Your employees know it. And you lose their trust and confidence that you are actually implementing the change that you say you are going to. There was no consequence to all these things we have talked about if he can keep his job, have a great title, get the same paycheck, you know, get a detail[], when waters calm down, then we will sort things out.
>
> * * *
>
> I have got to tell you, you tried to tell the men and women of the Secret Service, you tried to tell Congress, you tried to tell the world, that you were making changes. And everybody can look this up. It is public knowledge. But here is $183,000 that comes out of your budget that could have gone to somebody else. Hire a new, fresh person. Promote somebody within the agency. Do whatever you might. But then you are going to come crawling back to Congress, saying, "I need more money. I need more money."[628]

The next day, media reporting showed that Smith's job listing had changed in the internal USSS directory from "Deputy Director" to "Chief of Staff" to Director Clancy.[629]

On May 11, 2015, USSS provided additional information to the Committee in a letter. According to the letter, "It is anticipated that this detail will end on or before November 2015, as Mr. Smith is subject to mandatory retirement on or about that date."[630]

On September 14, 2015 the Committee conducted a transcribed interview of the former chief of USSS's Human Capital Division, Deborah Eldredge.[631] Eldredge explained that detailing agents and officers is not a common practice within USSS; Eldredge could not recall a single instance of an SES level employee ever being detailed, much less an Assistant Director or a Deputy Director.[632] Of all USSS employees who were detailed, Eldredge also could not recall a single instance of anyone being detailed indefinitely, or being detailed without the expectation

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[628] *Flying Under the Radar: Securing Washington, D.C., Airspace: Hearing Before the H. Comm. on Oversight & Gov't Reform*, 114th Cong. 74-76 (Apr. 29, 2015) (No. 114-25).
[629] Colby Itkowitz, *Top Secret Service official removed after security lapses remains on agency payroll*, WASH. POST, Apr. 30, 2015.
[630] Letter from Hon. Joseph Clancy, Dir., U.S. Secret Service to Hon. Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform and Hon. Elijah Cummings, Ranking Member, H. Comm. on Oversight and Gov't Reform (May 11, 2015), at 2.
[631] Eldredge Tr., *supra* note 375.
[632] *Id.* at 140-144.

of them returning to USSS.[633] However, in a September 2015 meeting with two Protective Mission Panel members, they told the Committee that being detailed is "pretty typical" and "not unusual" across federal government in such situations.[634]

3. Other Leadership at USSS Headquarters

FINDING: Some USSS rank-and-file do not have confidence in USSS leadership.

The 2015 Federal Employee Viewpoint Survey, based on results filed after the January 2015 change in Assistant Directors, captured widespread negative views regarding senior leadership amongst USSS employees and reflected a downward trend for multiple years.[635]

USSS employees increasingly believe that senior leaders do not maintain high standards of honesty and integrity, with only 22.1 percent believing that they do.[636]

54. My organization's senior leaders maintain high standards of honesty and integrity.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	383,737	50.4%	24.7%	24.9%	24,649	
2015 Department of Homeland Security	39,519	36.8%	23.7%	39.4%	2,103	
2015 U.S. Secret Service (USSS)	**1,198**	**22.1%**	**21.6%**	**56.3%**	**31**	↘
2014 U.S. Secret Service (USSS)	1,023	35.3%	26.3%	38.4%	37	↘
2013 U.S. Secret Service (USSS)	1,287	49.4%	25.4%	25.3%	30	↘
2012 U.S. Secret Service (USSS)	2,091	54.7%	23.8%	21.5%	39	↘
2011 U.S. Secret Service (USSS)	901	58.4%	24.0%	17.6%	10	↗
2010 U.S. Secret Service (USSS)	560	52.7%	23.0%	24.3%	8	

USSS employees increasingly report not having a high level of respect for senior leadership.[637]

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[633] *Id.*
[634] Briefing from Hon. Joseph Hagin and Hon. Thomas Perrelli, Protective Mission Panel to H. Comm. on Oversight & Gov't Reform staff (Sept. 22, 2015).
[635] DHS FEVS USSS Data, *supra* note 34.
[636] *Id.* at 21.
[637] *Id.* at 23.

61. I have a high level of respect for my organization's senior leaders.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	402,356	51.4%	24.4%	24.3%	5,387	
2015 Department of Homeland Security	41,075	38.1%	24.0%	37.9%	462	
2015 U.S. Secret Service (USSS)	**1,211**	**26.5%**	**21.7%**	**51.8%**	**12**	↘
2014 U.S. Secret Service (USSS)	1,048	36.3%	27.2%	36.5%	9	↘
2013 U.S. Secret Service (USSS)	1,297	44.4%	28.0%	27.6%	14	↘
2012 U.S. Secret Service (USSS)	2,114	52.4%	23.2%	24.5%	19	→
2011 U.S. Secret Service (USSS)	902	54.8%	25.6%	19.6%	5	↗
2010 U.S. Secret Service (USSS)	558	47.4%	22.2%	30.3%	5	

Nearly fifty-seven percent of USSS employees are dissatisfied with the policies and practices of senior leaders.[638]

66. How satisfied are you with the policies and practices of your senior leaders?

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	404,697	40.8%	29.8%	29.4%	
2015 Department of Homeland Security	41,226	27.8%	27.4%	44.7%	
2015 U.S. Secret Service (USSS)	**1,210**	**18.5%**	**25.0%**	**56.5%**	↘
2014 U.S. Secret Service (USSS)	1,045	29.2%	29.7%	41.1%	↘
2013 U.S. Secret Service (USSS)	1,296	36.8%	30.3%	32.9%	↘
2012 U.S. Secret Service (USSS)	2,119	42.6%	29.2%	28.1%	→
2011 U.S. Secret Service (USSS)	892	45.1%	31.0%	23.9%	↗
2010 U.S. Secret Service (USSS)	564	40.1%	27.8%	32.1%	

Finally, USSS employees increasingly believe that senior leaders do not generate high levels of motivation and commitment in the workforce, with only 15.7 percent believing that they do. [639]

[INTENTIONALLY BLANK]

[638] *Id.* at 24.
[639] *Id.* at 22.

53. In my organization, senior leaders generate high levels of motivation and commitment in the workforce.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	401,121	39.0%	24.7%	36.3%	7,849	
2015 Department of Homeland Security	41,128	25.3%	20.4%	54.3%	525	
2015 U.S. Secret Service (USSS)	**1,219**	**15.7%**	**18.1%**	**66.2%**	**11**	↘
2014 U.S. Secret Service (USSS)	1,044	24.7%	22.0%	53.3%	18	↘
2013 U.S. Secret Service (USSS)	1,313	35.6%	25.5%	38.8%	7	↘
2012 U.S. Secret Service (USSS)	2,112	40.9%	26.1%	33.0%	22	↘
2011 U.S. Secret Service (USSS)	905	46.0%	25.0%	29.0%	4	↗
2010 U.S. Secret Service (USSS)	564	36.6%	28.0%	35.4%	4	

A review of optional employee separation surveys from fiscal year 2015 revealed that "Senior Leadership Commitment to the Mission" was one of the three aspects of the job ranked lowest by Uniformed Division personnel, and the aspect ranked second-lowest by special agents.[640] This data is discussed more fully later in this report in the Morale and Attrition section.[641]

RECOMMENDATION:	**USSS should proactively seek and cultivate highly talented individuals with fresh perspectives for the next generation of senior leadership.**

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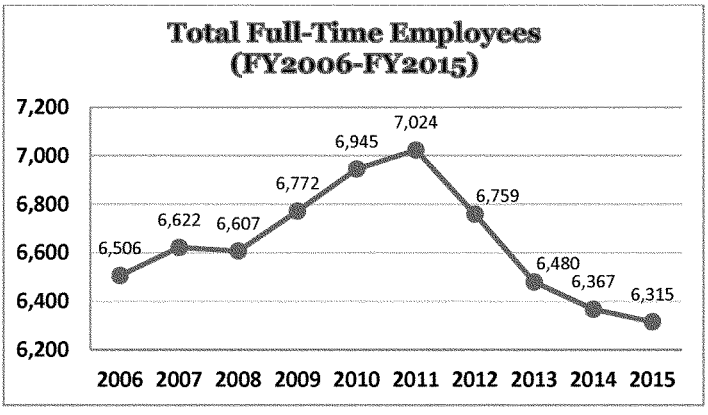
[640] USSS Employee Separation Surveys, *supra* note 607, at 2, 4. Retiring USSS personnel are not surveyed by agency.
[641] *See infra* p. 113.

VI. Running the Agency

1. Staffing Crisis

FINDING: USSS is experiencing a staffing crisis that threatens to jeopardize its critical mission.

USSS currently has fewer employees than at any point over the past decade, including special agents, Uniformed Division (UD) officers, and Administrative, Professional, and Technical (APT) staff.[642]



The current staffing crisis began after 2011, when the number of full-time employees began to decline sharply. This crisis has three primary causes: (1) significant cuts imposed by the Budget Control Act of 2011; (2) systemic mismanagement at USSS that has been unable to correct these shortfalls; and (3) declining employee morale leading to attrition.

As USSS's mission has grown, its workforce has had to do more with less. According to USSS, salaries and expenses require seventy-five cents of every dollar USSS receives.[643] Thus, beginning in 2012, USSS imposed a moratorium on hiring in order to fund existing salaries.[644]

Major staffing declines have continued since 2011 in all categories of employment.[645]

[642] Secret Service Salaries and Expenses FY1999-2015, *supra* note 2, at 7-8.
[643] Oct. 8, 2015 USSS OSP Briefing.
[644] *Id.*; Briefing from Office of Human Capital, U.S. Secret Service to H. Comm. on Oversight & Gov't Reform staff (Aug. 20, 2015) [hereinafter Aug. 20, 2015 USSS HUM Briefing]. This moratorium was certainly imposed on the hiring of special agents and officers; some USSS personnel indicated that limited APT hires may have been made during this period, although APT attrition and limited hiring also significantly decreased overall APT numbers during that same time period.

Table 1. USSS Staffing Levels, FY2011 and FY2015

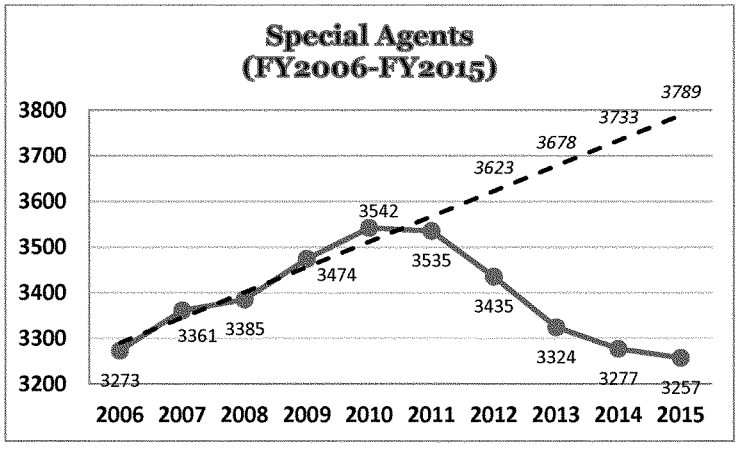
	2011	2015	Decline
Special Agents	3,535	3,257	7.9%
Uniformed Division	1,420	1,329	6.4%
APT Staff	2,069	1,729	16.4%
Total Employees	7,024	6,315	10.1%

In contrast, if staffing had increased after 2011 at the same rate from 2006 to 2011, USSS would have been projected to have more than 7,400 employees as of 2015.[646]

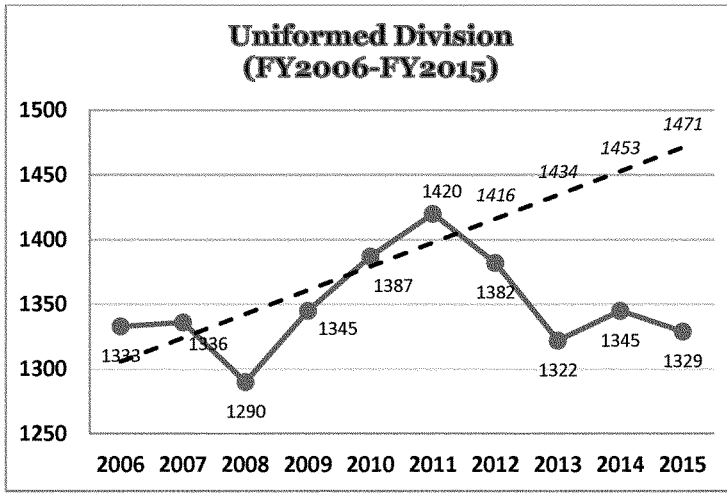
Table 2. USSS Actual Versus Projected Staffing Levels, FY2015

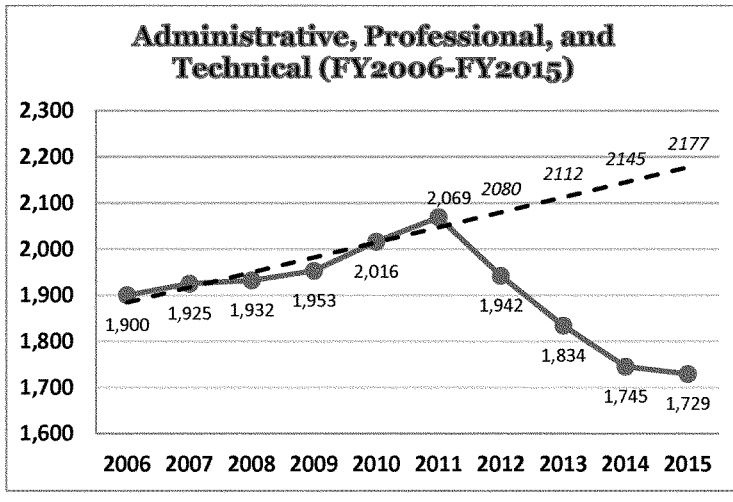
	2006 (Actual)	2011 (Actual)	2015 (Actual)	2015 (Projected)
Special Agents	3,273	3,535	3,257	3,789
Uniformed Division	1,333	1,420	1,329	1,471
APT Staff	1,900	2,069	1,729	2,177
Total Employees	6,506	7,024	6,315	7,437

The following charts show actual USSS staffing levels in its three major categories of employment, as well as projected levels based on the rate of increases between 2006 and 2011.[647]



[645] Secret Service Salaries and Expenses FY1999-2015, *supra* note 2, at 8.
[646] *Id.* The projected fiscal year 2015 numbers were calculated by taking the average rate of annual growth from fiscal years 2006 to 2011 and then applying that same rate of growth over the next four fiscal years.
[647] *Id.*





There is widespread agreement that current staffing levels at USSS are wholly inadequate. For example, last December, the Protective Mission Panel concluded that the UD and Presidential Protective Division were "stretched beyond their limits" and recommended immediate increases in staffing:

> As an interim step, the Panel recommends that Congress and the Executive Branch work together to ensure appropriations sufficient for an additional 85 special agents and 200 Uniformed Division officers; the Panel believes this is a first step, but likely not the last step, to ensure adequate training and personnel for the White House.[648]

The Panel explained:

> Perhaps the Service's greatest strength—the commitment of its personnel to sacrifice and do the job "no matter what"—has had unintended consequences. Special agents and Uniformed Division personnel protecting the White House work an unsustainable number of hours. Rather than invest in systems to manage the organization more effectively and accurately predict its needs, the Service simply adds more overtime for existing personnel. Rather than sending its agents and officers to training, it keeps them at their posts.[649]

During the Committee's hearing on February 12, 2015, Panel member Thomas Perrelli testified that these increases were a first step:

> I think that is why our proposal of, again, 200 additional Uniformed Division officers and 85 additional special agents, we thought that that would allow the current workforce to reach training levels that we thought were acceptable. It doesn't answer the question of what is the long term right size of the organization.[650]

He reiterated his assessment during a briefing with the Committee in September.[651]

Director Clancy has also been vocal on this issue. Shortly after being named permanent director, Clancy submitted written testimony to the House Committee on Appropriations in which he stated: "Of all the Panel's recommendations, there are no greater priorities for me than staffing the agency at a level commensurate with the demands of the mission. . . ."[652] Clancy also stated that this was "critically important" and represented a need for USSS to "get back to basics."[653]

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[648] Panel Report Exec. Summary, *supra* note 35, at 5.
[649] *Id.* at 4.
[650] Protective Mission Panel Hearing, *supra* note 610, at 19.
[651] Briefing from Hon. Joseph Hagin and Hon. Thomas Perrelli, Protective Mission Panel to H. Comm. on Oversight & Gov't Reform staff (Sept. 22, 2015).
[652] *Department of Homeland Security Appropriations for 2016: Hearing Before the H. Subcomm. on Homeland Sec.*, 114th Cong. (Mar. 17, 2015) (written statement of Hon. Joseph Clancy, Dir., U.S. Secret Service), *available at* http://www.dhs.gov/news/2015/03/17/written-testimony-usss-director-joseph-clancy-house-appropriations-subcommittee).
[653] *Id.*

On October 8, 2015, USSS's Chief Strategy Officer informed the Committee that the need to undo the staffing deficit is the essential issue for USSS.[654]

The Federal Law Enforcement Officers Association, which represents the interests of rank-and-file federal law enforcement, wrote to the Committee in February:

> Even the best can only maintain a standard of excellence for so long under the debilitating "make due with less" environment. While enduring an increase in mission demands, concurrent with a decrease in agency resources, the Secret Service has been confronted by significant challenges that have impacted its legacy of excellence. The cost has been the steady degradation of the agency's manpower, resources and training capabilities due to this lack of funding.[655]

Recently, Congressional appropriators have also expressed support for reversing this alarming trend. As discussed in more detail below, Congress provided USSS significantly less than the President requested in 2011, 2012, and 2013. In 2014 and 2015, Congressional appropriators approved more funding than the President requested, but a continuing resolution placed restrictions on the ability of USSS to use those funds, hindering hiring and training efforts.[656] The House Appropriations Committee recently concluded that "there is no doubt that the USSS desperately needs additional personnel."[657]

Prior to 2014, USSS last completed a human capital plan in March 2004.[658] It was intended to project USSS's goals for 2004-2008, although due to the unpredictable nature of hiring, USSS has recently acknowledged the limitations of only completing a plan every four years.[659] No final human capital plan was developed for the period 2008-2014.[660] Tom Dougherty, the Chief Human Capital Officer from 2010 to 2014, claimed that this failure resulted from a lack of clarity regarding who was responsible for drafting such a plan.[661]

Despite this support, USSS has not been able to increase the number of personnel in the year since the Panel issued its recommendations. In fact, USSS staffing has declined even further. From the date the Panel's report was released until the end of fiscal year 2015, USSS hired 129 new officers.[662] USSS only graduated and placed fifty-nine new officers on the job in *all* of fiscal year 2015 (even including the six weeks of the fiscal year before the December 15

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[654] Oct. 8, 2015 USSS OSP Briefing, *supra* note 373 (emphasis added).
[655] Letter from Jon Adler, President, Federal Law Enforcement Officers Association to Hon. Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform and Hon. Elijah Cummings, Ranking Member, H. Comm. on Oversight and Gov't Reform (Feb. 6, 2015).
[656] Secret Service Salaries and Expenses FY1999-2015, *supra* note 2, at 5.
[657] H. REP. NO. 114-215 (2015).
[658] U.S. Secret Service, *Human Capital Strategic Plan (FY 2004-2008)*, Mar. 2004 [hereinafter Human Capital Plan 2004-2008] [App. at 194-209].
[659] Oct. 8, 2015 USSS OSP Briefing, *supra* note 373.
[660] *Id.*
[661] *Id.*
[662] Oct. 8, 2015 USSS OSP Briefing Follow Up, *supra* note 382.

report).[663] During the same time period, at least eighty-six officers left USSS.[664] Thus, while the UD had 1,344 personnel onboard at the time of the Panel's report, it had 1,329 at the end of fiscal year 2015.[665] Not only did the agency fall short of the goal to increase the UD by 200 officers, by the end of fiscal year 2015 the UD was actually smaller than when the Panel issued its recommendations. This problem was aggravated by the fact that additional funding approved by Congress for fiscal year 2015 was not available to USSS because it was operating under a continuing resolution that provided lower funding levels.

RECOMMENDATION:	**Congress should ensure that USSS has sufficient funds to restore staffing to required levels, and USSS should ensure that it has systems in place to achieve these goals.**

2. Budget

USSS has a zero-failure mission and must be given the appropriate funding to meet that mission. Both the Protective Mission Panel and the Committee agree that USSS must be able to properly define the mission and determine what the mission will cost in order to allow Congress to fund USSS at the appropriate levels.

A. Need for Zero-Based Budget

FINDING:	**USSS does not currently have a zero-based budget to accurately determine the costs of its mission.**

In addition to recommending an immediate increase in staffing, the Panel's recommendation that USSS create a zero-based budget is one of its most important, and a lynchpin for many of the Panel's other recommendations. The Panel described the following failings with the current budget process:

> Put simply, the Service does not have systems in place to make the most prudent budgeting choices. Like so many agencies, the Service has, for years, looked at its base budget and tried to ballpark how much more it might be able to get through the OMB and congressional processes. The result, however, is that no one has really looked at how much the mission, done right, actually costs. That is why one of our most important recommendations is that a new director start with a zero-based budget. Forget about what the Service has asked for in the past: Define the mission, and make the argument to policy makers in the Executive Branch

[663] Oct. 8, 2015 USSS OSP Briefing, *supra* note 373.
[664] Workforce Planning Div., Office of Human Res. and Training, U.S. Secret Service, "Separations by SA and UD FY2005-2015 by Quarter," Aug. 12, 2015 [hereinafter FY 2005-2015 Attrition Data] [App. at 211].
[665] Oct. 8, 2015 USSS OSP Briefing Follow Up, *supra* note 382.

> and Congress that this sum—which we believe to be more than current appropriations—is needed.[666]

During its review, the Panel also found:

> The President and other protectees cannot receive the best possible protection when agents and officers are deployed for longer and longer hours with fewer and fewer days off. For years, the Service has taken on additional missions—in both its protective and investigative roles—but has not matched its request for additional resources to those expanded missions. The Service has to increase the number of agents and, to an even greater extent, increase the size of the Uniformed Division to ensure protection of the White House.[667]

The Panel further described the problems with USSS's current budgetary system:

> Rather than specifically defining the mission and modeling a corresponding staffing plan, it appears to the Panel that the Service has done what many agencies have done: Look at its base budget from the prior year, triage a few of the worst areas of need, make a prediction about how much additional money DHS, OMB, or Congress might provide, and then pursue those resources.[668]

The Panel also provided a recommendation on what should be included in the zero-based budget:

> The zero-based budget should take account of, among other things, the expanding protection responsibilities, the increased threat environment, and the need for substantial and ongoing investments in technology. But . . . it should also entail a review of the Service's full set of missions, both within the protective mission and the investigative mission, to determine if any of those missions should be trimmed or eliminated to ensure adequate resources for and dedication to the Service's paramount mission. Thus, while the Panel expects a new director will need to seek substantially new funds for the Service to enhance its protection of the President and the White House, the Panel also expects a new director to take a hard look at whether some resources could come from other aspects of the Service.[669]

The Committee agrees creating a zero-based budget is critical for improving USSS. Although USSS has begun this process, the agency has advised the Committee that it does not expect to have a true zero-based budget until FY18, and expects more iterations after that.[670]

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[666] Panel Report Exec. Summary, *supra* note 35, at 5.
[667] *Id.*
[668] Panel Report, *supra* note 45, at 20.
[669] *Id.*
[670] Oct. 8, 2015 USSS OSP Briefing, *supra* note 373.

The Committee understands that while creating a zero-based budget is a very time-consuming and arduous process, the self-assessment required will be of great benefit. USSS must fully commit to this process and ensure that the commitment is shared throughout the agency.

The Committee believes that, as part of the budgeting process, experts with specialized expertise in budgeting and workforce planning from other federal agencies and the private sector should be brought in to the development process. The zero-based budget should be submitted to a third party for a complete validation of its methodology, in addition to the reviews done by Congress. The Committee expects that any zero-based budget the agency creates will need to go through several budgetary cycles before it fully captures the needs of the agency.

RECOMMENDATION:	**USSS should include workforce planning experts outside the agency in developing a zero-based budget, including a third party validation of methodology.**

B. Lack of Budgetary Controls and Systems

FINDING: USSS does not have adequate systems in place to manage its budget.

One of the major problems with USSS's current budget system is that there *is* no system. Panel member Thomas Perrelli testified to the Committee that the Panel found USSS's inability to provide full information about budgetary processes concerning. In fact, the Panel could not even determine who at USSS should be responsible for answering budgetary questions:

> WALKER: Maybe we could say that was one of your larger, if not largest, surprises, that there was no go-to person when you had budgetary questions?
>
> PERRELLI: We were certainly disappointed that we could not get a number of questions answered.[671]

The Panel never obtained a clear understanding of the budget because USSS did not even have necessary documents that would have assisted the Panel in developing this understanding. For example, Perrelli testified that the Panel could not make specific budgetary recommendations because USSS simply lacked the requisite information:

> PERRELLI: [A]s I think we indicated, I think one of the challenges was trying to get the kind of budget—
>
> CHAFFETZ: Right.

[671] Protective Mission Panel Hearing, *supra* note 610, at 32.

PERRELLI: The kind of resource documents with respect to evaluating some of the staffing issues that we were concerned about. So, as I think we noted, trying to get that information was challenging and I think, in no small part, because I don't think they have it in a form that is—you know, would be sort of useful to use. And so I think that—you know, I would identify that as a challenge we had.

CHAFFETZ: The budget?

PERRELLI: Those documents, because I think—or that information. I think more of it as information than documents. We wanted to make some, you know, even more specific recommendations about the appropriate size of the Service.[672]

Perrelli also testified that funding discrepancies are attributable in part to the agency's inability to communicate its funding needs:

> It has not been a question of Congress not appropriating funds, but the Service not coming to Congress and saying what it needed, as well as making some of the hard choices about other aspects of the mission.
>
> * * *
>
> [I] think the issue that we really saw was the Service having difficulty in defining what it needed and seeking resources for that. So it wasn't so much that—it wasn't that Congress was saying, you know, we are not going to provide the President's budget. It was that, as this was working up through the process, the Service was approaching its budget by saying, "Here is how much we have. Maybe we ask for a little bit more," rather than saying, "Here is what the mission is, here is what we need to achieve it," and pursuing those resources."[673]

Perrelli further testified that USSS was not relying on proper staffing modeling when requesting money from OMB and Congress:

> There is no question that—and again, I think we talk about this in our report—I think we found that the Service did what perhaps other agencies do, which is they look at what they have, they think about what they might be able to get through the agency, the OMB, and through Congress. And they ask for a little bit more. And they maybe ask for a little bit more in an

[672] *Id.* at 45-46.
[673] *Id.* at 32, 37.

> area that they think might be one that Congress is interested in funding. Our concern is that over time, what happened with the Service is that they weren't continuing to increase their staffing, they weren't asking, necessarily modeling and making decisions about how much they really needed.[674]

USSS has taken positive first steps toward elevating the importance of tracking its financial and operations systems, including the hiring of a Chief Operating Officer and a Chief Financial Officer. These, and other leaders, must ensure that the proper systems are put into place so that data can accurately be tracked. The Committee expects this to require a wholesale reevaluation.

RECOMMENDATION:	**USSS should implement systems to track spending and other basic accounting data.**

C. Congressional Appropriations

FINDING:	**Congressional funding for USSS has been inconsistent over the past decade, including several years of cuts followed by more recent efforts to reverse this trend.**

In fiscal year 2011, the President requested $1.572 billion for USSS,[675] and Congress approved $1.515 billion.[676] This $56 million deficit was the largest single-year difference between an Administration's request and a Congressional appropriation for USSS since 1999, the last year for which the Committee obtained data.[677]

In fiscal year 2012, this trend continued. The President requested $1.699 billion, but Congress approved only $1.667 billion, which was $32 million less than requested.[678]

In fiscal year 2013, the President requested $1.601 billion, but Congress ultimately approved $1.524 billion after automatic funding cuts imposed by the Budget Control Act.[679] This $77 million difference set a new single-year record for the deficit between an Administration's request for USSS funding and a Congressional appropriation since at least 1999.[680]

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[674] *Id.* at 22-23.
[675] *See* App., Budget of the U.S. Gov't, Fiscal Year 2011, Office of Mgmt. and Budget.
[676] H. REP. NO. 112-331 (2011).
[677] Secret Service Salaries and Expenses FY1999-2015, *supra* note 2, at 1-2.
[678] *Id.*
[679] OMB Briefing Slides (President's Budget vs. Enacted), produced to Committee from USSS Aug. 28, 2015.
[680] Secret Service Salaries and Expenses FY1999-2015, *supra* note 2, at 1-2.

In these three years alone, from fiscal years 2011 through 2013, Congress approved $165 million less than the combined amount requested by the President for USSS.[681]

In fiscal year 2014, this trend began to change. The President requested $1.546 billion, and Congress appropriated $1.585 billion. This increase of nearly $39 million was the first time since fiscal year 2007 that Congress approved an amount higher than the President's request.[682]

Similarly, in fiscal year 2015, the President requested $1.636 billion, and Congress appropriated $1.666 billion, nearly $30 million more than the President requested.[683] The House Committee on Appropriations explained this increase:

> Recent incidents at the White House have raised serious concerns about the leadership and management of the Secret Service. In its Security Report on the White House Incursion Incident of September 19, 2014, the Department highlighted critical failures in information sharing and communications, confusion about operational protocols, and gaps in training at the White House Complex. While some of these problems can be attributed to insufficient resources requested by DHS and the Office of Management and Budget, others are systemic and appear to reflect broader cultural challenges within the Secret Service. To begin addressing some of these shortfalls, the bill provides an additional $25,000,000 in the Protection of Persons and Facilities PPA. These resources shall be used in part to support additional tactical canine units and staff, assess and bolster security infrastructure at both the White House Complex and Vice President's Residence, and fund overtime and training.[684]

However, much of the additional funding in fiscal year 2015, including the $25 million for the protection of persons and facilities, was not available to USSS. Until December 11, 2015, USSS will have been operating under Continuing Resolution P.L. 114-53, which provides funding at a rate of operations equal to what was provided in fiscal year 2015 minus 0.2108 percent.[685]

In February 2015, Homeland Security Secretary Jeh Johnson explained the distressing ramifications of operating under a continuing resolution:

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[681] *Id.*

[682] *See* App., Budget of the U.S. Gov't, Fiscal Year 2014, Office of Mgmt. and Budget; Consolidated Appropriations Act of 2014, Pub. L. No. 113-76, Explanatory Statement. The President also requested, and Congress appropriated, $51,775,000 for acquisition, construction, and improvement expenses for USSS for fiscal year 2014. *Id.*

[683] *See* App., Budget of the U.S. Gov't, Fiscal Year 2015, Office of Mgmt. and Budget; Department of Homeland Security Appropriations Act, 2014, P.L. 114-4 (2014). The President also requested, and Congress appropriated, $49,935,000 for acquisition, construction, and improvement expenses for USSS for fiscal year 2015.

[684] Department of Homeland Security Appropriations Act, H.R. Res. 240, 114th Cong. (2015), explanatory statement at 41.

[685] Continuing Appropriations Act, 2016, Pub. L. No 114-53 (2015).

> To those in Congress who may be contemplating punting or kicking the can a few weeks down the road, I must remind you that the consequences to this Department, if we remain on a continuing resolution, are also severe. We are restricted to last year's funding levels if we are on a continuing resolution and must operate in a state of uncertainty about when the next infusion of funds will be.[686]

According to a USSS spokesman, operating under a continuing resolution meant the agency would not have $21 million to train security agents or purchase vehicles and equipment for the 2016 campaign, $4 million for training President Obama's post-White House security detail, or the $25 million to implement Protective Mission Panel recommendations, including hiring 85 more special agents for the Presidential Protective Division and 200 UD officers.[687]

Over the past decade, from fiscal years 2006 through 2015, Congress approved $97 million less than the total amount requested by the President for USSS. From fiscal year 2008 until fiscal year 2013, Congress approved $187 million less than the total amount requested by the Administration. In fiscal years 2006-07 and 2014-15, Congress approved $90 million more than the Administration requested.[688]

Table 3. USSS Appropriations, FY2006-FY2015

Fiscal Year	Requested	Enacted	Difference
2006	$1,204 billion	$1,212 billion	+ $8 million
2007	$1,265 billion	$1,277 billion	+ $13 million
2008	$1,399 billion	$1,385 billion	- $14 million
2009	$1,414 billion	$1,413 billion	- $1 million
2010	$1,490 billion	$1,483 billion	- $7 million
2011	$1,572 billion	$1,515 billion	- $56 million
2012	$1,699 billion	$1,667 billion	- $32 million
2013	$1,601 billion	$1,524 billion	- $77 million
2014	$1,546 billion	$1,585 billion	+ $39 million
2015	$1,636 billion	$1,666 billion	+ $30 million

The President requested $1.939 billion for fiscal year 2016.[689] Much of this increase is attributed to 2016 being a presidential election year.[690] There are currently more than a dozen

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[686] Remarks by Sec'y Johnson at Employee Budget Media Availability (Feb. 23, 2015), *available* at http://www.dhs.gov/news/2015/02/24/remarks-secretary-johnson-employee-budget-media-availability [hereinafter Remarks by Sec'y Johnson].

[687] David Nather and Seung Min Kim, *DHS funding fight threatens Secret Service, FEMA*, POLITICO, Feb. 18, 2015.

[688] The amount for fiscal year 2013 includes the impact of automatic spending cuts imposed by the Budget Control Act of 2011.

[689] Secret Service Salaries and Expenses FY1999-2015, *supra* note 2, at 1.

[690] Department of Homeland Security, *United States Secret Service Salaries and Expenses Fiscal Year 2016 Congressional Justification*, at 4 [hereinafter *USSS Salaries and Expenses FY 2016*].

candidates, and three already have protective details.[691] Of the $215 million requested for increases in salaries and expenses, $123 million is devoted to the anticipated increased demands of the 2016 presidential campaign cycle.[692] Perrelli described this increase as a cyclical occurrence:

> And, of course, there are, as occurs regularly on 4-year cycles, the Service both draws from its investigative force for Presidential campaigns, but also usually receives, seeks and receives additional appropriations every 4 years in order to plan for those campaigns because the amount of travel which is very unpredictable increases.[693]

As part of this four-year cycle, 290 personnel would shift from domestic field operations to presidential candidate nominee protection.[694]

The President's fiscal year 2016 budget requests funding for 6,694 total positions, which would be an increase of 379 positions over fiscal year 2015.[695] However, even with this increase, USSS would still have 743 fewer positions than if it had continued to increase the number of staff at the same rate as from 2006 to 2011.

Approximately $65.7 million of the fiscal year 2016 increase is for the implementation of Protective Mission Panel recommendations.[696] These include critical personnel enhancements, including more administrative support in Human Resources to help hire additional staff and process security clearances, and pursuing retention initiatives to lower attrition among UD officers.[697]

RECOMMENDATION:	**Congress should fully support the President's fiscal year 2016 request for USSS—particularly in light of the increased demand of the presidential election year—provided that there are adequate controls in place to ensure that the funds are used to address ongoing hiring challenges.**

D. Hiring Challenges

FINDING:	**USSS has fewer total personnel now than when the Protective Mission Panel recommended a hiring increase in December 2014.**

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[691] Maya Rhodan, *Donald Trump, Ben Carson Get Secret Service Protection*, TIME, Nov. 5, 2015.
[692] *USSS Salaries and Expenses FY 2016*, *supra* note 690, at 4.
[693] Protective Mission Panel Hearing, *supra* note 610, at 19-20.
[694] *USSS Salaries and Expenses FY 2016*, *supra* note 690, at 4.
[695] *Id.*
[696] *Id.*
[697] *Id.* at 61-62.

At the end of fiscal year 2015, the total number of positions at USSS declined to 6,315 positions, a reduction of fifty-two positions since the Panel issued its report last year.[698] More specifically, the Uniformed Division had 1,344 personnel at the time of the Panel's report, but only 1,329 at the end of fiscal year 2015.[699]

In addition to attrition and changes to the hiring process, which are addressed below,[700] a key reason for these challenges is the huge decline since 2011 in the number of APT staff, including the employees who do the hiring for USSS. Of all the categories of employees, APT staff have had the most significant declines—more than 16 percent since 2011.[701]

Without adequate APT staff, hiring additional special agents and UD officers has been difficult. Like the rest of USSS's support staff, these employees are stretched to the limit. It is clear that USSS is in desperate need of additional APT personnel and that more attention must be paid to this essential category of employees.

As a short-term measure, USSS recently hired temporary contractors to assist with several areas of USSS operations, including the hiring process.[702] In 2015, USSS contracted for twenty-eight individuals to assist with the hiring process.[703]

Panel member Thomas Perrelli testified that there have been noticeable improvements to the hiring process:

> There was certainly a period of time where the Service's hiring process was not functioning as intended, whether for budgetary or other reasons. Because problems with the hiring process, they were not getting classes through. Our sense is that that has improved. They are using different hiring practices again. And we think that is improving. But . . . we continue to believe that having—some of the mistakes that have been made in the past related to not having a professionalized human resources function, or led by professionals in that area. And we think that is an important change going forward.[704]

RECOMMENDATION:	**USSS should focus immediately on increasing its permanent APT personnel, especially those with a role in hiring, and should consider seeking temporary details from other agencies to expedite hiring.**

[698] Secret Service Salaries and Expenses FY1999-2015, *supra* note 2, at 8.
[699] Oct. 8, 2015 USSS OSP Briefing Follow Up, *supra* note 382.
[700] *See infra* p. 131 and p. 148.
[701] Secret Service Salaries and Expenses FY1999-2015, *supra* note 2, at 8.
[702] Oct. 8, 2015 USSS OSP Briefing, *supra* note 373.
[703] *Id.* (fourteen of the contractors were hired to assist with Phase 1 and fourteen were hired to assist with Phase 2).
[704] Protective Mission Panel Hearing, *supra* note 610, at 36-37.

3. Morale and Attrition

FINDING: Morale at USSS is critically low and likely contributes to attrition.

Struggles with morale and attrition are not new to USSS. USSS human resources and strategic planning personnel acknowledge, however, that given the agency's current staffing levels, the effects of attrition have been particularly acute in fiscal year 2015.[705]

Internal USSS documents discuss retention challenges within the Uniformed Division dating back to the end of the 1990s,[706] and numbers for the past ten years show a fluctuating cycle of attrition among both UD officers and special agents.[707] Many whistleblowers attribute the current overall high in attrition to low morale arising from poor management and the other internal issues outlined above. Previous periods of high attrition may be more attributable to outside influences, such as the need for experienced agents in other components during the formative years of DHS.[708]

Low morale at USSS is objectively demonstrated by the 2015 Federal Employee Viewpoint Survey (FEVS). Over 43,000 DHS employees responded to the 2015 FEVS, which was conducted between April 27 and June 5, 2015.[709] DHS again ranked last among large agencies in "employee engagement," at fifty-three percent and "global satisfaction" at forty-seven percent.[710] USSS fared exceptionally poorly compared to other components within DHS, seeing an "employee engagement" rating of forty-nine, down seven points from last year, and a "leadership and knowledge management" rating of forty, down ten points from last year.[711] In fact, USSS saw a drop in all its engagement scores.[712]

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[705] Aug. 20, 2015 USSS HUM Briefing, *supra* note 644; Oct. 8, 2015 USSS OSP Briefing, *supra* note 373.
[706] Analytical Support Branch, Mgmt. and Org. Div., Office of Protective Operations, U.S. Secret Service, *Justification for Additional Uniformed Division Officers*, MNO/ASB 00-07, May 2000, at 5.
[707] FY 2005-2015 Attrition Data, *supra* note 664.
[708] *See* Human Capital Plan 2004-2008, *supra* note 658, at 18 ("With regards to retention . . . , 2002 was an anomalous year due the large-scale expansion of the Federal Air Marshals Service.").
[709] DHS FEVS, *supra* note 356, at 5.
[710] Jerry Markon, *Homeland Security ranks dead last in morale – again – but Jeh Johnson's morale is high*, WASH. POST (Sept. 29, 2015).
[711] Office of Personnel Mgmt., *2015 Federal Employee Viewpoint Survey: Department of Homeland Security, 2015 DHS Overview Information* (Sept. 29, 2015) at 5 [App. at 213-216].
[712] *Id.*

2015 DHS Component Engagement Score Summary

2015 DHS HCAAF/Engagement Score Comparison Color codes indicate score range across indices and components *Lower scores appear in red* *Higher scores appear in green*	Leadership and Knowledge Management	Results-Oriented Performance Culture	Talent Management	Job Satisfaction		Employee Engagement
Citizenship and Immigration Services	63	55	61	70		68
Customs and Border Protection	43	38	41	53		49
Federal Emergency Management Agency	50	46	47	59		56
Federal Law Enforcement Training Center	58	55	55	70		63
Immigration and Customs Enforcement	41	40	38	49		48
Management Directorate	53	49	53	59		60
National Protection and Programs Directorate	47	45	46	55		53
Office of the Inspector General	60	53	52	64		63
Office of the Secretary	57	53	54	61		64
Science and Technology	52	49	54	59		58
Transportation Security Administration	47	39	49	51		53
Under Secretary for Intelligence and Analysis	47	42	47	54		53
United States Coast Guard	64	57	56	66		69
United States Secret Service	40	40	36	53		49
Government-wide	59	52	57	64		64
DHS	47	41	46	54		53

Homeland Security

2015-2014 DHS Component Engagement Difference Score Summary

2015-2014 DHS Component HCAFF Difference Score Summary	Leadership and Knowledge Management	Results-Oriented Performance Culture	Talent Management	Job Satisfaction		Employee Engagement
Citizenship and Immigration Services	1	2	3	3		2
Customs and Border Protection	-2	-2	-1	-3		-2
Federal Emergency Management Agency	-2	-1	-1	0		-1
Federal Law Enforcement Training Center	-2	1	-1	1		-1
Immigration and Customs Enforcement	-1	0	0	0		0
Management Directorate	3	3	5	4		4
National Protection and Programs Directorate	0	2	2	0		1
Office of the Inspector General	-1	-3	-2	-3		0
Office of the Secretary	4	4	4	3		5
Science and Technology	3	3	3	6		6
Transportation Security Administration	0	-1	1	-1		0
Under Secretary for Intelligence and Analysis	-2	-6	-5	-3		-3
United States Coast Guard	-1	1	0	1		-1
United States Secret Service	-10	-7	-9	-7		-7
Government-wide	1	1	2	1		1
DHS	-1	-2	0	-1		-1

Homeland Security

More specific component level data from the Federal Employee Viewpoint Survey indicates that job satisfaction at USSS is continuing to decrease, down 12.9 percent from 2014.[713]

69. Considering everything, how satisfied are you with your job?

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	404,704	65.2%	17.9%	16.9%	
2015 Department of Homeland Security	41,254	52.1%	20.6%	27.3%	
2015 U.S. Secret Service (USSS)	**1,217**	**42.9%**	**22.8%**	**34.3%**	↘
2014 U.S. Secret Service (USSS)	1,048	55.8%	20.0%	24.2%	↘
2013 U.S. Secret Service (USSS)	1,297	60.1%	18.3%	21.6%	↘
2012 U.S. Secret Service (USSS)	2,122	66.9%	18.3%	14.8%	→
2011 U.S. Secret Service (USSS)	891	69.3%	19.8%	10.9%	→
2010 U.S. Secret Service (USSS)	564	66.5%	18.6%	14.9%	

Similarly, USSS employees' satisfaction with the organization continues to decrease, down 15.4 percent from 2014:[714]

71. Considering everything, how satisfied are you with your organization?

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	405,517	55.7%	22.0%	22.3%	
2015 Department of Homeland Security	41,273	39.4%	22.7%	37.9%	
2015 U.S. Secret Service (USSS)	**1,215**	**28.8%**	**20.4%**	**50.7%**	↘
2014 U.S. Secret Service (USSS)	1,047	44.2%	22.7%	33.1%	↘
2013 U.S. Secret Service (USSS)	1,296	51.7%	21.5%	26.7%	↘
2012 U.S. Secret Service (USSS)	2,128	60.6%	19.7%	19.7%	↘
2011 U.S. Secret Service (USSS)	891	66.3%	19.5%	14.2%	↗
2010 U.S. Secret Service (USSS)	563	54.9%	23.2%	21.9%	

The confluence of increased security incidents and leadership reaction to past and new misconduct has undoubtedly also contributed to a decrease in job and organizational satisfaction, though it has been on the decline since at least 2011.[715]

While hiring is a key part of the solution to USSS's staffing challenges, new hires will not replace the wealth of knowledge and experience that is leaving the agency. A fiscal year 2014 report to Congress noted, "To address congressional concerns, USSS will hire to replace

[713] DHS FEVS USSS Data, *supra* note 356, at 26.
[714] *Id.*
[715] *Id.*

attrition,"[716] and set as a goal "to stop and reverse attrition experienced since FY 2013."[717] Instead, in fiscal year 2015, USSS experienced its highest attrition rate among special agents in at least ten years, and the highest combined agent and officer rate in seven years.[718]

RECOMMENDATION:	USSS should report to Congress on additional proposals to decrease attrition and improve morale.

A. Uniformed Division

There were 1,420 Uniformed Division officers in fiscal year 2011. USSS immediately experienced sharp declines with a net loss of thirty-eight officers in 2012 and an additional sixty in 2013. After a modest increase of thirteen officers in 2014, USSS ended fiscal year 2015 at 1,329 positions, still below 2006 levels.[719]

USSS has long faced staffing challenges within the UD, the unit responsible for the physical protection of the White House. One internal USSS document from May 2000 suggested the average attrition rate in the prior two fiscal years was twice as high as in the preceding six years.[720] It concluded the UD required "315 more full-time equivalent (FTE) positions in order to substantially reduce overtime among its officer population and improve declining working conditions."[721] It suggested that any alternatives would result in "a potential degradation in the quality of security, personnel, and morale."[722] An internal USSS report from May 2003 on staffing and morale in the UD noted the long hours, insufficient staffing, high overtime demands, and resulting decline in quality of life. The report further concluded that USSS employees believed "safety of protectees, officers, and general public is tenuous."[723] A study in September 2004 examined the effect of these issues on attrition from the UD.[724]

As the December 2014 Panel report highlighted, these problems have not gone away. In fact, the Panel report mirrors reports from over ten years earlier, suggesting USSS has never adequately addressed these issues. A 2002 *U.S. News and World Report* investigation highlighted many of these specific problems.[725] According to that report, then-Director Brian

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[716] U.S. Secret Service, *Human Capital Strategic Plan (FY 2014-2018)*, June 2014, at 3 [hereinafter Human Capital Plan 2014-2018].
[717] *Id.* at ii.
[718] FY 2005-2015 Attrition Data, *supra* note 664.
[719] Secret Service Salaries and Expenses FY1999-2015, *supra* note 2, at 8.
[720] Analytical Support Branch, Mgmt. and Org. Div., Office of Protective Operations, U.S. Secret Service, MNO/ASB 00-07, *Justification for Additional Uniformed Division Officers* (May 2000) at 5.
[721] *Id.*
[722] *Id.* at 4.
[723] Mgmt. and Org. Div., Office of Admin., U.S. Secret Service, *MNO Review of Uniformed Division: Staffing and Morale* (May 5, 2003) at 1.
[724] Quantitative Studies and Statistical Systems Branch, Mgmt. and Org. Div., Office of Admin., U.S. Secret Service, *Uniformed Division Retention Study*, Sept. 2004.
[725] Chitra Ragavan and Christopher H. Schmitt, *Special Investigative Report: Secrets of the Service*, U.S. NEWS & WORLD REP. (June 17, 2002).

Stafford acknowledged the "continuous loss of personnel" due to "enormous overtime burdens" and said that he was "well aware that the attrition rate of the UD is at a critical level."[726]

In May 2014, USSS began responding to the shortages by flying in special agents from around the country for one- and two-week details to the White House.[727] Some speculated this practice may have played a role in the September 19, 2014, fence-jumping incident, as such agents would naturally be less familiar with the White House grounds and intruder response plans.[728]

On October 21, 2015, DHS OIG issued a management alert to USSS regarding the fact that it had encountered two UD officers sleeping on the job.[729] The alert noted that "[f]atigue from travel, overtime shifts, and long hours contributed" to "officer safety issues that pose an immediate or potential danger to [USSS] officers and those whom they protect."[730] The alert stated: "We are concerned that [USSS's] staffing and scheduling process does not ensure that officers receive adequate breaks while on duty and time off between shifts."[731]

A review of optional employee separation surveys from fiscal year 2015 revealed that the three aspects of the job ranked lowest by UD personnel on a scale of one to six were "Work Schedule/Hours" (2.5), "Training Opportunities" (2.7), and "Senior Leadership Commitment to the Mission" (2.8).[732]

[INTENTIONALLY BLANK]

[726] *Id.*
[727] Oct. 8, 2015 USSS OSP Briefing Follow Up, *supra* note 382, at 2.
[728] Carol D. Leonnig, Spencer Hsu, and Annys Shin, *Secret Service reviews White House security after fence-jumper enters mansion*, WASH. POST (Sept. 20, 2014).
[729] Office of Inspector Gen., U.S. Dep't of Homeland Sec., *Management Alert – Secret Service Staffing and Scheduling Contributed to Officer Fatigue* (Oct. 21, 2015) at 1.
[730] *Id.*
[731] *Id.* at 2.
[732] USSS Employee Separation Surveys, *supra* note 607, at 4. Retiring USSS personnel are not surveyed by agency.

Please indicate your assessment of the following aspects of your job:
Rated on a **scale of 1 - 6,** with 1 being poor and 6 being good.

	Average Rating
Duties/Responsibilities	4.3
Travel Opportunities	4.7
Relationshi with Co-workers	5.3
Contribution to the Mission of the Secret Service	4.5
Connection to the Mission of the Secret Service	4.4
Workload	3.2
Work Schedule/Hours	2.5
Current Duty Station/Office Location	3.6
Physical conditions	3.6
Professionalism of the Secret Service	3.7
Prestige of the Secret Service	3.8
Recognition Received	3.2
Rewards Based on Merit	3.0
Overall Satisfaction with Immediate Supervision	4.4
Communication with Immediate Supervisor	4.6
Senior Leadership Commitment to the Mission	2.8
Training Opportunities	2.7
Office Policies	3.1
Office/Government Politics	3.0
Pay Grade	3.9
Salary	3.9
Overtime Compensation	4.7
Benefits	4.6

The surveys indicated that the primary factor that could have impacted officers' decision to stay with USSS was "[a]dequate numbers of persons to accomplish the work" (5.4 out of 6). Number two was "[l]ess forced overtime" (5.0). Two other factors in the top five reflected some of the sentiment communicated by whistleblowers to the Committee: "Management demonstrates an appreciation for the level of work accomplished" (4.8) and "[b]etter communication between employees and management" (4.7).[733]

[INTENTIONALLY BLANK]

[733] *Id.*

Rank the significance these factors could have had on your decision to stay with the Secret Service
Ranked on a scale of 1 - 6, with 1 being insignificant and 6 being significant.

	Average Rating
Adequate numbers of persons to accomplish the work	5.4
Less forced overtime	5.0
Reassignment to different type of work or position	4.9
Management demonstrates an appreciation for the level of work accomplished	4.8
Better communication between employees and management	4.7
Higher salary or grade	4.4
Flexible tour of duty/work hours	4.4
Fair evaluation based solely on performance and not other factors	4.4
The effective discipline of employees with performance or conduct problems	4.2
Challenging work	4.2
Less job stress	4.1
Realistic performance expectations	3.8
Wanted to become a Special Agent	3.8
More promotion opportunities	3.7
Telework Program	2.9
Assignment to a different supervisor	2.9

Interestingly, more than fifty-one percent of those surveyed did not speak to a UD officer prior to their start date, a surprisingly large number.[734] Nearly everyone who has commented on UD hiring has emphasized that the opportunity to speak with an officer prior to being hired is one of the best ways to ensure that UD hires have a realistic understanding of the job. Of survey respondents, almost forty-four percent did not believe the information they received prior to being hired accurately reflected their duties.[735]

Of those UD officers who completed separation surveys, over half who left were between the ages of twenty-six to thirty.[736] Further, almost seventy-four percent of the officers who left had between zero and five years of service.[737] This marks a significantly high level of turnover among young, inexperienced officers and presents a major challenge to USSS, which has to onboard officers faster when the ones they just hired are leaving. It also prevents USSS from consistently developing young UD officers into more experienced mid- and senior-level officers and perpetuates a young and inexperienced workforce.

[INTENTIONALLY BLANK]

[734] *Id.* at 3.
[735] *Id.*
[736] *Id.*
[737] *Id.*

Length of Service	
1 year or less	19.0%
2 - 3 years	16.7%
4 - 5 years	38.1%
6 - 10 years	21.4%
11 - 15 years	4.8%

Age	
21 - 25	2.4%
26 - 30	66.7%
31 - 35	19.0%
36 - 40	11.9%

Rank	
Recruit (Training)	7.1%
Officer/Officer Tech	92.9%

On April 2, 2015 Committee staff met with the Chairman and Vice Chairman of the Uniformed Division Labor Committee (UDLC).[738] The UDLC leadership described a workforce on the verge of collapsing due to understaffing and pending attrition.[739] They cited the exhaustive nature of the job, constant overtime, and lack of respect from Presidential Protective Division leadership as major factors in UD attrition.[740] Their characterizations of morale and attrition, and the connection between the two, tracks the objective data and perceptions the Committee has identified.[741]

USSS has taken steps to begin to decelerate the attrition, and senior management appears to recognize that additional changes must be made. As a short-term step to immediately curb attrition, in fiscal year 2015, UD officers were offered 5 percent retention bonuses to be paid out over 2 years in order to ensure they remain during that time.[742] Approximately 1,100 of 1,300 UD officers were eligible for retirement, and USSS personnel estimated over 1,000 officers accepted the offer.[743] While such bonuses are not a permanent solution, USSS personnel have stated that various other, more long-term retention proposals are under development.[744]

B. Special Agents

In fiscal year 2011, there were 3,542 special agent positions. USSS had a net loss of 100 special agents in 2012 and 111 special agents in 2013. The decreases continued, but were less dramatic in 2014 and 2015, with a net loss of forty-seven agents and twenty agents respectively. At the end of fiscal year 2015, USSS was down 285 special agent positions from 2011 levels.[745]

Since May 2014, USSS has flown in special agents from field offices around the country for temporary duty standing posts at the White House in order to make up for Uniformed Division shortages.[746] As with the UD, many factors may contribute to high attrition and low

[738] Meeting between Scott Curry, Chairman, U.S. Secret Service Uniformed Div. Labor Comm., Jay Cassetta, Vice Chairman, U.S. Secret Service Uniformed Div. Labor Comm. and H. Comm. on Oversight & Gov't Reform staff (Apr. 2, 2015).
[739] *Id.*
[740] *Id.*
[741] *Id.*
[742] Oct. 8, 2015 USSS OSP Briefing, *supra* note 373.
[743] *Id.*
[744] *Id.*
[745] Secret Service Salaries and Expenses FY1999-2015, *supra* note 2, at 8.
[746] Oct. 8, 2015 USSS OSP Briefing, *supra* note 373. USSS said that this practice ended at the end of the summer of 2015 because it was not feasible with so many national special security events (NSSEs), and that agency management had not revisited whether there would be a need to resume the practice.

morale among special agents. In fiscal year 2015, attrition was higher for agents than any time in the last ten fiscal years.[747]

As of the spring of 2015, USSS's Office of Investigations had 400 fewer employees than it did in 2012.[748] At that time, USSS personnel projected that they had approximately 272 protection vacancies—235 based in Washington, D.C. and thirty-eight based outside of Washington, D.C..[749] USSS recently stopped internally distributing lists of special agents who leave the agency, contrary to its practice of distributing such lists for many years.

Budget concerns alone do not account for reductions in personnel; attrition also plays a large role. USSS's fiscal year 2014 human capital plan stated the average projected attrition per year for special agents was 120.[750] As of July 25, 2015 (roughly ten months into the fiscal year), fiscal year 2015 attrition was already 171, nearly 150 percent of the projection, though total attrition from 2012 to 2014 ranged from 100 in 2012 to ultimately 141 in 2014.[751]

Retirement numbers are routinely affected by such factors as the number of individual employees who have reached the eligible retirement age or the mandatory retirement age of fifty-seven at any given time.[752] However, USSS human resources personnel acknowledged they are losing fifty-one-year-old eligible retirees at a higher rate; unlike in the past, fewer individuals were staying with the agency until mandatory retirement.[753] Thus, only a handful of the sixty-three fiscal year 2015 retirements as of July 25, 2015 were mandatory.[754] Further, USSS said the retirement eligibility pool will double next year.[755]

A review of the seventy-three special agent separation surveys from fiscal year 2015 indicated that the vast bulk (nearly ninety-two percent) of those leaving the agency were GS-13s, many of whom had been with the agency for five years or more.[756] The most common plan after leaving USSS was to join another federal agency, which nearly seventy-three percent of respondents cited.[757] Similar to the UD, younger special agents are leaving in higher numbers: more than sixty-five percent of special agents who left had ten years of service or less, although the vast majority were on the job long enough to have realistic expectations of the position, and nearly seventy-three percent were forty or younger.[758]

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[747] FY 2005-2015 Attrition Data, *supra* note 664.
[748] Notes from [redacted] meeting with [USSS leadership] ([redacted], 2015).
[749] *Id.*
[750] FY 2014-2018 Human Capital Plan, *supra* note716, at 6.
[751] FY 2005-2015 Attrition Data, *supra* note 664.
[752] Federal law enforcement personnel are eligible to retire at age 50 if they have reached 20 years of service. Unless the relevant department grants a waiver, the mandatory retirement age for all federal law enforcement personnel is 57 if an employee has reached 20 years of service, the day and month that they reach 20 years of service if that is between age 57 and 60, or age 60 regardless of whether an employee has reached 20 years of service.
[753] Aug. 20, 2015 USSS HUM Briefing, *supra* note 644.
[754] *Id.*
[755] *Id.*
[756] USSS Employee Separation Surveys, *supra* note 607, at 1. Retiring USSS personnel are not surveyed by agency.
[757] *Id.*
[758] *Id.*

Length of Service	
1 year or less	4.1%
4 - 5 years	21.9%
6 - 10 years	39.7%
11 - 15 years	30.1%
16 - 20 years	4.1%

Age	
26 - 30	6.8%
31 - 35	28.8%
36 - 40	37.0%
41 - 45	23.3%
46 - 50	2.7%
51 - 55	1.4%

Grade	
7	1.4%
9	2.7%
12	1.4%
13	91.8%
14	2.7%

As in the UD, the overall staffing trend has had implications for the special agent workload. Starting in January 2015, USSS's Office of Investigations increased the investigative travel schedule from thirty-five percent of an office's available special agent manpower to forty percent. USSS cited increased travel by protectees, increased protective responsibilities, increased training, and reduced manpower in the field. The special agent workload can be expected to increase in 2016 with a large number of declared candidates for president now eligible for protection, which, in turn, further stresses staffing levels.

The three aspects of the job ranked lowest by special agents were "Training Opportunities" (3.0 out of 6), "Senior Leadership Commitment to the Mission" (3.1), and "Rewards Based on Merit" (3.3).[759]

[INTENTIONALLY BLANK]

[759] *Id.* at 2.

Please indicate your assessment of the following aspects of your job:
Rated on a **scale of 1 - 6,** with 1 being poor and 6 being good.

	Average Rating
Relationship with Co-workers	5.6
Pay Grade	5.3
Salary	5.3
Benefits	5.0
Contribution to the Mission of the Secret Service	4.9
Communication with Immediate Supervisor	4.8
Physical conditions	4.8
Overall Satisfaction with Immediate Supervision	4.7
Duties/Responsibilities	4.6
Travel Opportunities	4.6
Connection to the Mission of the Secret Service	4.5
Current Duty Station/Office Location	4.3
Overtime Compensation	4.2
Professionalism of the Secret Service	4.2
Workload	3.9
Recognition Received	3.9
Prestige of the Secret Service	3.7
Office Policies	3.7
Office/Government Politics	3.5
Work Schedule/Hours	3.4
Rewards Based on Merit	3.3
Senior Leadership Commitment to the Mission	3.1
Training Opportunities	3.0

The surveys showed a tie for the number one factor which could have impacted a special agent's decision to stay with USSS: "Reassignments/[t]ransfers" and "[a]dequate number of persons to accomplish the work" (both 5.1 out of 6). Four of the five other top categories all reflected some of the sentiment communicated by whistleblowers to the Committee: "[b]etter communication between employees and management" (4.6), followed by a tie between "[f]air evaluation based solely on performance and not other factors," "[m]anagement demonstrates an appreciation for the level of work accomplished," and "[t]he effective discipline of employees with performance or conduct problems" (all at 4.3). "Flexible tour of duty/work hours" also tied with the above factors (4.3).[760]

[INTENTIONALLY BLANK]

[760] *Id.*

Rank the significance these factors could have had on your decision to stay with the Secret Service Ranked on a scale of 1 - 6, with 1 being insignificant and 6 being significant.

	Average Rating
Reassignments/Transfers	5.1
Adequate numbers of persons to accomplish the work	5.1
Better communication between employees and management	4.6
Fair evaluation based solely on performance and not other factors	4.3
Management demonstrates an appreciation for the level of work accomplished	4.3
Flexible tour of duty/work hours	4.3
The effective discipline of employees with performance or conduct problems	4.3
Reassignment to different type of work or position	3.9
Realistic performance expectations	3.9
Less job stress	3.8
Less forced overtime	3.8
More promotion opportunities	3.7
Challenging work	3.5
Telework Program	3.5
Higher salary or grade	3.4
Assignment to a different supervisor	2.4

Regarding flexible tour of duty, some employees repeatedly raised USSS's career track model in interviews with the Committee. Although all USSS special agents sign a mobility agreement requiring them to travel to duty stations as required, some whistleblowers complained of unpredictability in the application of USSS's career track model. Roughly speaking, special agents follow a career track in three phases: Phase 1 involves special agents going to a USSS field office to develop investigative expertise; Phase 2 entails a protective detail; and Phase 3 involves a final field office, with the possibility of being preceded by a headquarters assignment or protective specialty.[761] Although USSS informed Committee staff in briefings that current USSS workforce planning needs dictate a Phase 1 length of approximately six to nine years, then-Special Agent in Charge John Koleno acknowledged that the expectation of the length of Phase 1 has shifted over time, and that several years ago new employees had been given the expectation that the length of Phase 1 would be four to six years.[762] USSS does not publish its current career phase expectations for internal employee review. Thus, some USSS employees expressed that after being passed over for protective details in the timeframe of four to six years when they expected to progress to Phase 2, they eventually planted roots in the locations of their Phase 1 assignments.

Data provided by USSS regarding agents still in Phase 1 confirmed some individuals had dramatically exceeded the four to six year timeframe: thirty-six agents had been there for ten to

[761] Briefing from Office of Investigations, U.S. Secret Service to H. Comm. on Oversight & Gov't Reform staff (Mar. 11, 2015) [hereinafter Mar. 11, 2015 USSS INV Briefing].
[762] *Id.*

twelve years, thirty agents for thirteen to fifteen years, and eighteen agents for sixteen years or more.[763]

SA Start Year	Phase 1 Agents
1999 and Earlier	18
2000	4
2001	4
2002	22
2003	6
2004	9
2005	21

In 2013 and 2014, USSS ordered a large number of these agents to report to USSS's Washington (D.C) Field Office.[764] These so-called "forced transfers" became a source of contention with several employees.

Some employees also expressed confusion about mixed messages from USSS management with regard to other elements of career tracks. USSS told the Committee that there is no career track that would allow an agent to stay in the field for their entire career.[765] Special agents say they have also been told in the past, however, of a career track known as the "Investigative Management Career Track," which agents inferred would allow them to move between USSS field offices and move up the management career chain. Overall, the confusion about career paths has been a source of frustration for some special agents.

On September 1, 2015, USSS issued a new directive on the topic of "Special Agent Career Progression Guidelines" that superseded the prior career track policy.[766] According to the accompanying message, the new policy was developed to create better balance between employees' work life needs and the critical impact personnel constraints are having on the protective mission.[767]

[763] Email from Special Agent in Charge, Office of Gov't and Pub. Affairs, U.S. Secret Service to H. Comm. on Oversight & Gov't Reform staff (June 16, 2015, 4:41 p.m.).
[764] Mar. 11, 2015 USSS INV Briefing, *supra* note 761.
[765] *Id.*
[766] U.S. Secret Service Directives System, Office of Human Res. and Training Manual, Section WPL-04(02) (Sept. 1, 2015).
[767] DCP#: HRT 2015-49, accompanying U.S. Secret Service Directives System, Office of Human Res. and Training Manual, Section WPL-04(02) (Sept. 1, 2015).

RECOMMENDATION:	**USSS should include potential incentive plans to keep experienced special agents who are eligible for retirement in a report to Congress.**

C. Administrative, Professional, and Technical Staff

In fiscal year 2011, there were 2,069 APT positions. By the end of fiscal year 2015, there were only 1,729 APT positions, down approximately 16.4 percent.[768] As long ago as 1990, the General Accounting Office (former name of the Government Accountability Office) reported significant problems in recruiting and retaining qualified support (i.e., non-law enforcement) staff, with some vacancies taking months or years to fill.[769]

The Protective Mission Panel recommended that USSS reform its administrative capabilities[770] and specifically "[p]romote specialized expertise in its budget, workforce, and technology functions."[771] For example, as the Panel noted, "An agency that needs the best agents and officers on the front lines needs a hiring process run by human resources experts valued for their specialized knowledge about how to recruit and retain talent, in a timely and efficient manner."[772] In its discussion on the issue, the Panel wrote:

> Positions that should be filled by individuals with specific administrative experience and expertise are instead filled by special agents on a rotation to headquarters. . . . [F]illing these important administrative functions with agents rather than professional administrators . . . has also fed into a strong perception that the agency relies heavily on an old-boys' network for its management. . . .[773]

With respect to the administrative staff who work at USSS, the Panel took note of the ways in which their reporting structure was a detriment to USSS:

> [T]he Secret Service does utilize professionals to perform many functions . . . . But . . . [e]xcept for the Service's General Counsel, all of these civilian professionals report to an assistant director, all of whom are agents, and who themselves report to the Deputy Director. Thus, key leadership and management positions—particularly leadership-level oversight of the agency's budget, human resources (personnel and training), and technology functions—remain essentially in the hands of

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[768] Secret Service Salaries and Expenses FY1999-2015, *supra* note 2, at 8.
[769] Gen. Accounting Office, *Law Enforcement: Recruitment, Retention, and Compensation to Support Staff* (May 22, 1990) (GAO GGD-90-60).
[770] Panel Report Exec. Summary, *supra* note 35, at 4.
[771] *Id.* at 7.
[772] *Id.* at 4.
[773] Panel Report, *supra* note 45, at 30.

> agents rather than administrative professionals or subject-matter experts.[774]

These themes were repeated by former USSS security officer Robin DeProspero-Philpot, who began with USSS in 1979 as a GS-2 clerk typist.[775] She spoke of a need in the agency for "equal respect no matter what position you are . . . [Y]ou do need 1811s to kind of break that gap there where, 'Oh, who is she? She's not an 1811. . . .' [Y]ou know, that type of mentality that still goes on."[776] She described her experience at the agency over more than three decades:

> Over the past several years—I mean, again, I've had over 35 years—and when I first joined the Secret Service—my father was an agent. He worked on the Presidential detail with President Reagan. He was the SAIC there. So I've seen the agency morph and grow. When I started there, there was approximately 3,000 employees in the Secret Service. We have more than doubled. At that point, one of the biggest mottoes for the Secret Service, that we thought we were a family. And I truly, truly believed that we were a family. Everybody knew everybody. Everybody respected each other. And I didn't care whether or not you were an APT, you were a Uniformed Division officer, or you were a special agent. We all worked together to perform the missions that we had. And, again, there was a lot of respect for one another. I think, not really quite sure why . . . now there is a true, true division between SA, UD, and APT.[777]

> When I was in—when I joined the Secret Service, the vast amount, a vast majority of APT individuals that worked for the agency, the highest graded level that they ever reached was a 9 or an 11, possibly a 13. I was the first non-1811 chief of my division in its history.[778]

DeProspero-Philpot particularly highlighted how transitory USSS management overseeing the efforts of the APT staff had been. DeProspero-Philpot made clear that this turnover affected operations:

> [Y]ou have to understand that the assistant director's office over my division, HUM—I've had seven assistant directors in the last 10 years.[779]

* * *

> When you look at the assistant directors that were in that directorate, especially, I would say, the last four or five, no disrespect to them

[774] *Id.* at 31.
[775] DeProspero-Philpot Tr., *supra* note 321, at 7.
[776] *Id.* at 169.
[777] *Id.*
[778] *Id.* at 131-132.
[779] *Id.* at 20.

> whatsoever, they were on their way out of the agency. . . . This is where I go back to having the appropriate people managing some of these divisions when they don't have any experience.[780]

She also noted the disadvantages of such a system:

> When you've got 1811s moving around, retiring, moving around in different directorates, retiring, and you've got 1811s coming up, and they're coming up in this particular field, protection or investigation, and they're over here, and then 2 years later they're over here, and they're over here, is there a true loyalty to exactly what they're doing in those respective directorates? They're not there to forecast what's going to happen in 5 to 10 years. They weren't there 5 years previously when it was really, really good. So I can just say that generally the APT community who are managers, who 10 years were forecasting what we're going through now, where we don't have enough IT resources, we don't have enough manpower in our divisions, where we knew of upcoming and new initiatives and mandates, that's where it's frustrating. So, 10 years ago, if we would have addressed these problems, I don't think we would be sitting here right now.[781]

DeProspero-Philpot stated that the aggregate effect that this was hugely detrimental to APT morale:

> You have an assistant director, that oversees the [Chief Human Capital Officer] for the agency, with no HR experience. . . . And you have an assistant director who oversees a chief security officer, who has no security experience. And these three individuals now oversee this entire hiring and security. And you have individuals, non-1811s . . . who have that experience, but they don't want to listen. So therefore—and this is kind of across the board when you look at the infrastructure. . . . [W]hen you send 1811s in to do procurements or, you know, security, or HR, [to] manage—I'm not saying do it—manage these professionals, the morale of the APT community right now is at an extremely critical point where I know of people that have been in the agency for 10, 15, 20, 25 years who are looking to leave because it's not worth it anymore. And that's dangerous to me.[782]

When asked what could improve that morale, DeProspero-Philpot responded: "I think you need to put more APT people in those positions that know how to do it."[783]

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[780] *Id.* at 147-148.
[781] *Id.* at 169-170.
[782] *Id.* at 133-134.
[783] *Id.* at 134.

It is clear that more APT staff are needed. APT have been affected by the same personnel reduction trends as officers and agents in recent years. Although some APT staff were hired during the period when no agents or officers were hired due to budgetary concerns, according to internal USSS documents, the agency lost 100 APT positions in the Office of Investigations due to sequestration.[784] As of fiscal year 2014, USSS had lost 235 APT positions altogether since fiscal year 2011.[785] USSS's Chief Strategy Officer reported that APT numbers are at the lowest APT level USSS has ever had.[786] However, he said the agency's priority was hiring law enforcement personnel instead.[787]

RECOMMENDATION:	**USSS should ensure that supervisors and managers of APT staff have the requisite knowledge, skills, and experience.**

4. Hiring and Security Clearance Process

A. Historical Security Clearance Issues

FINDING:	**USSS hired at least one individual without verifying his citizenship.**

A review of USSS disciplinary files raised many questions about USSS's historical processing of security clearances. For example, in one case USSS issued a security clearance for a physical security specialist without independently verifying that the individual was in fact a U.S. citizen, relying instead on the individual's SF-86 and subsequent polygraph examination.[788] Only when the individual applied in 2010 for U.S. citizenship with U.S. Citizenship and Immigration Services (USCIS), which in turn requested documentation from USSS, did USSS become aware of the issue.[789] While USCIS ultimately determined the lack of citizenship resulted from a past error, and subsequently approved the individual's application for U.S. citizenship, it is concerning that USSS did not verify the individual's citizenship when he was hired.[790]

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[784] Notes from [redacted] meeting with [USSS leadership] ([redacted], 2015). Note that the term "positions" is derived from the internal USSS designation "PIN," adopted in the agency in the late 1980s. It is not exactly the same as a Full-Time Equivalent (FTE), the budget concept used by Congress and the Office of Management and Budget, although it is roughly similar.

[785] FY 2014-2018 Human Capital Plan, *supra* note 716, at 12.

[786] Oct. 8, 2015 USSS OSP Briefing, *supra* note 373.

[787] *Id.*

[788] Inspection Div., U.S. Secret Service, Fact-finding Inquiry Case Report Details, Case Number 190-872-10-011 (opened Sept. 15, 2010).

[789] *Id.*

[790] *Id.*

B. 2013 Adoption of New Hiring System

i. Implementation

FINDING: In 2013, USSS discarded applications from 400-600 qualified applicants.

The Protective Mission Panel report states: "When the government sequester took effect, the Service made the decision to stop hiring new officers and agents, resulting in a failure to push new classes through training and into the field."[791] During the course of its investigation, the Committee learned that hiring officers and agents stopped in fiscal year 2011 when USSS began planning for severe future budget cuts, and it lasted through fiscal year 2013 until the budget outlook improved.[792] As a result, the funds Congress authorized for training classes in those years were diverted to other areas.[793]

In 2011, during the hiring freeze, then-Assistant Director for Human Resources and Training Alvin "A.T." Smith initiated a move toward a new hiring system. The system was believed by some to have been supported by then-Director Julia Pierson. At the time, local field offices coordinated USSS hiring through the screening of applicants, as opposed to relying on applicants' self-assessments submitted online. Smith initiated a change to instead use the federal hiring portal, USAJobs, for USSS's hiring process.[794] The process was completed in 2013, by which point Smith was serving as Deputy Director.[795]

USSS personnel told Committee staff that USSS's Security Clearance Division (SCD) historically maintained a "hold shelf" of several hundred applications that it drew upon to offer applicants seats in training classes as openings arose.[796] The hold shelf contained information on applicants for whom USSS had completed the entire security vetting process—security interview, polygraph examination, and background investigation. SCD maintained and managed the hold shelf throughout the hiring freeze, and in 2013, it consisted of approximately 400 to 600 applicants. Yet as USSS implemented a new hiring process that year, USSS leadership directed

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[791] Panel Report, *supra* note 45, at 22 (USSS apparently did hire some APT staff during this period).
[792] Aug. 20, 2015 USSS HUM Briefing, *supra* note 644.
[793] *Id.*
[794] The finished product directs applicants from USAJobs to an online portal known as "Career Connector."
[795] It is unclear what further problems existed in the Human Capital Division at this time. In July 2013, the Chief of USSS's Human Capital Division (HCD), Deborah Eldredge, moved to DHS. Eldredge Tr., *supra* note 375, at 8-9. The month before, in June 2013, an anonymous letter signed 'the People of HCD' and delivered to the Office of the Director alleged poor management and leadership in HCD and urged careful consideration in selecting the next Chief of HCD. The resulting inquiry by the Inspections Division revealed "evidence of dysfunctional senior and mid-level management" and numerous other issues. Inspection Div., U.S. Secret Service, Fact-finding Inquiry Case Report Details, Case Number 190-872-13-026 (opened Nov. 12, 2013), at 1. Further, an Assistant Special Agent in Charge (ASAIC) of HCD was involved in the misuse of a government-owned vehicle. Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000617 (opened Dec. 9, 2013), at 1. The ASAIC received a letter of reprimand. FY 2010-2014 USSS Discipline, *supra* note 485, Employee ID 252854, at 9.
[796] DeProspero-Philpot Tr., *supra* note 321, at 80.

that all the applications on the hold shelf be tossed out.[797] Thus, as USSS began to hire again, the agency had no applicants to choose from who had already been through the vetting process.

Then-SCD Chief Robin DeProspero-Philpot told Committee staff that she objected to tossing out the hold shelf:

> [W]hen the new process was implemented in the spring of 2013, we basically had to start over from scratch with nobody. I think we had a few veterans.[798]
>
> * * *
>
> I would have said you leave those people on the shelf and as soon as the new process goes through, you make them do whatever is involved in the new process, and then we hire these people. And in the meantime then you set aside 6 to 9 months to sit down here and tell the field office, don't go to this USA Jobs. Because my primary thing was I knew that if you went to this USA Jobs it was just going to bring in thousands of applicants[.][799]

Unlike the former hiring process, SCD did not have the opportunity to evaluate an individual's eligibility to hold a security clearance until the second half of the process, known as "Phase 2," where a conditional job offer is extended. Thus, according to DeProspero-Philpot:

> [W]e were informed of classes starting in the latter half of fiscal year 2013, and we did not have any kind of pool. And so it was process, process, process as fast as you possibly can.[800]
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> * * *
>
> 2013 was when it got pretty crazy because, again, we started with, you know, very, very, very minimal, minimal, minimal people. And this was when the new process was going to start, and I was extremely concerned because of the timeline that it was going to take the new applicants from the new process to get into phase 2. . . . [W]e were starting to hear that we were going to be hiring in fiscal year 2014. So I kept waiting for applicants to get to SCD, my division's door for phase 2, and it wasn't happening. But yet there were classes coming up in fiscal year 2014. And when you are looking down at 3, 4, 5 months and you're going to start

[797] *Id.* at 12-16.
[798] *Id.* at 15-16.
[799] *Id.* at 133-134.
[800] *Id.* at 16.

> hiring classes on an aggressive level, I kept saying, we're never going to make it, we're never going to make it, we're never going to make it.[801]

ii. Resulting Decline in Quality of Candidates

FINDING: USSS's current hiring process invests significant resources in applicants who may not be eligible to receive a security clearance.

The new hiring process had a direct negative effect on USSS's ability to hire quality candidates and remain fully staffed. In its report, the Panel noted:

> Unfortunately, the Secret Service's hiring process in recent years has not been smooth; indeed, it is one reason why the Service does not have sufficient personnel today. The Service changed its hiring process in 2013, resulting in more applicants but a less effective process at identifying strong candidates. The agency itself reports that despite receiving thousands of applications, it has regularly taken twelve months to on-board a special agent; among other things, more than half of applicants fail the polygraph and are unable to receive the necessary security clearances.[802]

According to USSS personnel, the new hiring process resulted in an applicant pool much less qualified than under the old system, when USSS invested more time in cultivating applicants in the law enforcement community. DeProspero-Philpot stated, "I honestly don't feel that . . . this process targets the right person,"[803] She continued, "I think the new process allows more individuals who do not have a true focus on getting a career in Federal law enforcement. I think there are so many individuals that are out there shotgunning their resume for any position that there's an opening for."[804] It does not help that, instead of spending the time to target qualified applicants, USSS advertises for open positions on the back of their government vehicles.

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[801] *Id.* at 81-82.
[802] Panel Report, *supra* note 45, at 22.
[803] DeProspero-Philpot Tr., *supra* note 321, at 56.
[804] *Id.* at 56.



Under the new hiring process, the steps in which the greatest number of applicants are eliminated from consideration, including the polygraph and background check, do not occur until Phase 2—later in the process than under the previous system. By this point, USSS has invested significant resources and months of time in processing the application. USSS personnel unofficially told the Committee that polygraph failure rates used to be about 35 percent for special agent applicants and 40 percent for UD officer applicants.[805] According to USSS human resources personnel, currently 50 percent of special agent applicants and 60 percent of UD officer applicants fail the polygraph.[806] Other USSS personnel put the numbers over the past couple of years even higher, varying from 60-80 percent.[807] In DeProspero-Philpot's words, SCD feels like a "waste treatment facility" because of the responsibility of sifting out clearly unqualified candidates.[808] DeProspero-Philpot told Committee staff:

> [T]he quality of applicants that we are processing has gone down. It's been quite eye opening to me, compared to the old process, that some individuals can get through this entire process and then get to the background stage. In other words, in the old process where I said there was a 30, 35, 40 percent rejection rate for the polygraph, now we've climbed to approximately 60 to 70 percent at any given time. In order to

[805] *Id.* at 17.
[806] Aug. 20, 2015 USSS HUM Briefing, *supra* note 644.
[807] DeProspero-Philpot Tr., *supra* note 321, at 18.
[808] *Id.* at 56.

> pass that, you would think, wow, you've got a good candidate if you've gone through this entire process. But now we're getting into—now we go to the background investigation on some of these individuals. We go out and we do interviews of their current and/or previous employers and that's where we're getting derogatory information. They're horrible employees. They have a lot of problems with their employment. So it's just amazing. That's amazing to me.[809]

According to data provided by USSS to the Committee near the end of fiscal year 2015, four percent of special agent applicants received a conditional job offer.[810] Remarkably, of the four percent that received a conditional job offer, only 1 percent were hired.[811] The numbers are slightly higher for the UD: fifteen percent of applicants received a conditional job offer, and of those, two percent were hired.[812] These numbers track with the numbers from fiscal year 2014, although a slightly higher percentage of those who received conditional offers were hired (nine percent of special agents, and eleven percent of UD officers).[813] That so many individuals would receive conditional offers but never actually make it through the process to be hired suggests extraordinarily deep-rooted problems with the USSS hiring process.

Notwithstanding USSS's attempts to advertise openings on the back of some of its vehicles, the availability of positions within USSS is not always clear. The website provided on the back of some vehicles provides descriptions for the positions of specials agents, UD officers, APT staff, and special officers. However, the link on that section of the website for "Opportunities" only lists a limited number of positions.[814]

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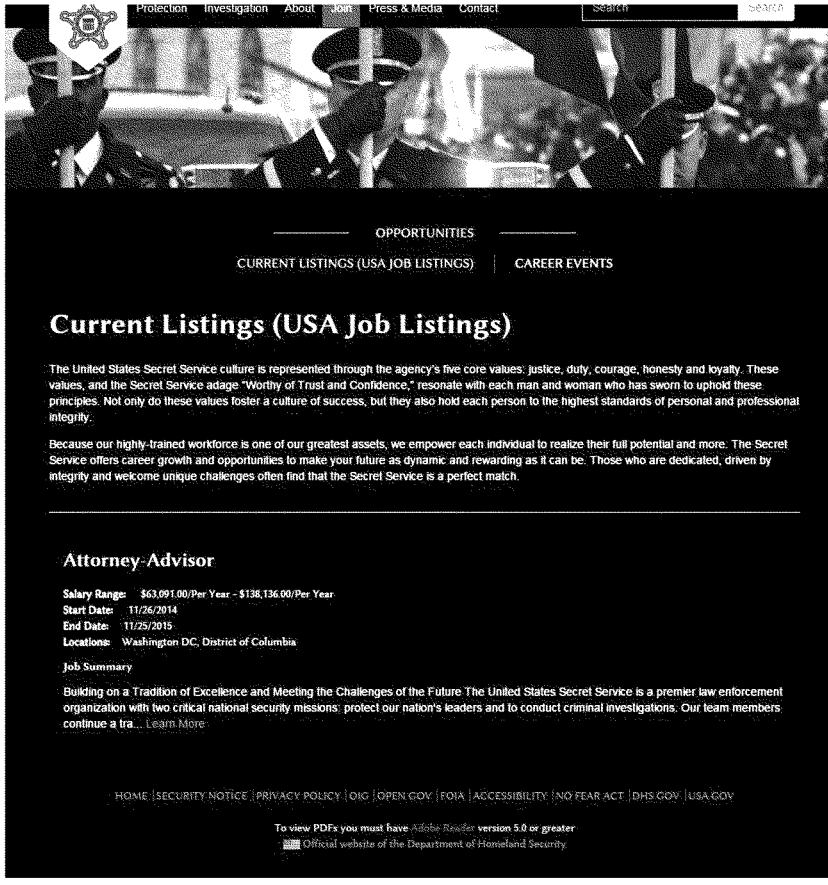
[809] *Id.* at 56.
[810] Email from Office of Gov't & Pub. Affairs staff, U.S. Secret Service to H. Comm. on Oversight & Gov't Reform staff (Sept. 10, 2015, 9:27 a.m.).
[811] *Id.*
[812] *Id.*
[813] *Id.*
[814] Accessing http://www.secretservice.gov/join/opportunities on October 6, 2015, the only position listed was that of Attorney-Advisor. Accessing the same site on October 13, 2015, the only position listed was that of Protective Support Technician (Auto Technician).



Issues such as these in the hiring system may result in USSS employees lacking confidence in the employees the agency does hire. According to the 2015 Federal Employee Viewpoint Survey, USSS employees increasingly believe that their work unit is not able to recruit people with the right skills, with only 25.3 percent believing that their unit is able to recruit people with the right skills.[815]

[815] DHS FEVS USSS Data, *supra* note 34, at 9.

21. My work unit is able to recruit people with the right skills.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	405,630	41.6%	25.7%	32.7%	15,085	
2015 Department of Homeland Security	41,687	30.0%	27.2%	42.8%	1,321	
2015 U.S. Secret Service (USSS)	**1,232**	**25.3%**	**27.7%**	**47.0%**	**39**	↘
2014 U.S. Secret Service (USSS)	1,080	32.1%	32.0%	35.9%	40	↘
2013 U.S. Secret Service (USSS)	1,340	38.1%	31.8%	30.1%	58	↘
2012 U.S. Secret Service (USSS)	2,129	42.3%	31.6%	26.1%	70	↘
2011 U.S. Secret Service (USSS)	930	52.0%	30.7%	17.3%	27	↗
2010 U.S. Secret Service (USSS)	561	46.9%	30.7%	22.4%	15	

RECOMMENDATION: USSS should strongly consider incorporating interviews earlier in the application process to filter out low-quality candidates and those unlikely to receive a security clearance.

C. Security Clearance Process

FINDING: USSS's current process for expediting the security clearance process may result in increased risks to national security.

All USSS employees are required to hold a Top Secret/Sensitive Compartmented Information clearance. USSS conducts its own security clearance process from beginning to end, not relying on the Office of Personnel Management or any other agency to conduct any portion of the process.

As part of its investigation, the Committee interviewed former SCD Chief Robin DeProspero-Philpot. As described above, Robin DeProspero-Philpot joined USSS in 1979. She served as a security officer and SCD Chief, a GS-15 position, from May 2004 to July 2015.[816] Prior to that, she served as Chief of the Personnel Security Branch, a branch of SCD which oversees all background investigations for USSS security clearances.[817]

SCD has been short-staffed since at least fiscal year 2008.[818] In conjunction with those shortages, DeProspero-Philpot described to Committee staff how the 2013 change to the hiring system and the subsequent push to "hire, hire, hire" has had a detrimental effect on USSS's process of issuing security clearances and USSS's ability to minimize risks to national security. As discussed below, she described specific ways in which she believes USSS leadership pressured SCD to, as she said, "cut corners" in its process.

[816] DeProspero-Philpot Tr., *supra* note 321, at 7.
[817] *Id.* The Security Clearance Division is split into four branches: the Personnel Security Branch, the Counterintelligence Branch, the Clearance and Access Branch, and the Industrial Security Branch.
[818] Workforce Planning Office, U.S. Secret Service, *Summary: Workload Study for the Office of Human Resource and Training, Security Clearance Division, FY 2008*, at 2 [hereinafter Workforce Planning Office FY 2008].

SCD is not the only component of USSS to be consistently understaffed in recent years; yet unlike operational components, failure to properly staff SCD impacts the processing of clearances necessary to staff the rest of the agency. DeProspero-Philpot expressed deep concerns about the developments at USSS affecting SCD, and also indicated that she believes there are widespread concerns within SCD.[819] DeProspero-Philpot filed her concerns with USSS's Office of Inspection.[820] DHS OIG also opened an investigation into the matter.[821]

RECOMMENDATION: USSS should take care to minimize risks to national security throughout the hiring process.

i. Security Clearance Division Understaffing

FINDING: USSS's Security Clearance Division has been understaffed for years, despite warnings from external reviewers.

According to DeProspero-Philpot, for approximately twenty years between 1995 and 2015, SCD requested additional manpower.[822] Instead, a study by USSS's Workforce Planning Office in fiscal year 2009 found that SCD had seen a sharp decline in growth, and outlined the potential adverse implications:[823]

> Since SCD is largely involved with many of the tasks associated with bringing new employees on-board, a trend of the nature described above could potentially affect SCDs ability to process new employees in a timely and accurate manner. This is due to an immediate increase in workload for SCD based on a continuous increase in service-wide growth.

DeProspero-Philpot stated that she documented her requests for more SCD resources through memos in both 2014 and 2015.[824] In January 2015, the memo she sent her supervisors reads:

> Every audit that has been conducted during the last 7-8 years, and reported to date (DHS [Security Compliance Reviews], USSS Office Inspections, OIG investigations, [Office of Personnel Management], [Office of the Director of National Intelligence], and [Information Security Oversight Office] audits, in addition to separating employee interviews), has

[819] *Id.* at 90.
[820] *Id.* at 89-90.
[821] Email from Office of Inspector Gen. staff, Dep't of Homeland Sec. to H. Comm. on Oversight & Gov't Reform staff (Oct. 7, 2015, 3:08 p.m.).
[822] Memorandum from Chief – Security Clearance Division to AD – Office of Human Resources and Training, *Request for SCD Resources* (Jan. 13, 2015), at 4 [hereinafter 2015 SCD Memorandum].
[823] Workforce Planning Office FY 2008, *supra* note 818.
[824] DeProspero-Philpot Tr., *supra* note 321, at 42, 47.

> reiterated the fact that the USSS is inadequately staffing its Office of Security (SCD) that is responsible for the oversight and compliance of standards that relate to the safeguarding of personnel, information, facilities, and resources for USSS.[825]

The memo goes on to describe USSS's resources in comparison with other agencies in DHS:

> To define the Security Clearance Division as being inadequately staffed and under-resources is an understatement. The USSS's SCD manages more classified programs, and processes more classified equities[,] than any other DHS component. In addition, all USSS employees require a Top Secret clearance, with upwards of 35-40% requiring access to Sensitive Compartmented Information (SCI). No other DHS component requires all of its employees to be eligible for a Top Secret security clearance. Yet, SCD is operating at only a fraction of the number of employees and resources than [sic] any other DHS component or comparable federal agency.[826]

The memo noted the history of compliance reviews of SCD:

> The USSS has undergone three separate DHS Security Compliance Reviews (SCRs) within the last 5 years where all areas of security were evaluated (November, 2009, July, 2012, and July, 2014 respectively). As a result of each review, an official synopsis was submitted to the Secretary of DHS, the DHS Executive Management Chain, and to former Directors Sullivan and Pierson, wherein . . . it was iterated that "SCD continues to lack sufficient human capital to manage USSS security programs. . . . [I]t would benefit the USSS if additional security specialists were hired to absorb the heavy workload being currently performed by SCD . . . ." "This is especially prudent for an agency comparable to the size of the USSS and for an agency that possesses the largest number of Sensitive But Unclassified (SBU), Classified National Security Information (CNSI), and Sensitive Compartmented Information (SCI) programs within the entire Department."[827]

The memo also noted that DHS had cited USSS for failing to meet minimum physical security compliance standards:

> It was further noted as a result of the SCR's that the USSS, who [sic] does physical security and protection as a primary mission, failed to meet DHS's and the Inter Security Committee (ISC) government-wide physical

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[825] 2015 SCD Memorandum, *supra* note 822, at 11-12.
[826] *Id.* at 2-3.
[827] *Id.* at 3.

> security standards; citing that the USSS is not meeting minimum physical security compliance standards due to the lack of support under the [Chief Security Officer], a misaligned organization of security responsibilities within the agency's overall organizational structure, and the simple fact that the USSS had yet to establish a formal physical security program.[828]

DeProspero-Philpot told the Committee that unlike in 2014, her request in January 2015 for more employees was approved. However, she said that by September 2015 she still had not seen an additional new employee.[829]

RECOMMENDATION: USSS must adequately staff the Security Clearance Division.

ii. Restructuring of Security Clearance Division

FINDING: Keeping USSS's Security Clearance Division under Human Resources may be counterproductive to maintaining security at the agency.

DHS reviews of USSS's security programs cited USSS's "misaligned organization of security responsibilities within the agency's overall organizational structure."[830] DeProspero-Philpot, a GS-15 who has been SES-eligible for over seven years, explained:

> I was the first non-1811 chief of my division in its history. . . . I think former Director Basham recognized that there were certain positions in the agency that needed continuity and consistency. You could not bring a new SAIC in there every 2-1/2, 3 years that wanted to reinvent the wheel.[831]

As noted in the section above on APT morale, top-level management over SCD shifted regularly, with seven different Assistant Directors for Human Resources and Training in the past ten years.

DeProspero-Philpot contrasted her experience with those holding the Deputy Assistant Director and Assistant Director positions:

> I, as a chief of Personnel Security Branch . . . knew security and I had the subject matter expertise and the experience . . . . I think that is what is missing right now when it comes to certain positions in the Secret Service. Case in point, my immediate management. You have three 1811s that have no experience or specialized experience in HR or security. You have an assistant director, that oversees the [Chief Human Capital Officer] for the agency, with no HR experience. . . . And you have an assistant director who oversees a chief security officer, who has no security experience.

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[828] *Id.* at 3-4.
[829] DeProspero-Philpot Tr., *supra* note 321, at 42-43.
[830] 2015 SCD Memorandum, *supra* note 822, at 4.
[831] DeProspero-Philpot Tr., *supra* note 321, at 132.

> And these three individuals now oversee this entire hiring and security. And you have individuals, non-1811s, such as me and quite a few other individuals, who have that experience, but they don't want to listen.[832]
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> * * *
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> [T]he vast majority of people do not think like we do as security professionals. We are always constantly, "What if? What if? What if?"[833]
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> * * *
>
> This is where I go back to having the appropriate people managing some of these divisions when they don't have any experience.[834]

DeProspero-Philpot also noted the problems with locating the security officer under human resources:

> [M]y division should never have stayed under HUM [Human Resources]. That is a true conflict. . . . I said, "It's not my division's mission to hire people. We don't hire people. We determine eligibility for access to classified information. That is a requirement for someone to be hired, but we don't hire." And when you have HR and security under the same directorate, there is going to be a conflict. Because, primarily, . . . their mission is to hire a well-qualified, diverse workforce.[835]

She further explained:

> [A.] It was a lack of exposure to the importance of our mission. Because when you look at the overall directorate of HUM, it's HR. And so there was, you know, such priorities as the learning management system, the merit promotion process. It was more or less all the priorities were geared towards the HR functions. And, again, our Office of Security, we were the—you know, we liked to call ourselves the bastard children of the directorate. . . . And, to be quite honest with you, you know, there are certain elements of the agency that look at us and, when we try to bring up the what-if scenarios, such as our counterintelligence and our security clearance processes—you know, in my former role, I was on the Security Executive Agent Committee and met with the DNI on a quarterly basis, and I went to various security conferences, and you

[832] *Id.* at 132-133.
[833] *Id.* at 172.
[834] *Id.* at 147-148.
[835] *Id.* at 95.

> realize the potential threats . . . [W]ith our protective mission, you would think that it would be looked upon, what we do, as very, very, very significant and important. . . . So that was more or less the frustration that I had, that HR just did not think like security professionals. And that was just very evident to me, that we were not – we were not paid attention to.
>
> Q. So do you feel that HR took your security concerns seriously enough?
>
> A. No. They don't.
>
> Q. Just to be clear, that's both in the present as well as even in the past?
>
> A. Yes.
>
> Q. 2015 and before?
>
> A. Yes.[836]
>
> * * *
>
> [A.] I think the alignment was incredibly wrong. We needed focus, we needed exposure, we needed support. And we just did not get that.[837]

In 2015, current Office of Human Resources and Training management began conducting a restructuring of SCD. According to DeProspero-Philpot, that has resulted in specific changes to the security clearance process which fail to minimize the risks to national security. Several of these changes are described in the sections below.

Further, DeProspero-Philpot stated that restructuring a security office is governed by DHS instructions and directives which require USSS to collaborate with the DHS Office of the Chief Security Officer in hiring a Chief Security Officer.[838] Yet according to DeProspero-Philpot, when she informed the Chief of DHS's Security Compliance Review Unit Michael Ness of the changes, he was unaware of the requirements:

> I proceeded to tell him what was happening. And he said, *really*? Well, he said, you make sure that you let me know on our—when we come in and do our pre-brief, to let me know what has changed. And I said, okay.

[836] *Id.* at 146-147.
[837] *Id.* at 148.
[838] *Id.* at 92-93.

> And I said, do you know whether or not they consulted about this? He said, absolutely not.[839]

DeProspero-Philpot recommended restructuring SCD by moving it under USSS's Chief Operating Officer:

> [A.] [B]eing that our division is charged with all the various security disciplines and it kind of touches all of the directorates, I think that we would best be served under the Chief Operating Officer right now.
>
> Q. Okay.
>
> A. As a separate entity under a Chief Security Officer with security experience. . . . I just think, you know, being a separate entity—you know, if you look at the vast majority of security offices in the Federal Government, either it resides under the Office of Internal Affairs or Office of Professional Responsibility or as a separate entity under very, very high-level management.[840]
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> * * *
>
> [A.] Then you would have a Chief Security Officer who dealt directly with that COO to advise on upcoming mandates, any kind of obstacles, any potential issues that are occurring from over the purview of my division, that type of thing.[841]

RECOMMENDATION:	**USSS should consider moving the Security Clearance Division under the Chief Operating Officer and ensure that any employee occupying the Chief Security Officer position has the requisite experience.**

iii. Overall Timeline for Clearances

FINDING:	**USSS practice for processing security clearances appears to result in the agency issuing security clearances three times faster than the pace recommended by the Office of the Director of National Intelligence.**

Government-wide, all applicants for security clearances with the federal government must complete Standard Form 86 (SF-86).[842] Once an applicant for employment with USSS

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[839] *Id.* at 94-95.
[840] *Id.* at 166-167.
[841] *Id.* at 168.
[842] Aug. 20, 2015 USSS HUM Briefing, *supra* note 644.

completes an SF-86, SCD conducts an initial review of the form, then assigns it to a local USSS field office to conduct a security interview of the applicant.[843] An interview is conducted by a special agent in the field office. Upon conducting the interview, the field office provides the results to SCD to review.[844] If SCD approves an applicant moving beyond the security interview stage, the applicant is then administered a full-scope polygraph examination, also usually at a local USSS field office.[845] The results of those examinations are provided to the Forensic Services Division at USSS headquarters for quality control, then once again to SCD for review.[846] At that stage, if the applicant is successfully approved to continue in the process, SCD initiates the background investigation.[847]

Background investigations at USSS are parceled out into several elements: SCD scopes out the investigation, determines which cities need to be visited (in order to verify information regarding the applicant's birth, family, education, employers, etc.), and then assigns the elements to various local field offices to investigate.[848] This could result in as many as 25 different field offices conducting elements of the investigation.[849] Once initial investigation results come back from USSS field offices, SCD finalizes the background investigation by conducting various checks of federal criminal and other databases.

Once USSS has conducted initial checks, an applicant's file goes before the aforementioned hiring panel. If the applicant is approved by the hiring panel, USSS's practice is to offer the applicant space in the next training class at the Federal Law Enforcement Training Center in Glynco, Georgia. However, the offer is contingent upon the final checks of the background investigation yielding non-adverse results while the individual is in training, so the new employee may be issued a security clearance. USSS calls this practice "hiring contingent."

USSS told the Committee that Office of the Director of National Intelligence (ODNI) guidelines provide a target of 114 days to complete a security clearance investigation, from initiation to adjudication.[850] DeProspero-Philpot emphasized the ODNI timelines are for a clean case.[851] However, she said USSS leadership provides SCD with only a third of that time to complete their work.[852]

According to DeProspero-Philpot, this directive impacts all branches of SCD. She stated of the Counterintelligence Branch:

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[843] *Id.*
[844] *Id.*
[845] *Id.*
[846] *Id.*
[847] *Id.*
[848] *Id.*
[849] DeProspero-Philpot Tr., *supra* note 321, at 31.
[850] Aug. 20, 2015 USSS HUM Briefing, *supra* note 644; DeProspero-Philpot Tr., *supra* note 321, at 64.
[851] DeProspero-Philpot Tr., *supra* note 321, at 64, 67-68.
[852] *Id.* at 65.

> I know they are being rushed. You know, if you have a file that's this thick, you have never seen this file before, and now all of a sudden someone within the Personnel Security Branch is asking you to take a look at this and make a counterintelligence assessment on this case, it's not going to take you an hour to do this; it's going to take you several hours to do that. And Personnel Security Branch is getting rushed by the [Human Resources] directorate, "Hey, get this person to the hiring panel." . . . [I]t's a mess, you know. And then now my counterintelligence branch chief or analyst is feeling that pressure to get it done.[853]

As DeProspero-Philpot put it, after repeatedly communicating to USSS management that SCD "could not maintain the pace,"[854] SCD arrived at the conclusion that "[a]ll they care about is butts in seats."[855]

DeProspero-Philpot suggested that a good security clearance background check should take approximately 120 days.[856] DeProspero-Philpot summed up: "[Y]ou have to allow ample enough time to ensure that the risk of hiring anybody is brought down to a minimum level."[857] She further explained:

> Q. So what you're saying . . . is that a higher quality investigation would further minimize the risks to national security once somebody is actually approved?
>
> A. Correct.
>
> Q. That would be ideal?
>
> A. Correct.[858]

RECOMMENDATION:	**USSS should allow at least as much time as the 114-day ODNI timeline for issuing security clearances.**

iv. Investigation Timelines for Local Field Offices

FINDING:	**USSS may have afforded special agents as little as three to ten days to conduct security clearance background investigations.**

[853] *Id.* at 97.
[854] *Id.* at 29.
[855] *Id.* at 100.
[856] *Id.* at 67-68.
[857] *Id.* at 65-66.
[858] *Id.* at 66.

Special agents in local field offices are given fourteen days to complete the initial security interview. Agents receive the same amount of time to complete whatever elements of the background investigation they are subsequently assigned. Individual agents usually handle multiple applications and are thus conducting the investigations concurrently. DeProspero-Philpot noted this duty is not the primary assignment any special agent has:

> [T]hose are 1811s, the vast majority of them. They have protective assignments. Right now they're probably going up to the U.N. They do have collateral duties than primarily the background investigation. . . . [T]hey don't just sit there and wait for updates and background investigations to come in.[859]

DeProspero-Philpot expressed concerns with the length of time agents receive for both stages of this process (the security interview as well as the background investigations). DeProspero-Philpot stated:

> That investigator, when they are getting ready to do a security interview, again, fitting these other duties in, they have to review that entire packet of forms. And I think if you have ever filled out an [SF-86], it's 127 pages now. . . . You want to be able to conduct a good security interview, it should take anywhere from 2 to 3 hours because you are trying to develop leads, number one. You're trying to ensure the veracity of the applicant's form and obtain any kind of additional information, make sure that this individual knows that . . . this interview is done under sworn declaration. And integrity is a big part of having a clearance.[860]

Therefore, once the security interview is assigned out to the field, DeProspero-Philpot recommended giving agents approximately one month for the interview to be reviewed, conducted, and sent back to SCD.[861]

Similarly, DeProspero-Philpot recommended a significantly lengthier window for the background investigation:

> We've got background investigations that are going out with a 14-day due date. Now, are the field offices actually spending 14 days doing that? I highly doubt it. So that impacts the quality of the investigation. . . . [B]ack in the good old days, these offices were given 45 to 60 days to do their background investigations. And the minute that they developed questionable information, they would go out and they would attempt to develop leads to fully, fully mitigate any type of questionable information. . . . I would get a call from an agent out in the field going: There's just

[859] *Id.* at 51.
[860] *Id.* at 51-52.
[861] *Id.*

> something not here that . . . I can't put my finger on it. Is it okay, have you got anything else, do you have any other information? . . . What do you think I should do? That's where the Personnel Security side of the house, our experience, we could say: Well, maybe we can go down this road. Let's start, maybe I can review this, I'll get back to you. . . . [T]hat's the type of conversations, discussions that are not taking place right now because of that "get it done, get it done, get it done." I'm not saying they're cutting any corners. They're getting done exactly what we told them to do. But, you know, more could be done.[862]

DeProspero-Philpot also indicated that this year USSS leadership tried to additionally shorten the amount of time given to field offices to conduct background investigations:

> I was notified in January of this year by Deputy Assistant Director Fred Sellers that they wanted to reduce the due date for or the completion time for investigations field portion to 10 days. I strongly recommended against that. I advised him that the quality was going to suffer and that I truly, honestly did not believe that the field could comply with the 10-day due date background, that I was going to be overrun with what we call requests for extensions, and that I was very concerned from a security standpoint. He advised to me that the front office wanted that . . . [m]eaning the Director and Deputy Director wanted that. And then I said to him well, of course, if that's what they want, then we will comply. But I want to go on record that I strongly am opposed to this.[863]

DeProspero-Philpot said USSS usually approved requests for extensions.[864] However, providing such a short timetable increases the likelihood that corners will be cut. Not until after the news broke that many UD officers did not have clearances did USSS revert back to the 14-day timeframe.[865]

Since much of the background investigation process is conducted in the field, its management is actually conducted under the Office of Investigations, not the Office of Human Resources and Training. The Committee received an allegation that in late February 2015, all local field office SAICs across the country received an email from James Helminski, a Deputy Assistant Director in the Office of Investigations. Helminski allegedly indicated that since an upcoming training class in March needed to be filled, all background investigations needed to be expedited to 3 days. DeProspero-Philpot said she was not aware of this email and had not given approval for it.[866] The shortened timeframe allegedly resulted in various field offices being unable to resolve simple

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[862] *Id.* at 65-66.
[863] *Id.* at 71.
[864] *Id.* at 75.
[865] *Id.* at 86-87.
[866] DeProspero-Philpot Tr., *supra* note 321, at 76-77.

questions such as whether dual citizens had renounced their foreign nationality, or to visit local police offices to resolve derogatory information from the SF-86.

RECOMMENDATION:	**USSS should provide sufficient time for special agents to conduct clearance background investigations.**

v. Consistency for Former Employees

FINDING:	**USSS re-hiring of former employees without requiring them to undergo an updated physical examination, polygraph, or background investigation poses security risks.**

USSS historically maintained a policy that, if any of its personnel left the agency for more than a year, re-hiring them required recompleting certain vetting procedures. Even if a former employee maintained a security clearance with another agency during their separation from USSS, the agency nevertheless completed an updated physical examination, polygraph, and background investigation to ensure that no additional problems had developed during the time of separation.[867] Earlier this year, USSS eliminated this policy.[868] According to DeProspero-Philpot, removing these requirements was a mistake:

> [I]f you were gone longer than a year, we would repolygraph you to make sure that there were no red flag issues there. And if necessary, we would update your background investigation. We would definitely want to know why you left your other employment, that type of thing.[869]
>
> * * *
>
> Whether or not the other agency hired you under the reciprocity laws, that's one thing. But now we're talking as to whether or not you are medically eligible to perform the duties of an agent. And, again, Secret Service policy is that if you leave the Secret Service and you've been gone longer than a year you are required to retake a polygraph examination.[870]
>
> * * *
>
> [Y]ou don't know what has happened however long that they've been gone. . . . [Y]ou have no idea why they are leaving their previous employment. I mean, if they left under bad circumstances, that's something that I would want to check into. . . . [Y]ou would have had information as to the polygraph, you would have had information as to

[867] *Id.* at 122, 123-124, 149.
[868] *Id.* at 122.
[869] *Id.* at 124.
[870] *Id.* at 123.

> whether or not they are still medically eligible to come back onboard, and we would definitely want to have a background investigation, at least do interviews with respect to their recent employment.[871]

Despite DeProspero-Philpot's opposition, in 2015 at least six applicants have been re-hired by USSS without being required to go through any of the security or medical vetting process.[872] DeProspero-Philpot did not know if these six individuals have any relationships with existing USSS personnel.[873]

RECOMMENDATION:	**Re-hired employees at USSS should receive an updated physical examination, polygraph, and background investigation.**

vi. Database Name Checks

FINDING:	**USSS's hiring panel does not appear to always have access to the results of FBI background checks.**

DHS Personnel Suitability and Security guidelines require that all component agencies conduct an investigative name check of FBI databases.[874] DeProspero-Philpot said of the investigative process:

> It is mandatory that you conduct an FBI investigative name check. And that check primarily is one of those checks that produces the most if there's going to be questionable or derogatory information. So it had been my policy always to not hire anything contingent if we had those checks outstanding.[875]

Yet, DeProspero-Philpot told the Committee that in the spring of 2015, USSS began "hiring contingent" even prior to receiving the results of the FBI name check:

> Q. And were there ever pressures to try and cut any corners in that process?
>
> A. Yes.
>
> Q. Can you tell us more about that?

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[871] *Id.* at 122-123.
[872] *Id.* at 122.
[873] *Id.* at 136-137.
[874] Office of the Chief Sec. Officer, Dep't of Homeland Sec., Instruction Handbook 121-01-007, Personnel Suitability and Sec. Program (June 2009), at 22.
[875] DeProspero-Philpot Tr., *supra* note 321, at 32.

A. The FBI investigative name check that I mentioned. In order to contingent-hire people, I did not want my staff to put before a hiring panel any applicant where we had not received the FBI investigative name checks back on either them and/or their foreign-born contacts or relatives.

Q. But it happened anyway?

A. It did.

Q. In just one case or multiple cases?

A. It depends on the timeframe. There were definitely initially . . . times when I was asked whether or not, would it be a security risk to present some of these, some of them. I said yes, because they had a heavy foreign nexus. And I was told that . . . [i]t was eight people that were in a class thus far. They wanted to hire at least a half a class. And so I was told to make sure that those four cases went before the hiring panel on the following Monday morning.[876]

Although USSS cancelled that particular training class, the issue came up again after news of the incomplete clearances broke in June.[877] Deputy Director Craig Magaw raised with DeProspero-Philpot the ten-day due date for the background investigation, as well as the new practice of bringing candidates before the hiring panel without having the results of the FBI name check.[878] Magaw first asked who told directed her to change these measures.[879] Then, according to DeProspero-Philpot, "[H]e asked me my personal opinion, do you see that as a security risk? I said I do."[880] Notwithstanding what she told the Deputy Director, a few weeks later DeProspero-Philpot received instructions that, effective immediately, all files were to go before the hiring panel prior to USSS receiving the results of the FBI investigative name check.[881]

RECOMMENDATION:	**USSS should not present applicants to the hiring panel until FBI background checks have been completed.**

vii. Changes to USSS Hiring Panel

FINDING:	**Since adopting the new hiring system in 2013, USSS may hire less qualified applicants.**

[876] *Id.* at 84-85.
[877] *Id.* at 85-86.
[878] *Id.*
[879] *Id.* at 86.
[880] *Id.*
[881] *Id.* at 19-20.

As described above, USSS utilizes a hiring panel to make final decisions on new hires at the agency. For many years, DeProspero-Philpot held a seat on the hiring panel, which was historically composed of five or six individuals, depending on the time period.[882] When the panel had six voters, the Assistant Director of Human Resources and Training broke a tie if necessary.[883]

DeProspero-Philpot told the Committee that, since the implementation of the new hiring system in 2013, the number of individuals not making it past the hiring panel had "significantly increased."[884] Yet in March 2015, USSS reduced the panel to three voters and removed DeProspero-Philpot.[885] DeProspero-Philpot believed her demotion and removal from the hiring panel was the result of her objections about security risks.[886] No one has represented SCD on the panel since DeProspero-Philpot's removal,[887] and a higher percentage of applications have been approved for hire by the panel.[888]

DeProspero-Philpot also told the Committee that Deputy Assistant Director Fred Sellers re-presented several rejected applications to the smaller panel.[889] One applicant was even advanced to training after again being rejected by a majority vote of the smaller panel, with Sellers voting in favor of the applicant.[890] DeProspero-Philpot said of the applicant:

> I was very concerned about the derogatory information that was included in the synopsis presented to the hiring panel. . . . [T]he primary reason that I was very concerned was there was information pertaining to this applicant's potentially putting a gun to his former girlfriend's head and threatening [her]. . . . [I]f there was an interest in pursuing this applicant, I would have wanted to go out and at least try to interview friends of his, friends of hers, any potential witnesses to any previous or ongoing domestic problems between the two of them before we would even entertain putting him in a class. And from what I saw on the synopsis, there had been no follow-up on that investigation.[891]

DeProspero-Philpot did not know why the individual was placed in a training class,[892] which violated the historical practice that the majority vote of the panel prevailed.[893] However, she

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[882] *Id.* at 98-99, 137.
[883] *Id.* at 137.
[884] *Id.* at 129.
[885] *Id.* at 87, 98-99, 126-127.
[886] *Id.* at 87-88.
[887] *Id.* at 98-99.
[888] *Id.* at 99.
[889] *Id.* at 124-125.
[890] *Id.*
[891] *Id.* at 125-126.
[892] *Id.* at 125.
[893] *Id.* at 136.

heard unconfirmed information that the Assistant Director had been given the authority to override the hiring panel.[894]

RECOMMENDATION:	USSS's Security Clearance Division should participate in all hiring decisions to ensure the importance of national security.

viii. Employees on Job without Clearances

FINDING:	At times, USSS has allowed agents, officers, and APT staff to begin their service without having a fully processed security clearance.

As outlined above, each applicant to USSS is "hired contingent," meaning that a job offer is made to an applicant who begins training prior to receiving a security clearance. Training at FLETC takes approximately eight to nine weeks, depending on the course; thereafter, USSS officers and special agents receive position-specific training at USSS's James J. Rowley Training Center in Beltsville, Maryland. USSS told the Committee that it is able to "hire contingent" because the agency can still make a final determination of eligibility for a security clearance while an individual is in training. Yet despite it being a requirement for employment at USSS that an individual hold a security clearance (not just be eligible for one), the agency has allowed its employees to begin service without holding a clearance.

According to press reports, in early June 2015, whistleblowers alleged that Uniformed Division officers finished training, received a posting at the White House, and gained access to classified information—all without having been issued their security clearances.[895] Allegedly, USSS removed one UD officer from duty in the West Wing after discovering he did not hold a security clearance.

On June 5, 2015, Government Operations Subcommittee Chairman Mark Meadows spoke with Director Clancy, who acknowledged that the practice of posting uncleared UD officers at the White House dated back to 2013. On June 9, 2015, the *Washington Post* reported that a USSS official said, "Clancy promised to fix the problem as soon as possible."[896] The same day, a document provided by USSS to Congress indicated that some 133 USSS employees—over eleven dozen—lacked security clearances despite completing training. The number included APT staff, special agents, and UD officers posted both at the White House and the Vice President's residence.[897]

DeProspero-Philpot said that the backlog resulted from SCD being directed to purely focus on getting individuals into training classes, rather than focusing its resources on the other

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[894] *Id.*
[895] June 9, 2015 Washington Post article, *supra* note 37.
[896] *Id.*
[897] Office of Gov't & Pub. Affairs, U.S. Secret Service, *Security Clearance Information* (June 9, 2015) [hereinafter Security Clearance Information].

end of the process by finalizing clearances for the individuals who come out of those classes.[898] DeProspero-Philpot said "we were told in no uncertain terms that our first priority was to process these applicants and hire them—hire, hire, hire, hire."[899] This management directive resulted in a pile of clearance applications for which all investigating had been completed, but which had not been adjudicated so the individual formally received a security clearance. According to DeProspero-Philpot:

> With respect to what happened with the Uniformed Division officers . . . what ended up happening was we hired those individuals contingent. In the vast, vast majority of those cases, the pending information had come into my branch, and it was more or less—and I'm being demonstrative here—"Okay, everything is in. Good. Good to go for a TS clearance. Put it over here in this pile." Because my branch is getting the constant message of: "Forget about that. Hire, hire, hire."
>
> So this is over here pending a TS, but, in actuality, they have been favorably adjudicated. Because it's not just like, "Okay, good, issue the TS." There is probably a good hour to an hour and a half of administrative-type duties that go into closing out a case and issuing the TS clearance. You have to update databases. You have to finalize typing a report. You have to strip out the file; again, update databases, type up things, issue the clearance, so on and so forth. So that's a lot of work. It's important work, but it takes time. And it was a constant message of hire, hire, hire. So we're constantly trying to open backgrounds. And, again, the strongest emphasis I can make is that we did not have enough people to do this. I needed twice as many people to do this.[900]

Because SCD only needed to complete these administrative duties before issuing the clearances, SCD "adjudicated" seventy files on the weekend on June 6-7, 2015.[901] The next week SCD adjudicated and processed the remaining sixty-three, which included special agents, APT staff, and UD officers assigned to the White House, the Vice President's residence, and various foreign embassies.[902]

Within weeks of the public revelations about clearances, on July 10, 2015, Director Clancy sent Subcommittee Chairman Meadows a follow-up letter stating that "none of the Officers had access to or participated in any meetings involving the dissemination of information classified as TS/SCI."[903] Director Clancy noted "[a]s a matter of policy and practice, information classified as TS/SCI is not authorized to be discussed outside of an approved Secure

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[898] DeProspero-Philpot Tr., *supra* note 321, at 29, 33, 144-145.
[899] *Id.* at 29.
[900] *Id.* at 33.
[901] Security Clearance Information, *supra* note 897.
[902] *Id.*
[903] Letter from Hon. Joseph Clancy, Dir., U.S. Secret Service, to Hon. Mark Meadows, Chairman, Subcomm. on Gov't Operations (July 10, 2015).

Compartmented Information Facility (SCIF)."[904] Yet Clancy's letter glaringly omitted mention of information classified Secret or even Top Secret, which do *not* require being discussed in a SCIF. DeProspero-Philpot acknowledged that agents and officers holding clearances were frequently exposed to Secret and Top Secret information,[905] and stated, "A SCIF is only required when you're discussing SCI information. So when it's a collateral, TS, or Secret, then the precautions are made as to how you are relaying that information."[906] Such precautions include talking in an area that is routinely swept—such as the West Wing of the White House. As the *Washington Post* noted, "Agents and officers, as part of their work guarding the White House grounds and protecting the president and top aides, are sometimes present for meetings and briefings where classified information is discussed."[907]

The letter also seemed to ignore the realities of working at the White House, where White House staff would not necessarily know which USSS officers hold clearances and which don't—particularly since it is widely understood that USSS personnel hold TS/SCI clearances as a condition of their employment.

Such confusion would apparently not be limited to White House staff. DeProspero-Philpot said that SCD relies on the management of USSS divisions to communicate to the proper supervisors which employees had not yet received their security clearances.[908] The Committee's investigation suggests that this information was not being properly conveyed. According to DeProspero-Philpot:

> [I]n the beginning of May, I know that there was a Uniformed Division officer who apparently was acting as the spokesman for some other Uniformed Division officers who contacted my division and talked to my ASAIC and said: I know that I don't have a clearance, and I think I'm being exposed to classified information.
>
> My ASAIC then asked him: Did you tell your supervisor? And that employee basically stated: I did. There was a comment made that: Do you have a gun? Do you have a badge? Yes. Well, then, you're cleared.[909]

DeProspero-Philpot said that in this particular instance, "Based on what that Uniformed Division officer said, my ASAIC did not feel that [the information in question] was classified."[910] Nevertheless, DeProspero-Philpot acknowledged that this supervisor's belief that having a gun and badge meant someone was cleared was "absolutely" problematic given the responsibility of managers to make sure their personnel are not exposed to classified information.[911]

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[904] *Id.*
[905] DeProspero-Philpot Tr., *supra* note 321, at 142.
[906] *Id.* at 141-142.
[907] WASH. POST June 9, 2015 article, *supra* note 37.
[908] DeProspero-Philpot Tr., *supra* note 321, at 140-141.
[909] *Id.* at 106.
[910] *Id.*
[911] *Id.* at 139.

Several indications suggest a disconnect between USSS's Office of Human Resources and Training and the UD. DeProspero-Philpot did not know how the UD addresses this issue:

> Q. What kind of training do managers get in order to make sure that they're aware of which of their staff have clearances and what the implications of that are?
>
> A. Again, I'm not quite sure exactly what the Office of the Chief of the Uniformed Division has implemented. This is not a new process. We regularly hire people contingent. We give them that memorandum. It's not up to us to implement the procedures; it's them. So I really can't comment on the training. . . . [O]nce we have issued that memorandum . . . we are presuming that you are going through the steps, once you assign someone to a certain post of duty, that you're informing the managers as to, "This person does not have a clearance yet. Make sure that they're not exposed."[912]

DeProspero-Philpot described meetings which suggest leadership for the Office of Human Resources and Training did not know how the UD operated:

> My ASAIC and myself had a meeting with Assistant Director Triplett, Deputy Assistant Director Sellers, Deputy Assistant Director Linda Williams. We were talking about some of the initiatives that were going on in my division, and this topic came up. And all I can tell you about that conversation is that Mr. Sellers, as well as Ms. Williams, were former Uniformed Division officers. And at that point, they started to . . . discuss where are these Uniformed Division officers going immediately after graduation? And they [said] something to the effect of: Wow, they are going straight over to the House. You know, why wouldn't they go over to foreign missions. You know, that apparently was somewhat of a change in policy from the 20 years prior or whatever that they had been on UD, that type of thing. Well, what kind of information would they be exposed to if they were over at the House, so on and so forth.[913]

According to DeProspero-Philpot, the group concluded that UD officers "probably would not be exposed to classified information," but apparently this conversation spurred further communication between Human Resources and other parts of the agency. According to the written summary USSS provided to Congress on the clearance issue, on June 1, Assistant

[912] *Id.* at 139-141.
[913] *Id.* at 108.

Director Triplett "advised[] that in fact there was an issue with some of the Top Secret Clearances for UD Officers and special agents."[914]

Further, the incident described by DeProspero-Philpot took place around the same time as when USSS allegedly removed an officer from duty in the West Wing—if true, a seemingly clear acknowledgement that the UD improperly posted officers without clearances.

In 2016, DHS OIG plans to conduct an inspection of USSS's practices of hiring and deploying personnel without completing the security clearance process.[915] The Committee looks forward to receiving the findings of this inspection.

RECOMMENDATION:	**USSS should ensure that all security concerns and administrative checks are settled before an employee is put on duty.**

[INTENTIONALLY BLANK]

[914] *Id.*

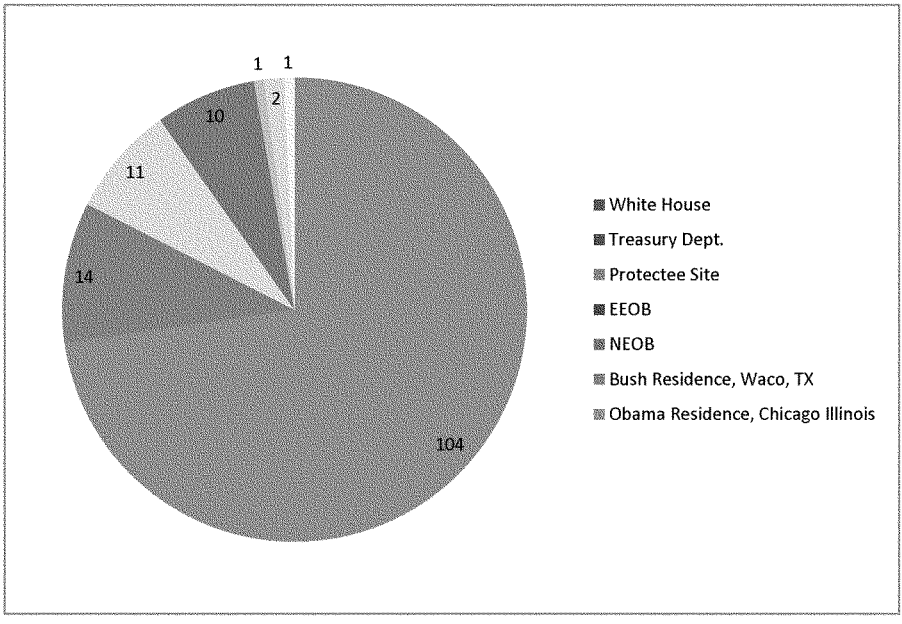
[915] Office of Inspector Gen., Dep't of Homeland Sec., *Fiscal Year 2016 Annual Performance Plan* (Oct. 5, 2015).

VI. Security Breaches

FINDING: Over the last 10 years, there have been 143 security breaches and attempted security breaches at secured facilities which resulted in an arrest, 13 of which resulted in jail time.

USSS provided the Committee with data regarding attempted or actual security breaches at secured facilities from April 2005 to April 21, 2015.[916] While this data only captured known incidents that resulted in arrests and charges, it is apparent that security incidents occur frequently, and the agency must therefore be prepared to deter and respond to breaches at all times.

Unsurprisingly, the White House is the location of the large majority of security incidents at protected sites.[917]



[916] Protective Intelligence & Assessment Div., U.S. Secret Service, *Security Incidents from April 1, 2014 to April 21, 2015* (Apr. 23, 2015); Letter from R. Christopher Stanley, Dep. Asst. Dir., Gov't & Pub. Affairs, U.S. Secret Service to Hon. Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform (Sept. 18, 2015) [collectively hereinafter 2005-2015 Security Incidents].

[917] 2005-2015 Security Incidents, *supra* note 916.

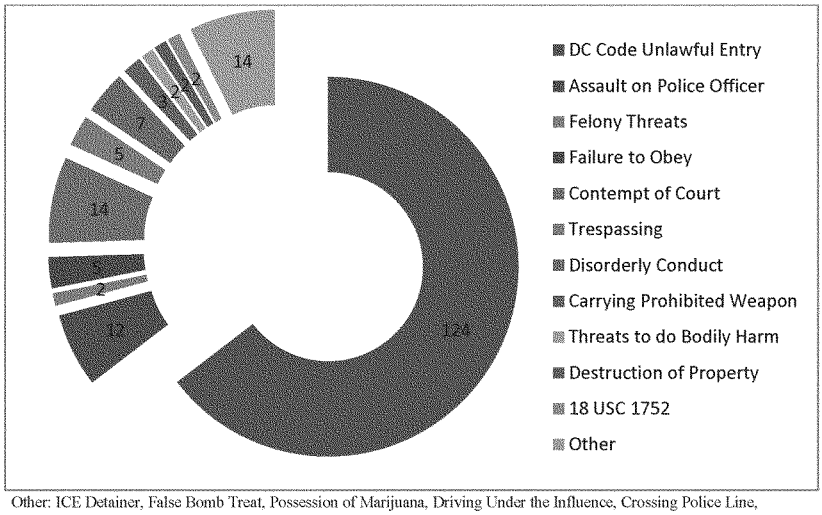
In July 2015, the Secret Service announced that it would install "removable anti-climb feature consisting of sharp metal points" on top of the White House fence in order to "deter and inhibit individuals who may attempt to climb over the fence."[918] On November 26, 2015, a man was able to scale the fence while carrying a binder, making it past the new fence enhancements, and land on White House grounds.[919] The man then raised his arms and laid down on the ground until he was apprehended.[920] At the time, President Obama and his family were inside the White House celebrating Thanksgiving.[921]



Photo courtesy of Vanessa Peña

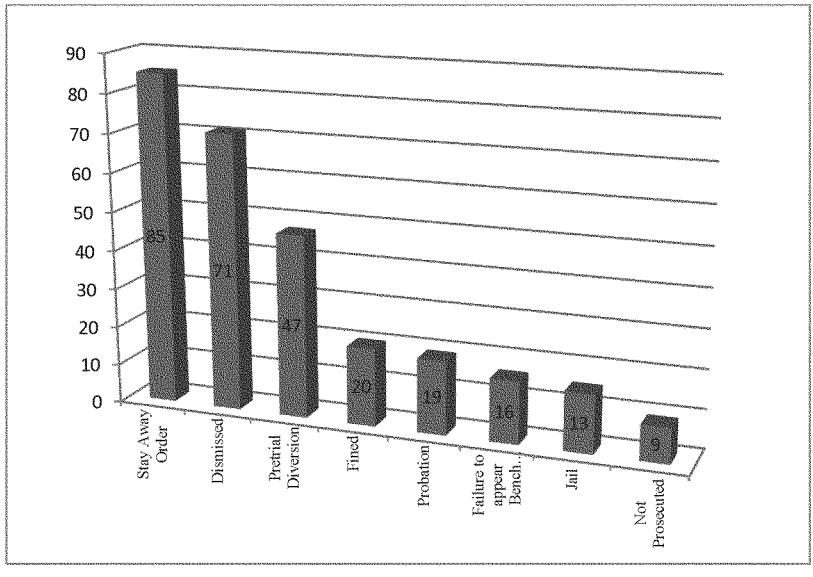
Most security incidents result in an unlawful entry charge. Some arrests result in multiple charges.[922]

[918] U.S. Secret Service, Press Release, *Agencies Announce Implementation Timeline for Enhanced Security for White House Complex* (May 7, 2015).
[919] Lynh Bui and Ashley Halsey III, *He said, 'Alright, let's do this.' Then he jumped the White House fence*, WASH. POST, Nov. 26,2015.
[920] *Id.*
[921] *Id.*
[922] 2005-2015 Security Incidents, *supra* note 916.

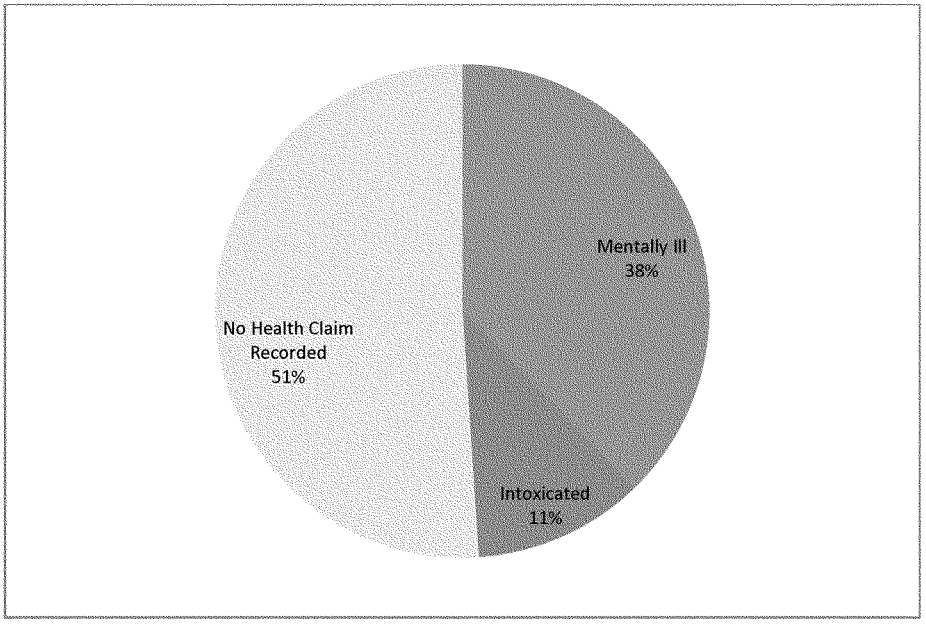


Other: ICE Detainer, False Bomb Treat, Possession of Marijuana, Driving Under the Influence, Crossing Police Line, Possession of a Firearm, Causing a Nuisance in Water, 18 USC 111, 1361, Unregistered Ammunition, Obstruction of Official Business, Traffic Offense, Possession of Large Capacity Ammunition Feeding Device

Despite the seriousness of committing or attempting a security breach, the vast majority of arrests result in the dismissal of charges or the issuance of a stay away order rather than in jail time. Note that some arrests result in multiple adjudications.



That a large number of those involved in the incidents are mentally ill or intoxicated is likely a significant contributing factor.[923]



The Committee's investigation did not cover issues of prosecution, sentencing, and mental illness related to actual and attempted breaches at protected sites. The Committee believes actual and attempted security breaches merit punishment to the fullest extent of the law.

[INTENTIONALLY BLANK]

[923] *Id.*

VII. Reconsideration of Mission

FINDING: USSS's mission has dramatically expanded.

As the Protective Mission Panel reported, the primary mission of USSS is the protection of the President and other elected leaders and foreign dignitaries.[924] The agency's dual-mission structure may result in distracting from its primary mission and thus deserves reconsideration. USSS emphasizes that the investigative mission supports the protective mission by developing agents' law enforcement skills. USSS will have to critically weigh when the investigative mission directly contributes to the protective mission or is outweighed by the distraction. USSS is facing massive staffing problems and is consistently pulling agents from around the country to assist with protection, as well as losing agents prematurely as a result of transfers to the Washington, D.C. area. Simultaneously, the threat landscape for both protection and investigations is becoming more complex. Rather than expand non-essential missions during a time of staffing shortages, USSS should focus on protecting the president and other protectees.

1. History of Mission Growth

In order to understand USSS's current dual-mission, it is necessary to understand the origins and growth of the agency. USSS was created in 1865 to investigate counterfeit currency.[925] Counterfeit currency was a major problem during the Civil War, when it comprised one-third to one-half of the money in circulation and continued to be widespread even after a national currency was adopted in 1862.[926] Counterfeit currency now makes up less than .01 percent of the money in circulation.[927] In its early stages, USSS engaged in investigations into the broad category of people committing "frauds against the government," which included the Ku Klux Klan, non-conforming distillers, smugglers, mail robbers, and land frauds.[928] USSS conducted espionage activities during the Spanish-American War and World War I and investigated land fraud in the early 1900s.[929]

In 1894, per his request, USSS began informally protecting President Grover Cleveland on a part-time basis.[930] After President McKinley was assassinated in 1901, Congress informally asked for USSS to protect the President, and soon thereafter there was a permanent presence at

[924] Panel Report Exec. Summary, *supra* note 35, at 1.
[925] U.S. Secret Service, *United States Secret Service: Investigative Mission, available at* http://www.secretservice.gov/investigations.shtml (last accessed May 5, 2015) [hereinafter USSS Website: Investigative Mission].
[926] *Id.*
[927] U.S. Secret Service, Fiscal Year 2016 Strategic Context Congressional Submission.
[928] U.S. Secret Service, *United States Secret Service: Secret Service History, available at* http://www.secretservice.gov/history.shtml (last accessed May 5, 2015) [hereinafter USSS Website: History].
[929] Cong. Research Service, *The U.S. Secret Service: History and Missions*, RL34603 (Dec. 18, 2014) [hereinafter CRS Report on USSS Mission].
[930] *Id.*

the White House. In 1906, Congress provided funds for Presidential protection. The scope and nature of protection has continued to grow over time, notably including:

- 1908: Protection of President-elect.
- 1913: Congress permanently authorized Presidential Protection.
- 1917: Congress authorized permanent protection of the President's immediate family.
- 1922: White House Police Force created (precursor to the Uniformed Division); USSS took supervision over in 1930.
- 1961: Protection of former Presidents and their spouses for a reasonable time.
- 1962: Congress authorized statutory protection of the Vice President and Vice President-elect.
- 1965: Congress authorized protection of former Presidents and spouses during their lifetime and minor children up to age sixteen.
- 1968: USSS assigned to protect major Presidential and Vice-Presidential candidates.
- 1968: The widows of Presidents until death, or remarriage, and their children until age sixteen receive USSS protection.
- 1970: Size and responsibilities of the White House Police extended to include protection of foreign diplomatic missions in the Washington, DC area, and elsewhere as directed; name changed to Executive Protective Service.
- 1971: Congress authorized USSS protection for visiting foreign heads of state/heads of government, and other official foreign guests, as directed.
- 1976: Congress authorized protection of Presidential and Vice Presidential nominees' spouses within 120 days of the November general election.
- 1977: Executive Protective Service name changed to U.S. Secret Service Uniformed Division (UD).
- 1986: Accompanying spouses of visiting foreign head of state or government are authorized protection by Presidential directive.
- 1986: UD assigned responsibility for the security of the U.S. Treasury Building and grounds.

- 1998: Presidential Decision Directive 62 designated USSS as the lead federal agency to coordinate security at designated National Special Security Events (NSSEs).

- 2003: USSS transferred to Department of Homeland Security.[931]

As threats have changed, the nature of protective activities has evolved. The protection that used to be more akin to "bodyguard" duties now includes advance security surveys, coordination with state and local enforcement entities, intelligence analysis, and advanced technology to address evolving threats.[932]

USSS's investigative mission has also grown substantially. In 1948, the investigative mission expanded from being counterfeit-focused to including additional financial crimes when Congress authorized the investigation of crimes against the Federal Deposit Insurance Corporation, federal land banks, joints-stock land banks, and national farm loan associations.[933] The investigative mission has grown in scope drastically in last thirty years. In 1984, USSS was given authority to investigate computer crimes and credit card fraud; in 1990, given joint jurisdiction with the Department of Justice for investigations related to federally-insured financial institutions; and given increased cyber-crime authority in the 2001 Patriot Act.[934] USSS was transferred from the Department of Treasury to the newly created Department of Homeland Security in 2003.[935]

2. Current State of Investigative Mission

USSS's investigative mission includes crimes that involve counterfeit currency, financial institution fraud, computer and telecommunications fraud, false identification documents, access device fraud, advance fee fraud, electronic funds transfers, and money laundering.[936] USSS also plays an important role in facilitating relationships between other law enforcement entities and academia. USSS maintains the Electronic Crimes Task Forces, which focus on identifying and locating international cyber criminals connected to cyber intrusions, bank fraud, data breaches, and other computer-related crimes.[937] Additionally, USSS runs the National Computer Forensic Institute, which provides law enforcement officers, prosecutors, and judges with cyber training and information to combat cybercrime.[938]

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[931] U.S. Secret Service, Protective Operations Manual, *Mission and Authority of Secret Service Protective Operations*, OPO-02 (Aug. 24, 2007).
[932] CRS Report on USSS Mission, *supra* note 929.
[933] *Id.*
[934] USSS Website: History, *supra* note 928.
[935] *Id.*
[936] *Id.*
[937] Dep't of Homeland Sec., *Combatting Cyber Crime*, *available at* http://www.dhs.gov/topic/combating-cyber-crime (last accessed May 5, 2015) [hereinafter "DHS Website: Combatting Cyber Crime].
[938] *Id.*

A majority of USSS's workforce investigates financial crimes.[939] As of September 2014, fifty-two percent of USSS's total workforce were Series 1811 "special agents," who are involved in criminal investigations.[940] This is a higher percentage than the Federal Bureau of Investigation's thirty-nine percent of Series 1811 employees.[941] Most special agents are in USSS's 2,659-person Office of Investigations.[942] On average, these special agents spend only about a third of their time on protection-related activities.[943] This number increased to more than forty-four percent during the 2012 election cycle.[944] These protection activities could include a temporary assignment to a detail, protective intelligence investigations, or developing complex protective operational plans.[945]

Office of Investigations Activity by Man-Hours

Category	Type	FY 2014	FY 2013	FY 2012	FY 2011
Investigations	Financial Crime Investigations	962,891	1,140,616	1,168,712	1,355,969
Investigations	Counterfeit Investigations	466,329	614,181	625,534	703,596
Investigations	Cyber Crime Investigations	503,026	551,952	504,040	473,903
Investigations	Other Criminal Investigations	546,064	602,824	419,273	504,798
Investigations	Other Non-Criminal Investigations	268,178	245,036	274,483	351,022
Protection	Physical Protection	1,665,709	1,759,326	2,457,614	1,593,131
Protection	Protective Intelligence	300,732	284,018	203,186	261,327
Other Duty	Other Duties	284,049	152,252	194,782	284,469
Training	Training	145,989	63,567	144,596	302,014
	Total	5,142,966	5,413,771	5,992,219	5,830,228

Category	Type	FY 2014	FY 2013	FY 2012	FY 2011
Investigations	Financial Crime Investigations	18.7%	21.1%	19.5%	23.3%
Investigations	Counterfeit Investigations	9.1%	11.3%	10.4%	12.1%
Investigations	Cyber Crime Investigations	9.8%	10.2%	8.4%	8.1%
Investigations	Other Criminal Investigations	10.6%	11.1%	7.0%	8.7%
Investigations	Other Non-Criminal Investigations	5.2%	4.5%	4.6%	6.0%
Protection	Physical Protection	32.4%	32.5%	41.0%	27.3%
Protection	Protective Intelligence	5.8%	5.2%	3.4%	4.5%
Other Duty	Other Duties	5.5%	2.8%	3.3%	4.9%
Training	Training	2.8%	1.2%	2.4%	5.2%
	Total	100.0%	100.0%	100.0%	100.0%

U.S. Department of Homeland Security
United States Secret Service

[939] Memorandum from Cong. Research Service to Majority Staff of H. Comm. on Oversight & Gov't Reform, *The Secret Service's Financial Crime and Cybercrime Investigative Mission: Analysis of Overlap with Other Agencies and Potential Issues Re. Shifting Mission Into Another Department/Agency* (May 20, 2015) [hereinafter CRS Memo on U.S. Secret Service Mission Overlap].
[940] *Id.*
[941] *Id.*
[942] Workforce Planning Div., Office of Human Res. and Training, U.S. Secret Service, *FY2015 - Staffing Levels as of PP1504, Mar. 7, 2015*, Mar. 25, 2015.
[943] Mar. 11, 2015 USSS INV Briefing, *supra* note 761.
[944] *Id.*
[945] *Id.*

The Committee found the amount of time special agents are spending on protection is too low, and the amount of special agents involved in criminal investigations is too high. USSS's model should be shifted to address this. This could be accomplished by reducing the investigative responsibilities of USSS.

3. Benefits of Investigative Mission to Protective Mission

USSS maintains the investigative mission provides important benefits to the protective mission. According to USSS, some skills developed in investigations are also used in an agent's protective duty, such as:

- Expertise in handwriting and forgery techniques skills is useful in investigating handwritten letters and suspicious package threats;
- Expertise in investigating electronic and financial crimes skills is useful in investigating threats made on the Internet;
- Tactical operation (i.e. surveillance, arrests, and search warrants) and law enforcement writing (i.e. affidavits, after action reports, and operations plans) skills are useful for both investigations and protection; and
- The partnerships that are created between field offices and local law enforcement are useful for protection events.[946]

The Committee found these skills could be honed elsewhere, or in training, or in a USSS with a much more limited investigative mission. These skill sets are more useful in some protective situations than others; for example, they are more useful in the more technical protective intelligence duties (which account for only about five percent of an agent's time) than in actual physical protection. USSS could focus investigative training on better complementing protective duties if it were not focused on the specific complexities of financial and cybercrime.

USSS has argued that investigative rotations provide a respite from the hyper-vigilance needed on a protective detail, which often consists of unpredictable and long hours.[947] Limiting the agency's investigative duties could also be done in such a way where relief from hyper-vigilance could be preserved. For example, training could fill the vacuum left by removing some investigative duties. It is important to note that employees would not be forced to work as many consecutive shifts if the staffing problems were solved by reducing the strain from manning investigative functions. The problem of tedium and the need for respite from hyper vigilance is not unique to USSS and exists in many law enforcement and military jobs. More prescriptive solutions as to how to manage a special agent's time may be best answered through an outside

[946] *Id.*
[947] CRS Memo on U.S. Secret Service Mission Overlap, *supra* note 939, at 9.

scientific study. Additionally, USSS should focus on relief from hyper vigilance in regards to the Uniformed Division, whose duties are far more tedious and repetitive.

USSS asserts the investigative mission benefits the protective mission by providing special agents who are able to be pulled from the field's 141 domestic offices to assist with protection duties when needed.[948] This "surge capacity" is tapped during large events such as a Presidential election. Protection needs are not always consistent and it is important to have the ability to pull more manpower as required. In the case of National Security Special Events, USSS pulls manpower from other federal agencies, which end up far exceeding the USSS employees working the event.[949] This strategy indicates that USSS does not require their staffing numbers to equal the total staffing need for certain events, thus their current model cannot provide full "surge capacity" without help from other agencies. Even with a smaller investigative mission and a smaller field office presence, USSS could continue to tap other federal resources when a large scale protection event requires the agency to do so.

4. Position of Protective Mission Panel

While noting ways in which skills acquired from performing the investigative mission benefit agents in performing the protective mission, the Protective Mission Panel also considered the possible benefit of shedding non-essential missions and reiterated that the core mission is the protection of the President.[950] The panel wrote:

> For years, the Service has taken on additional missions—in both its protective and investigative roles—but has not matched its request for additional resources to those expanded missions. The Service has to increase the number of agents and, to an even greater extent, increase the size of the Uniformed Division to ensure protection of the White House. We think that a new director should give serious consideration to whether there are collateral or non-essential missions that can be shed, though we believe the Service's investigative mission provides benefits to its protective mission.[951]

The Panel concluded: "[T]he Secret Service cannot lose focus on its core and essential mission: the protection of the current, past, and future Presidents of the United States."[952]

During the February 12, 2015 Committee hearing, members of the Panel expanded on some of those points.[953] Former Deputy Attorney General Mark Filip explained that not all investigative activities benefit the protection mission by the same amount:

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[948] Mar. 11, 2015 USSS INV Briefing, *supra* note 761.
[949] Briefing from Office of Gov't & Pub. Affairs, U.S. Secret Service to H. Comm. on Oversight & Gov't Reform staff (July 30, 2015).
[950] Panel Report Exec. Summary, *supra* note 35, at 5.
[951] *Id.*
[952] *Id.* at 6.
[953] Protective Mission Panel Hearing, *supra* note 610.

> [T]here is certainly some benefits [sic] to be gained from the investigative mission to some extent. Now, there is a continuum in those investigative activities. To the extent, for example, that cyber investigations involve the safety of the First Family, of the President, that is probably going to be part of the core mission of the Secret Service. To the extent that cyber involves looking at whether a movie studio has been hacked, or a health insurance company, or a multinational leak, you know, retail-type entity, that might be further afield, and other parts of the Federal Government that are involved in cyber activities might be better positioned to handle the lead on that, again, all through the core prism of what the main mission of the Secret Service is.
>
> So, you know, we had a couple months to look at this. We don't purport to have the final answers. But we think the guideposts on this will be what is the core mission of the Secret Service, and does this particular activity, whatever it is, further that mission or distract from it?[954]

He also testified:

> We think that the investigative mission in some form is consistent with the protective mission. Some of those skills, some of those technologies dovetail in very nicely. That said, protecting the financial system of the United States is a massive endeavor if there aren't bounds and limits put on it. And it is likely the case—and we think this is important because it also flows through the budgeting and personnel issues—that there has to be a very hard, good-faith look at whether or not investigative functions enhance the ability to protect or distract. And so the issue you have identified is very real. We share that concern. That is one of the most important things we think a new Director and a leadership team is going to have to look at.[955]

Former Associate Attorney General Tom Perrelli stated:

> And let me add on the question, one of the reasons why you find that the investigative mission supports the protective mission is because of the need for surge capacity or additional capacity when the President or other protectees travel, particularly foreign travel, as well as certainly during political campaigns, the arrival of the Pope in the United States, and those kinds of things where you need to be able to draw on a significant force. You also need a period of time, those 4 or 5 years in the field, to train and then ultimately come to Washington to be part of the protective detail. If

[954] *Id.* at 7.
[955] *Id.* at 26.

> you didn't have the investigative mission, you would have a very different looking organization, really focused solely on protection. And that, I think, is, would be a very substantial change with a variety of pros and cons. Ultimately, as a panel, we decided that we think, as Mr. Filip said, that the investigative mission does support that protective mission. But that because we believe that the protective mission is paramount, a new Director has to make some serious choices.[956]

The Committee agrees with the Panel's concerns. Documents and testimony obtained by the Committee show the Director and the Administration should strongly consider adjusting the agency's mission.

5. DHS OIG Report on DHS Cyber Coordination

On September 4, 2015, DHS OIG released an audit of DHS component's coordination in performing their cyber missions. The audit "sought to determine whether [DSHS components'] cyber roles and responsibilities have been well delineated and a process is in place for department-wide information sharing and coordinated responses to cyber incidents and criminal investigations."[957] The audit recommended "DHS develop both a department-wide cyber strategy and training program" and "DHS components must also address the information security deficiencies we identified."[958]

DHS OIG analyzed components with cyber responsibilities within DHS, including Immigration and Customs Enforcement (ICE), the National Protection and Programs Directorate (NPPD), and USSS. In addition to recommending an integrated cyber training program and increased awareness of other component's responsibilities, DHS OIG had some adverse findings about USSS. DHS located vulnerabilities on external and internal websites used by ICE and USSS agents to report investigation statistics, case tracking, and information sharing.[959] USSS recently updated their external website on September 10, 2015.[960] DHS OIG also found USSS was not compliant with certain baseline DHS information security program requirements and Federal Information Security Act requirements and that USSS has "not provided annual specialized training to individuals with significant cyber responsibilities, a DHS requirement."[961]

Many of the findings of this audit concern the "blocking and tackling" of internal cybersecurity. More troublesome than the consequences of USSS's failure to meet this requirement is that USSS is struggling to meet compliance issues related to its role within a larger, bureaucratic DHS. Such a relationship could prove to be a distraction and require a

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[956] *Id.* at 27.
[957] Office of Inspector Gen., Dep't of Homeland Sec., *DHS Can Strengthen Its Cyber Mission Coordination Effort* (Sept. 4, 2015) (OIG-15-140) [hereinafter DHS OIG Cyber Coordination Report].
[958] *Id.* at 1.
[959] *Id.* at 14.
[960] U.S. Secret Service, Press Release, *Secret Service Launches New Website and Mobile App* (Sept. 10, 2015).
[961] DHS OIG Cyber Coordination Report, *supra* note 957, at 18-19.

diversion of resources away from its core mission.

DHS OIG also found USSS personnel expressed that there are very few formal training opportunities for non-technical operators and special agents, and that USSS instead placed more emphasis on training forensics personnel.[962] This suggests that USSS is to an extent consolidating cyber responsibilities with forensic personnel, and not developing special agents who would share a dual function of cyber and protective expertise. If that is the case, it demonstrates that USSS's cyber mission is not as inseparable from its protective mission as advertised.

The findings of this audit are problematic for an agency playing an increasingly important role in the federal government's cybersecurity initiatives.

6. *USSS Master Central Index*

As part of a 2015 DHS OIG investigation into the improper access and distribution of Privacy Act protected information, the Committee became aware of a problematic system for storing sensitive information, the Master Central Index ("MCI"). According to DHS OIG:

> MCI is a 1980's vintage, electronic database and system of records used by the Secret Service to house agency-unique information, including information on individuals who are the subject of criminal, non-criminal, and protective intelligence investigations, Secret Service personnel and applicant data, and other records such as firearms and physical fitness qualifications.[963]

This antiquated legacy system did not seem compatible with the role USSS is trying to establish for itself as a leader in the cyber community.

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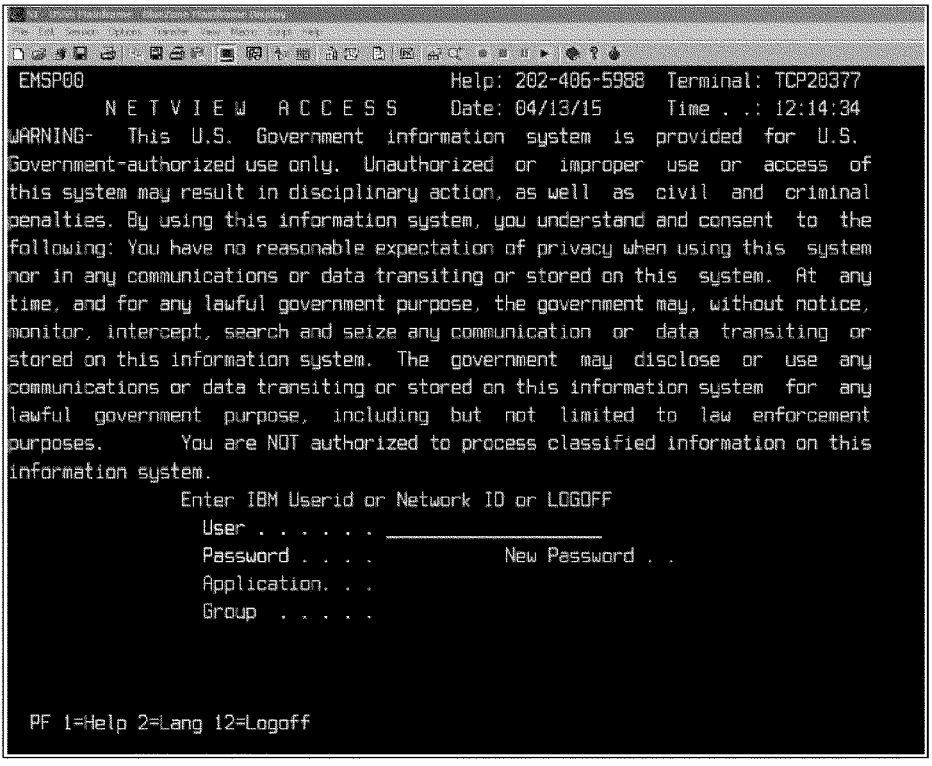
[962] *Id.* at 9.

[963] Memorandum from Hon. John Roth, Inspector Gen., U.S. Dep't of Homeland Sec. to Hon. Jeh C. Johnson, Sec'y, U.S. Dep't of Homeland Sec., and Hon. Joseph Clancy, Dir., U.S. Secret Service, *Investigation into the Improper Access and Distribution of Information Contained Within a Secret Service Data System* (Sept. 25, 2015), at 4.



The image above was the warning screen that reminded a USSS employee to only use or access information that is authorized.[964] Once past this warning screen, an employee could access troves of sensitive data, including personal identification information such as dates of birth, Social Security numbers, contact information, and other information.[965] Further, the system was not naturally auditable. DHS OIG had to request USSS write its own customized scripts to perform searches to determine who accessed records within the MCI.[966] Without this script, MCI had no usable audit trails.[967]

At a November 17, 2015 hearing, Director Clancy announced that the MCI system had been "officially retired" and that "with respect to applicant records, the number of employees

[964] *Id* at 5.
[965] *Id*.
[966] Briefing from Hon. John Roth, Inspector Gen., Dep't of Homeland Sec. to Hon. Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform (Sept. 30, 2015).
[967] *Id*.

with access to the new system has been reduced by more than 95 percent."[968] DHS OIG's Office of Technology Audits is currently conducting an audit of the new system and plans to issue final report in February 2016.[969]

The potential for internal improper access to such a wide-range of sensitive information is extremely problematic. A self-enforced warning screen was the only thing which stood between a USSS employee and a bevy of personal information. One egregious example of the potential danger of unauthorized access to government systems occurred in 2013 when a special agent was able to confirm the home address of a woman he had previously approached and unsuccessfully asked out on a date.[970] The agent then traveled from the New York field office to California to visit her.[971] The special agent appeared at her home and asked her out again and was again denied.[972] The woman then took a photograph of his license plate and contacted the police.[973]

7. USSS Not Clear About Priority

USSS has failed to make clear that protection is its ultimate priority. In USSS's 2012 Annual Report, Financial Investigations was listed as "Goal 1" in their Strategic Objectives.[974] Protection was "Goal 2."[975] The report also listed the investigative mission ahead of the protection mission in both the "Mission" and "Vision" sections.[976]

Similarly, USSS has defined its mission differently at times. For example, in a May 2010 internal analysis, USSS defined its mission as:

> The mission of the United States Secret Service is to safeguard the nation's financial infrastructure and payment systems to preserve the integrity of the economy, and to protect national leaders, visiting heads of state and government, designated sites and National Special Security Events (NSSEs).[977]

The same document also lists "mission complexity" (e.g., dual mission, changes in threat complexity for investigations and protection, increased protective and investigative

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[968] *Examining the Ongoing Challenges at the U.S. Secret Service and their Government-wide Implications: Hearing Before the H. Subcomm. on Oversight & Mgmt. Efficiency and S. Subcomm. on Regulatory Affairs & Fed. Mgmt.*, 114th Cong. (Nov. 17, 2015).
[969] *Id.*
[970] Inspection Div., U.S. Secret Service, Special Investigation Case Report Details, Case Number 190-805-0000594 (opened Aug. 5, 2013).
[971] *Id.*
[972] *Id.*
[973] *Id.*
[974] U.S. Secret Service, *Fiscal Year 2012 Annual Report*, at 3.
[975] *Id.*
[976] *Id.*
[977] U.S. Secret Service, Strategic Requirement Planning Process, *Strategically Navigating Future Decisions*, May 2010.

requirements, unknown future protective and investigative requirements changes) as a challenge and constraint which is impacting Protective Operations. Similar documents define the mission in that order. As of now, USSS describes itself as a global crime fighter:

> The U.S. Secret Service has grown from a small bureau staffed by a few operatives in 1865, to a law enforcement organization of nearly 7,000 employees worldwide. Today, the U.S. Secret Service fights crime on a global scale through its field offices located in the United States, Canada, Mexico, South America, Europe, Africa and Asia. The agency works closely with local, state and federal law enforcement agencies. These entities are valued partners of the Secret Service, and they are integral to the agency's investigative and protective mission.[978]

This demonstrates that USSS sees itself as a global law enforcement agency first, and a protection agency second.

The Committee found that USSS's prioritization of its investigative mission is a result of the increase in complexity and volume of cybercrime. According to internal meeting notes obtained by the Committee, USSS may be seeking to create its own cyber division.[979] At that meeting, a senior supervisory agent allegedly acknowledged that his "priority is cyber, cyber, cyber" and "that's the way of the future."[980]

8. *Implementation of Panel Recommendation Regarding Non-Essential Mission*

On October 8, 2015, Committee staff met with Tom Dougherty, Chief Strategy Officer of the Office of Strategic Planning.[981] Dougherty is in charge of tracking the implementation of the Protective Mission Panel's recommendations.[982] Despite repeatedly assuring Committee staff that there were "no sacred cows" in the process of implementing the Panel's recommendations, Dougherty said that USSS has not looked at missions to potentially shed.[983] Dougherty instead referred to the emphasis of the professionalization of APT staff.[984]

A reshuffling of the duties already within USSS does not satisfy the Panel's recommendation that the "new director should give serious consideration to whether there are collateral or non-essential missions that can be shed."[985] USSS has chosen to willfully ignore the Panel's recommendation on this issue.

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[978] USSS Website: History, *supra* note 928

[979] Notes from [redacted] meeting with [USSS leadership] ([redacted], 2015).

[980] *Id.*

[981] Oct. 8, 2015 USSS OSP briefing, *supra* note 373.

[982] *Id.*

[983] *Id.*

[984] *Id.*

[985] Panel Report Exec. Summary, *supra* note 35, at 5.

9. Cyber and Financial Crimes Missions across Government

There are many other entities in the federal government that have significant cyber responsibilities. The FBI has the widest criminal investigative authority; other components within the Department of Homeland Security share some responsibilities with USSS; the Department of Treasury has certain terrorism-related financial foci; the Postal Service has mail fraud authorities; the Central Intelligence Agency has cyber-intelligence authorities; the Department of Defense has military cyber authorities; and the Drug Enforcement Agency has drug-related financial crimes authorities. Simply put, there are many other agencies which have similar or overlapping responsibilities with USSS.[986] Transferring USSS's cyber investigative responsibilities would reduce inefficient redundancies and consolidate physical resources and expertise. Due to the FBI's size and national presence, it is a logical entity to assume portions of USSS's cyber mission. However a transfer of authorities occurs, it would be necessary for the proper personnel and resources to follow.

At an October 22, 2015 House Judiciary hearing, Representative Chaffetz questioned FBI Director James Comey about the FBI's cyber mission and its relationship with other government agencies:

> CHAFFETZ: What—what is it that you can't do? That is, is there another department or agency that's doing something that the FBI couldn't do?
>
> COMEY: In a cyber realm? That's a good question.
>
> CHAFFETZ: Well, thank you.
>
> COMEY: Yes, I don't—I don't—I can't think of it sitting here. Our responsibility is obviously confined to the United States. And so we work with our partners, NSA, in particular, in trying to fight the cyber threat that's coming from overseas. The bureau doesn't have the ability to reach out in that way. And so that's...
>
> (CROSSTALK)
>
> CHAFFETZ: Let me—let me ask you in the context of the United States Secret Service. I was surprised to learn that two-thirds of an agent—the agents that they have, two-thirds of their time is spent on investigations and cyber. And it—it begs the question to me, why do we have such a small group of people doing that which the FBI has a much bigger

[986]Cong. Research Service to Majority Staff of H. Comm. on Oversight & Gov't Reform, *Federal Law Enforcement of Selected Financial and Computer Crimes* (May 4, 2015) [App. at 218-242].

resource infrastructure and expertise in doing? And as we look at potentially restructuring the—the Secret Service and getting more focused on—on the protective mission, why not combine the two? Or what is it that they do that you don't want to do, or that they do that you can't do? I'm trying to get my arms around.

COMEY: Yes, it was a good—such a good question, I misunderstood it. I'm sorry. The—the secret—one of the things I've been trying to do is drive us closer together with the Secret Service because they have expertise, especially in the financial- related intrusions and credit card scams. They've spent years developing that expertise. And so I don't want to duplicate it. So we're trying to drive ourselves together. I'd like us to combine our taskforce. It doesn't make any sense for them to have electronic crimes taskforce, and [for] me to have a cyber taskforce; there ought to be one. They do great work. I want to make sure we don't duplicate. And I want to do joint training with them. They're doing some great training. So are we. That's one of the things we can't do. We can't do enough for state and local law enforcement to help them deal with digital crime.

CHAFFETZ: So in terms of the personnel that you have associated with that, how would that work? Are there other agencies that would also—I mean, mean Secret Service is but one. Are there other agencies that that should be also included in that because we got a homeland security organization that thinks they should be in charge of all the cyber?

COMEY: Yes, I think with respect to the criminal work that we do, there are people at HSI within the Department of Homeland Security who are doing cyber-related crime work. And then there's a lot of state local law enforcement doing it. And they are part of our taskforces.

CHAFFETZ: This—can you give me any more, shedding more light on the FBI's next-generation cyber initiative? Explain that to me a little bit more.

COMEY: Yes, without eating up all your time, it's—it's our strategy, my strategy for where we're going to take the FBI in the next three to five years. And so it involves deploying our people in a different way, getting better training, better equipment, focusing ourselves on the threats that I think the FBI, given its footprint, is best able to address. So it's our

sort of whole of FBI approach to cyber over the next three to five years.

CHAFFETZ: And so when you have an FBI—you have FBI personnel that will focus potentially their entire career just on cyber, correct?

COMEY: Right.

CHAFFETZ: They won't necessarily be bouncing around a different path?

COMEY: Correct.[987]

Director Comey's testimony highlights some of the institutional advantages and success USSS currently has combating cybercrime and some of the issues related to USSS's role in the government's coordination of its cyber efforts. First, efforts are being duplicated, as exemplified by both FBI and USSS having electronic crimes taskforces. As Director Comey stated, one entity should control electronic crimes taskforces. Second, in order for agencies to coordinate efficiently in real-time, they must train together. When FBI and USSS coordinate training together there is bureaucratic complexity that would not exist if FBI assumed the additional responsibilities of USSS. Third, there are personnel at FBI who focus only on cybercrime whereas at USSS agents have both protective and investigative duties. This results in asymmetry between the experience being developed at the two agencies. Cybercrime investigations may be enhanced when there are employees that focus on it alone.

According to FBI's website, FBI "lead[s] the national effort to investigate high-tech crimes, including cyber-based terrorism, espionage, computer intrusions, and major cyber fraud."[988] As it currently stands, it can be unclear who is in charge. Below is a chart from the Department of Justice's website on the proper reporting of certain types of crimes.[989]

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[987] *Oversight of the Federal Bureau of Investigation: Hearing Before the H. Judiciary Comm.*, 114th Cong. (Oct. 22, 2015).

[988] Federal Bureau of Investigation, "Cyber Crime," *available at* https://www.fbi.gov/about-us/investigate/cyber (last accessed Oct. 26, 2015).

[989] Dep't of Justice, *Reporting Computer, Internet-Related, or Intellectual Property Crime*, *available at* http://www.justice.gov/criminal-ccips/reporting-computer-internet-related-or-intellectual-property-crime#C4 (last accessed Oct. 26, 2015).

Type of Crime	Appropriate federal investigative law enforcement agencies
Computer intrusion (i.e. hacking)	• FBI local office • U.S. Secret Service • Internet Crime Complaint Center
Password trafficking	• FBI local office • U.S. Secret Service • Internet Crime Complaint Center
Counterfeiting of currency	• U.S. Secret Service
Child Pornography or Exploitation	• FBI local office • if imported, U.S. Immigration and Customs Enforcement • Internet Crime Complaint Center
Child Exploitation and Internet Fraud matters that have a mail nexus	• U.S. Postal Inspection Service • Internet Crime Complaint Center
Internet fraud and SPAM	• FBI local office • U.S. Secret Service • Federal Trade Commission (online complaint) • if securities fraud or investment-related SPAM e-mails, Securities and Exchange Commission (online complaint) • Internet Crime Complaint Center
Internet harassment	• FBI local office
Internet bomb threats	• FBI local office • ATF local office
Trafficking in explosive or incendiary devices or firearms over the Internet	• FBI local office • ATF local office

This chart presents a variety of options on where to report a potential cybercrime. Making matters worse, the Secret Service links contained on this chart direct to a defunct website.[990]

In addition, government agencies themselves are uncertain as to who has the lead on a particular issue. For example, the FBI and USSS are jointly investigating the hacking of a private email account used by CIA Director John Brennan and his family.[991] When an investigation requires two investigating bodies, there are potential concerns around who is actually in charge when the chief intelligence officer in the country's email is hacked.

As cybercrime becomes more prevalent and complex, the federal government needs to be organized as efficiently as possible. Given that a significant portion of USSS's mission is investigating cybercrime and the agency is suffering from severe staffing shortages, there is a

[990] U.S. Secret Service, *Field Offices*, *available at* http://www.secretservice.gov/field_offices.shtml (last accessed Oct. 26, 2015).
[991] Gretchen Ertl, *FBI, Secret Service probe hack of CIA chief's private emails*, REUTERS, Oct. 22, 2015.

perfect opportunity to more efficiently consolidate cyber responsibilities while simultaneously alleviating a major strain on resources within USSS.

RECOMMENDATION:	**The Executive Branch should conduct an interagency review on USSS's collateral or non-essential missions that can be shed, and submit a report to Congress on its findings within a year.**

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VIII. Conclusion

USSS is an agency in crisis. The Committee's bipartisan investigation found the agency's recent public failures are not a series of isolated events, but the product of an insular culture that has historically been resistant to change. It is likely USSS's challenges will become more difficult in the immediate future due to the problems it faces in the areas of hiring and staffing.

The attrition rate reflects a fundamental fact about the problems that plague the agency: USSS cannot repair itself without first restoring the trust of its employees and increasing personnel dramatically to meet mission and training requirements. Whether from missteps at the executive level or at the field office supervisor level, it is clear many of the rank-and-file have lost confidence in USSS's current leadership. USSS can restore pride in the agency by excelling at its primary mission: ensuring the safety of the president and other protectees.

Senior agency leadership has publicly lamented the fact that rank-and-file employees are more comfortable speaking with people outside the agency than they are with their supervisors. Until the Secret Service's culture changes so employees who identify ways to reform the agency can make suggestions and air grievances without fear of reprisal, it will be difficult for leadership to fully realize the extent of the reforms necessary. In that sense, this report should be useful for agency leadership. The Committee relied on numerous agency whistleblowers to develop the findings and recommendations contained herein. Enacting these recommendations, and those of the Protective Mission Panel, is an important step toward restoring employee confidence.

The Committee believed—and still does—that new senior leadership from outside the agency would be best positioned to enact the reforms that the agency desperately needs. Meanwhile, Director Clancy has an opportunity to move the agency forward. USSS leadership needs to honestly acknowledge the problems plaguing the agency and then confront them head-on. The Committee has heard repeatedly from USSS employees that they crave leaders who will speak with candor about these issues, because only then can the agency truly set about moving in the right direction. We remain hopeful that USSS can overcome its resistance to change and capitalize on this opportunity for progress.

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IX. Appendix

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MEMORANDUM October 23, 2015

To: [redacted]

From: [redacted]

Subject: **The Secret Service Salaries and Expenses Appropriation for FY1999-FY2015**

This memorandum is in response to your request for information tracking the evolution of the Salaries and Expenses appropriation for the United States Secret Service (USSS) from FY1999-FY2015. You also requested that CRS include top-line numbers for USSS for the time period as well.

CRS based its analyses on budget justification documents and appropriations committee reports. Due to inconsistencies in the data presented in some of these documents, CRS was unable to analyze a complete data set for the time period you desired. However, the information provided through those budget justifications allowed CRS to develop a general history and perform a limited analysis. CRS has received additional data from the USSS on staffing levels, and has updated the content of this memorandum as first transmitted on October 19, 2015 to include this additional information.

Information in this memorandum is drawn from publicly available sources and is of general interest to Congress. While your identity and specific request will remain confidential, all or part of this information may be provided by CRS in memoranda or reports for general distribution to Congress. None of the information included or used to compile this memorandum is classified or law-enforcement sensitive.

Top-Line Funding History of the USSS, FY1999-FY2015

Table 1 presents an overview of DHS's annual appropriations request versus the enacted amounts. The information is drawn from appropriations committee reports. Requested and enacted appropriations appear in the second and third columns, respectively. The fourth column is the difference between the two. The requested amounts reflect the annual appropriations request, without factoring in budget amendments or supplemental appropriations requests. The enacted amounts do not reflect the impact of rescissions or transfers.

Table 1. Annual Appropriations for the U.S. Secret Service, FY1999-FY2016

(amounts in millions of nominal dollars)

Fiscal Year	Requested	Enacted	Difference
2016	$1,939	n/a	n/a
2015[a]	$1,636	$1,666	+$30
2014	$1,546	$1,585	+$39

Fiscal Year	Requested	Enacted	Difference
2013	$1,601	$1,611	+$10
2012	$1,699	$1,667	-$32
2011	$1,572	$1,515	-$56
2010	$1,490	$1,483	-$7
2009	$1,414	$1,413	-$1
2008	$1,399	$1,385	-$14
2007	$1,265	$1,277	+$13
2006	$1,204	$1,212	+$8
2005	$1,163	$1,175	+$12
2004	$1,124	$1,134	+$10
2003	$1,010	$1,049	+$39
2002	$860	$1,029	+$169
2001	$830	$834	+$4
2000	$666	$691	+$25
1999	$601	$693	+$92

Source: CRS analysis of congressional appropriations documents: For FY1999, H.Rept. 106-231 (accompanying H.R. 2490); for FY2000, H.Rept. 106-622 (accompanying H.R. 4425); for FY2001, H.Rept. 107-152 (accompanying H.R. 2590); for FY2002, H.Rept. 107-575 (accompanying H.R. 5120); for FY2003, H.Rept. 108-169 (accompanying H.R. 2555); for FY2004, H.Rept. 108-541 (accompanying H.R. 4567); for FY2005, H.Rept. 108-774 (accompanying P.L. 108-334); for FY2006, H.Rept. 109-241 (accompanying P.L. 109-90); for FY2007, H.Rept. 109-699 (accompanying P.L. 109-295); for FY2008, Division E of the House Appropriations Committee Print (accompanying P.L. 110-161); for FY2009, Division D of House Appropriations Committee Print (accompanying P.L. 110-329); for FY2010, H.Rept. 111-298 (accompanying P.L. 111-83); 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 and FY2016, H.Rept. 114-215 (accompanying H.R. 3128).

Notes: Table displays rounded numbers, but all operations were performed with unrounded data; therefore, amounts may not sum to totals.

a. Enacted numbers for FY2013 include impact of across-the-board cuts in P.L. 113-6, but do not reflect the impact of sequestration.

History of the Salaries and Expenses Appropriation, FY1999-FY2015

Over the time period under discussion, with the exception of FY2007, when separate appropriations were provided for "Protection, Administration, and Training," and "Investigations and Field Operations," the "Salaries and Expenses" appropriation (hereafter S&E) has carried the bulk of funding for USSS. However, the S&E appropriation has not had an entirely consistent makeup during this time.

In FY1999, USSS was a part of the Treasury Department, and funded under the Treasury, Postal and Government Operations Act.[1] There were three budget activities that made up the USSS S&E appropriation. The first was "Investigations, Protection, and Uniformed Activities." The other two activities were "Other Security Activities," and "Candidate Protection Activities." These were provided under a single appropriation, with limited direction from Congress regarding specific activities. The cost

[1] For FY1999, that act was a part of P.L. 105-277, the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999.

to the general fund of the Treasury of these activities was partially offset by resources from the Violent Crime Reduction Trust Fund and reimbursements from the Treasury's forfeiture fund.

In FY2001, USSS reduced its use of offsets from the Violent Crime Reduction Trust Fund and the Treasury's forfeiture fund to pay for its activities. In FY1999 and FY2000, these funds had offset over $102 million in costs that included protection of presidential candidates, countering chemical and biological threats to protectees, support for the National Center for Missing and Exploited Children, and replacement of vehicles. These costs would be absorbed within the S&E appropriation, which rose a net $16 million from FY2000 levels, although appropriations were no longer needed for the costs of protecting presidential candidates.

From FY1999-FY2001, USSS also received over $120 million in transfers, supplemental appropriations, and emergency appropriations. After 9/11, USSS S&E received almost $105 million in supplemental appropriations for FY2002,[2] and another $30 million for FY2003.[3]

In the middle of FY2003, USSS was transferred to the Department of Homeland Security (DHS), and began to be funded under the new Homeland Security Appropriations Act in FY2004. This was the first year that detail tables in the conference report provided final funding direction to the USSS at the program, project, and activity level. S&E was split between "Protective, Investigative, & Uniformed Activities" and "Presidential Candidate Protective Activities."

Over the next several fiscal years, the internal structure of the S&E account shifted several times in appropriations committee reports with activities grouped as Protection, Field Operations, Administration, and Training for FY2005 and FY2006. In FY2007, the S&E appropriation was split in two, becoming "Protection, Administration, and Training" and "Investigations and Field Operations." The S&E appropriation returned in FY2008, split between "Protection," "Administration," and "Training." "Investigations and Field Operations" was still separate, until it rejoined the reconstituted S&E appropriation as "Investigations" in FY2009.

Over this time period specific funding levels were provided for a range of USSS activities: The detail table accompanying the FY2005 appropriations act sets funding levels for ten separate activities in the S&E account, compared to five activities and subactivities in 2004. These are outlined in **Table 2**.

The FY2005 model, with the cyclical addition of "Presidential Candidate Nominee Protection" under "Protection," was generally the approach to organizing the S&E appropriation until FY2012. As noted above, a departure from that structure occurred in FY2007 and FY2008 with reorganizations of the S&E appropriation into different pieces, but the individual activities continued to be listed in the committee reports.[4]

[2] P.L. 107-117.

[3] P.L. 108-11.

[4] One shift that occurred in name only was when "Field Operations" was renamed "Investigations" in FY2009.

Table 2. Programs, Projects, and Activities under the USSS Salaries and Expenses (S&E) Appropriation, FY2003-FY2005

FY2003	FY2004	FY2005
[No subcategorization of S&E was provided in committee tables – however, from FY1999 through FY2003 periodic direction of funding from the general fund, the Violent Crime Reduction Trust Fund, and Treasury's forfeiture fund was made in both legislation and committee reports related to specific projects or activities, such as presidential candidate protection or forensic support for cases involving missing or exploited children.]	Protective, Investigative, & Uniformed Activities	Protection
	Other Protective, Investigative, & Uniformed Activities	Protection of Persons and Facilities
	White House Mail Screening and Processing	National Special Security Event Fund
	Investigations of Missing / Exploited Children	Protective Intelligence Activities
	Support	White House Mail Screening
	Grants	Field Operations
	Presidential Candidate Protective Activities	Domestic Field Operations
		International Field Office Administration, Operations and Training
		Electronic Crimes Special Agent Program and Electronic Crimes Task Forces
		Administration
		Headquarters, Management and Administration
		National Center for Missing And Exploited Children
		Training
		Rowley Training Center

Source: CRS analysis of H.Rept. 107-740, S.Rept 107-222, H.Rept. 108-280, and H.Rept. 108-774.

In FY2012, "Information Integration and Technology Transformation" first appeared as a new activity in the appropriations committees' detail table. Then in FY2013, "White House Mail Screening" moved into "Protection of Persons and Facilities," and "Electronic Crimes Special Agent Program and Electronic Crimes Task Forces" was subsumed in "Domestic Field Operations." The structure of this appropriation may change again in the FY2017 appropriations cycle with the adoption of a standardized appropriation structure across DHS.

S&E Appropriation Levels and Actual Spending

Table 3 provides information on the history of appropriations requested, enacted, and put into use for the USSS S&E appropriation. The first three years of the data are somewhat affected by the use of the Treasury forfeiture fund and the Violent Crime Reduction Trust Fund to support operations that would later be incorporated into the USSS S&E appropriation without offset.

Table 3. USSS Salaries and Expenses Appropriations, FY1999-FY2015

(in thousands of nominal dollars of budget authority)

Fiscal Year	Requested (CBO-based)	Enacted (CBO-based)	Actual (OMB-based)
1999	594,657	684,805	683,676
2000	661,312	687,312[a]	687,312

Fiscal Year	Requested (CBO-based)	Enacted (CBO-based)	Actual (OMB-based)
2001	824,500	823,800	858,106
2002	857,117	920,615	1,045,526
2003	1,010,435	1,029,150	1,265,000
2004	1,120,372	1,137,280	1,189,062
2005	1,159,125	1,172,125	1,164,719
2006	1,200,083	1,208,310	1,202,149
2007[b]	1,261,378	1,275,433	1,281,892
2008[b]	1,095,078	1,381,771	1,399,271
2009	1,410,621	1,408,729	1,450,665
2010	1,485,609	1,478,669	1,486,337
2011	1,567,642	1,511,332	1,577,913
2012	1,691,751	1,661,237	1,664,065
2013	1,544,113	1,555,913	1,506,545
2014	1,494,614	1,533,497	1,538,497
2015	1,585,970	1,615,860	n/a

Source: CRS analysis of reports accompanying FY1999-FY2003 Treasury, Postal Service and General Government appropriations bills and acts; FY2004-FY2016 reports accompanying FY2004-FY2016 Department of Homeland Security Appropriations Acts; and budget justification documents for the U.S. Secret Service for FY1999-FY2016.

Notes: "Requested" column does not reflect budget amendments or supplemental appropriations requests; "Enacted" column reflects supplemental appropriations, but not rescissions; "Actual" column reflects supplemental appropriations, resources drawn from the Treasury forfeiture fund and Violent Crime Reduction Trust Fund, transfers (unless noted below) and reprogrammings.

a. Does not include $21 million transfer within Treasury required by P.L. 106-113.

b. FY2007 and FY2008 numbers are derived by combining component elements of S&E from other appropriations.

FY2016 USSS Appropriations Status

The S&E appropriation is currently covered by a continuing resolution (P.L. 114-53), which runs through December 11, 2015, and provides funding at a rate for operations equal to what was provided in FY2015, minus 0.2108%. According to USSS, interim continuing resolutions hamper their ability to hire and train personnel, due to restrictions placed on their ability to use the resources provided.[5]

Table 4 presents a comparison of the FY2015 USSS appropriation in detail, the FY2016 appropriations request, and the recommendations of the House and Senate appropriations committees in their reported FY2016 appropriations bills for DHS.

[5] For more information on the effects of interim continuing resolutions, see CRS Report RL34700, *Interim Continuing Resolutions (CRs): Potential Impacts on Agency Operations*, by Clinton T. Brass

Table 4. Budget Authority for the USSS, FY2015-FY2016

(budget authority in thousands of dollars)

Appropriation / Sub-Appropriation	FY2015	FY2016		
	Enacted	Request	Senate-reported S. 1619	House-reported H.R. 3128
Salaries and Expenses	**1,615,860**	**1,867,453**	**1,837,165**	**1,832,813**
Protection	990,221	1,290,239	1,252,338	1,248,456
Protection of persons and facilities	*892,685*	*1,009,246*	*972,425*	*976,655*
Protective intelligence activities	*67,536*	*72,806*	*71,726*	*63,614*
National Special Security Events	*4,500*	*4,500*	*4,500*	*4,500*
Presidential candidate nominee protection	*25,500*	*203,687*	*203,687*	*203,687*
Investigations	380,856	325,307	336,822	335,897
Domestic field operations	*338,295*	*291,139*	*294,523*	*294,523*
International field office administration, operations and training	*34,195*	*34,168*	*33,933*	*33,008*
Forensic support to the National Center for Missing and Exploited Children	*8,366*	—	*8,366*	*8,366*
Information Integration and Technology Transformation	1,025	1,057	1,038	1,057
James J. Rowley Training Center	55,378	56,170	55,268	54,204
Acquisition, Construction, and Improvements	**49,935**	**71,669**	**86,974**	**72,819**
Facilities	5,380	26,432	26,432	29,432
Next Generation Limo	—	—	—	8,500
Information Integration and Technology Transformation	44,555	45,237	60,542	34,887
Total	**1,665,795**	**1,939,122**	**1,924,139**	**1,905,632**

Sources: CRS analysis of P.L. 114-4 and its explanatory statement as printed in the *Congressional Record* of January 13, 2015, pp. H275-H322, the FY2016 DHS *Budget-in-Brief*, S. 1619, S.Rept. 114-68, H.R. 3128, and H.Rept. 114-215.

Personnel Breakdown by Category

From FY2006-FY2015, the USSS did not provide in its budget justifications a personnel breakdown between special agents, its Uniformed Division, and support staff. This was not always the case in years prior to FY2006, and the USSS may be returning to its former policy. From FY2001 through FY2005, the Secret Service provided data on "Full-Time Equivalent" (FTE) work-years funded in its S&E appropriation. In the justification documents for FY2016, USSS included an accounting of the FY2014 actual FTE work-years achieved.

Table 5 includes the information provided in USSS budget justifications regarding the number of permanent FTE the department had each fiscal year, divided across the three categories of personnel noted above.

Table 5. USSS Justification-reported Full-Time Equivalent Staff Years by Category

Fiscal Year	Total	Special Agents	Uniform Division (officers only)	Other
1999 (actual)	4,811	2,278	1,039	1,494
2000 (actual)	5,135	2,635	1,009	1,491
2001 (actual)	5,456	2,861	1,052	1,543
2002 (actual)	5,654	2,921	1,106	1,627
2003 (actual)	5,890	3,131	1,089	1,670
2004 (projected)	6,252	3,215	1,354	1,683
2005 (requested)	6,377	3,215	1,479	1,683
2006-2013		No Data Available		
2014 (actual)	6,376	3,290	1,315	1,771

Source: CRS analysis of USSS budget justification documents.

After the initial transmission of this memorandum, the USSS provided additional data on "positions achieved" by the USSS from FY2006-FY2015. **Table 6** provides this information, as does **Figure 1** in a visual format. The data is not directly comparable to **Table 5**, as FTE is a measure of hours worked, "positions achieved" is a measurement of people employed at a given point in time.

Table 6. USSS Staffing Levels, FY2006-FY2015

(positions achieved at the end of the fiscal year)

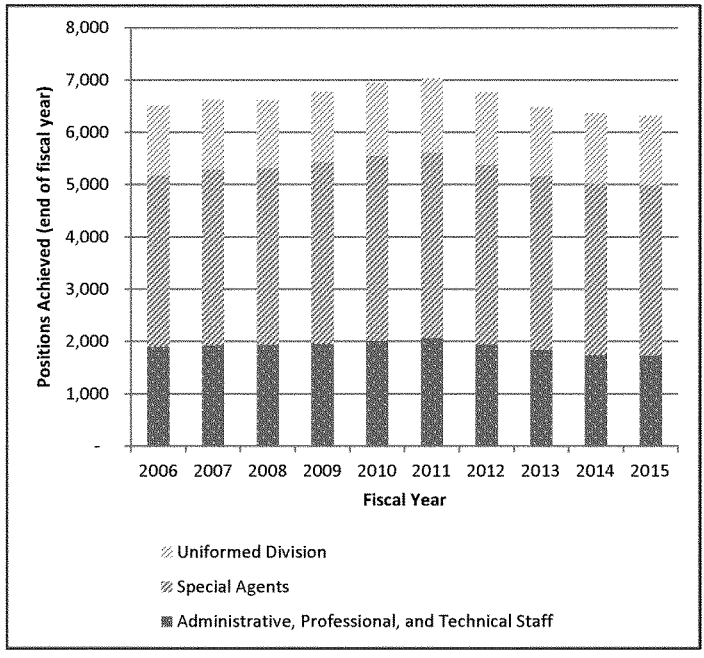
Fiscal Year	Total	Special Agents	Uniformed Division	Administrative, Professional, and Technical Staff
2006	6,506	3,273	1,333	1,900
2007	6,622	3,361	1,336	1,925
2008	6,607	3,385	1,290	1,932
2009	6,772	3,474	1,345	1,953

Fiscal Year	Total	Special Agents	Uniformed Division	Administrative, Professional, and Technical Staff
2010	6,945	3,542	1,387	2,016
2011	7,024	3,535	1,420	2,069
2012	6,759	3,435	1,382	1,942
2013	6,480	3,324	1,322	1,834
2014	6,367	3,277	1,345	1,745
2015	6,315	3,257	1,329	1,729

Source: USSS e-mail to CRS, October 23, 2015.

Figure 1. USSS Staffing Levels, FY2006-FY2015

(positions achieved at the end of the fiscal year)



Source: USSS e-mail to CRS, October 23, 2015.

USSS Personnel Costs

Through the supporting information provided in USSS budget justifications, CRS was able to develop an accounting of personnel costs for USSS permanent positions paid through the S&E account, starting in FY2004.[6] Data was also available on the number of permanent positions distributed across the GS pay scale in USSS over that time period, and the average salaries from FY2008 going forward.

Costs by Object Class

Table 7 presents data based on USSS reporting of its use of S&E appropriations by the Office of Management and Budget's system of object classes, which presents obligations by the items or services purchased by the federal government. Object Class 10 is the overarching class devoted to "Personnel Compensation and Benefits," which commonly includes the costs noted below.

Table 7. USSS Salaries and Expenses Personnel Costs, FY2004-FY2014

(in thousands of nominal dollars)

Fiscal Year	Personnel Compensation (Obj. class 11.1)	Other than Full-Time Permanent Positions (11.3)	Other Personnel Compensation (11.5)	Personnel Benefits (12.1)	Total "Personnel costs"
2004	402,699	3,987	150,679	197,160	754,525
2005	428,152	3,216	186,450	210,611	828,429
2006	484,029	4,942	108,488	209,458	806,917
2007	485,380	2,714	136,545	245,219	869,858
2008	517,309	2,706	161,139	271,016	952,170[a]
2009	717,461[b]	[b]	[b]	285,694	1,003,155
2010	749,346[b]	[b]	[b]	304,977	1,054,323
2011	609,330	3,406	167,869	315,254	1,095,859
2012	601,177	3,735	199,612	294,598	1,099,122
2013	624,159	3,737	168,923	286,067	1,082,886
2014	637,040	2,690	185,469	302,845	1,128,044

Source: CRS analysis of USSS S&E budget justification documents, FY2006-FY2016.

Notes:

a. Does not include $120,000 in benefits for former employees (object class 13.0).

b. In budget justification documents for USSS S&E for FY2011 and FY2012, a more detailed breakdown of Object Class 11.0 (Permanent Positions) was not provided.

Distribution of USSS Civil Service Employees Across the GS Scale

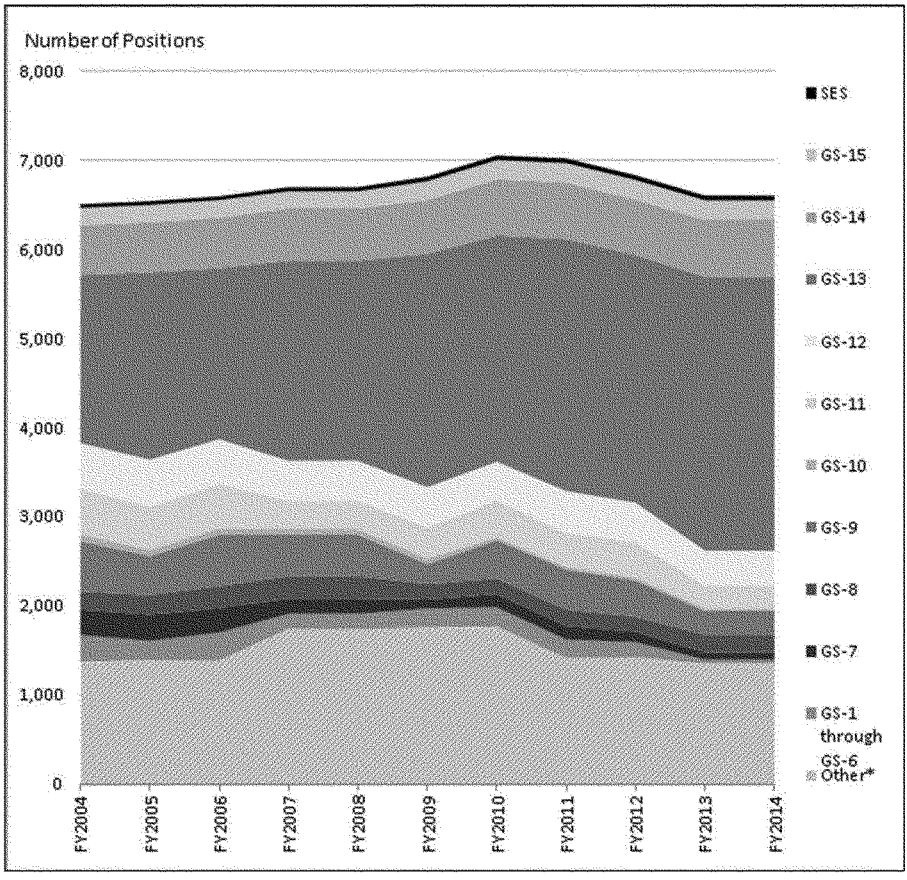
Data was available through USSS budget justifications to analyze the distribution of positions by the General Schedule (GS) scale across the USSS from FY2004-FY2014. This same data set includes the number of Executive Schedule (ES) personnel, and "other graded positions," which generally reflects

[6] For FY2007, when the S&E account did not exist, USSS budget personnel indicated adding the data provided for "Protection, Administration, and Training" and "Investigations and Field Operations" would provide parallel data to other fiscal years.

positions in the USSS Uniform Division. This data is presented in graphic form in **Figure 2**, with the raw data in **Table 8**.

Figure 2. USSS Positions, FY2004-FY2014

As Reflected in USSS Salaries and Expenses Justifications for FY2006-FY2016



Notes: Other = Other Graded Positions

Table 8. USSS Positions, FY2004-FY2014

As Reflected in USSS Salaries and Expenses Justifications for FY2006-FY2016

Fiscal Year	ES	GS-15	GS-14	GS-13	GS-12	GS-11	GS-10	GS-9	GS-8	GS-7	GS-1 to GS-6	Average Grade of GS Positions	Other Graded Positions	Total Positions
2004	39	196	556	1,890	512	514	77	562	202	287	306	11.33	1,368	6,509
2005	41	196	561	2,104	529	485	68	438	221	294	215	11.58	1,392	6,544
2006	39	199	566	1,921	503	497	74	575	246	277	311	11.32	1,389	6,597
2007[a]	44	191	587	2,250	447	321	61	465	252	171	168	11.80	1,743	6,700
2008	44	191	587	2,250	447	321	61	465	252	171	168	11.80	1,743	6,700
2009	50	211	604	2,621	453	348	62	224	174	100	216	12.09	1,756	6,819
2010	51	215	631	2,541	433	417	31	430	176	149	216	11.93	1,767	7,057
2011	51	220	632	2,831	473	377	32	450	183	152	203	11.99	1,420	7,024
2012	51	222	620	2,783	442	400	31	408	168	116	169	12.09	1,424	6,834
2013	51	221	638	3,075	393	258	27	265	200	82	46	12.45	1,350	6,606
2014[b]	51	221	638	3,075	393	258	27	265	200	82	46	12.45	1,350	6,606

Source: CRS analysis of USSS budget justifications, FY2006-FY2016.

Notes: Data is what was presented in USSS budget justification documents as actual performance, with the exceptions noted below.

a. Represents data developed using USSS-recommended methodology of combining data from S&E component appropriations presented as "Actual" in the FY2009 USSS S&E justification.

b. Represents data from the FY2015 request as presented in the FY2016 USSS S&E justification rather than "Actual."

The most common General Schedule (GS) grades by position in the USSS are GS-12 through GS-14. Since FY2004, the most significant growth has been in the number of GS-13 positions. There were almost 1,200 more GS-13s in FY2015 than in FY2004, and 88 more GS-14s. The number of GS-9s—once one of the more common grades in the USSS—has dropped sharply since 2011. The number of GS-7s and below have all declined since the USSS was transferred to DHS.

The average GS position in the USSS was projected to be 12.45 in FY2015, up from 11.33 in FY2004. The size of the executive cadre at the USSS rose from 39 in FY2006 to 50 in FY2009 – and was estimated to be 52 in FY2015.

Other graded positions, which generally reflects positions in the USSS Uniform Division, rose from 1,368 to 1,743 in 2007, for four years, peaking at 1,767 in 2010, then dropped to 1,350. The FY2016 budget request anticipates 1,457 such positions, a sharp increase from FY2014 levels.[7]

Salary Average by Full-Time Equivalent

Data on average salary for ES and GS positions, as well as data on average grade first appeared in the FY2006 budget justifications, reaching back to report actual performance from FY2004. With the changes to the structure of the S&E appropriation for FY2007 and FY2008, information on averages could not be separately developed by CRS. Data on FY2014 performance was not provided in the FY2016 request.

Table 9. USSS S&E Average Salary Data

Fiscal Year	Average Executive Service Salary	Average General Service Salary
2004	143,182	66,642
2005	149,946	71,124
2006-2007[a]	n/a	n/a
2008	156,263	83,182
2009	160,639	85,511
2010	163,611	87,093
2011	165,942	88,334
2012	143,125	84,855
2013	144,556	85,704
2014[b]	146,002	86,561
2015[c]	147,462	87,428

Source: CRS analysis of budget justifications for USSS S&E, FY2006-FY2016.

Notes: Data is what was presented in USSS budget justification documents as actual performance, with the exceptions noted below.

a. Data for these years is unavailable due to structural changes in the S&E appropriation.

b. Represents "Revised Enacted" data as presented in the FY2016 USSS S&E justification rather than "Actual."

c. Represents data from the FY2015 request as presented in the FY2016 USSS S&E justification rather than "Actual."

[7] Department of Homeland Security, *United States Secret Service Salaries and Expenses Fiscal Year 2016 Congressional Justification*, p. 69.

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Congressional Research Service
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MEMORANDUM June 11, 2015

To: [redacted]

From: [redacted]

Subject: **U.S. Secret Service Testimony, 1865 - 2015**

This memorandum responds to your request for a list and link to every instance that the U.S. Secret Service (USSS) testified before a congressional committee. Specifically, you requested a list of "for all hearings in which USSS appeared as a witness." To complete this list, CRS searched 150 years of hearing from 1865 to the present using http://congressional.proquest.com. While every effort was made to ensure this list is comprehensive, omissions are possible.

If you have additional questions, please feel free to contact either author above. The information and analysis contained in this memorandum is of interest to other clients and may appear in future CRS products. However, your confidentiality as a requester will be preserved.

Table 1. Congressional Hearings where the United States Secret Service Testified

1865 - present

First Date of Hearing	Hearing Title	Link
January 23, 1872	Testimony in Relation to Alleged Frauds in the New York Custom-House. Vol. 2	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1872-sir-0002
May 12, 1874	Alleged safe burglary in office of U.S. attorney in District of Columbia during investigation by Congress of affairs in the District	http://congressional.proquest.com/congressional/docview/t47.d48.1627_h.rp.785
March – August 1876	Whiskey Frauds	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1876-wfs-0001
April 17, 1876	Investigation of Irregularities in the Secret Service, Treasury Department	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1876-cvh-0025
April 19, 1876	Investigation of Irregularities in the Secret Service, Treasury Department	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1876-cvh-0026

First Date of Hearing	Hearing Title	Link
April 21, 1876	Investigation of Irregularities in the Secret Service, Treasury Department	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1876-cvh-0027
April 28, 1876	Investigation of Irregularities in the Secret Service, Treasury Department	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1876-cvh-0028
February 19, 1879	To Investigate How Section in Bill Known as Sundry Civil Bill, Relating to Hot Springs, Arkansas, Passed Last Session of Congress, Was Omitted in Bill as Enrolled, etc.	http://congressional.proquest.com/congressional/docview/t47.d48.1838_s.rp.784
December 16, 1881	Investigation of contingent expenditures of executive departments, 2 pts.	http://congressional.proquest.com/congressional/docview/t47.d48.2005_s.rp.265
February 16, 1884	Investigation of charges against General H. V. Boynton, press correspondent of Cincinnati Commercial Gazette, made by Hon. J. Warren Keifer, Speaker of House, of corrupt propositions intended to influence his official action, with minority report	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1884-hvb-0001
December 15, 1884	October Election in Ohio	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1884-ejd-0005
September 12, 1888	Plate Printing by Hand Versus Plate Printing by Steam	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1888-fns-0004
March 20, 1890	Hearings Before Subcommittee in Charge of Sundry Civil Appropriation Bill for 1891	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1890-hap-0008
January 30, 1892	Sundry Civil Appropriation Bill for 1893	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1892-hap-0002
December 09, 1892	Hearings Before Subcommittee in Charge of General Deficiency Appropriation Bill for 1892 and Prior Years	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1892-hap-0007
November 27, 1893	Legislative, Executive, and Judicial Appropriation Bill for 1895	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1893-hap-0002
December 07, 1894	Deficiency Appropriations for 1895 and Prior Years	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1894-hap-0010
December 18, 1894	Sundry Civil Appropriation Bill for 1896	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1894-hap-0002
March 12, 1896	Sundry Civil Appropriation Bill for 1897	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1896-hap-0010
April 13, 1896	Deficiency Appropriations for 1896 and Prior Years	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1896-hap-0013

First Date of Hearing	Hearing Title	Link
December 01, 1896	Legislative, Executive, and Judicial Appropriation Bill for 1898	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1896-hap-0007
December 16, 1896	Sundry Civil Appropriation Bill for 1898	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1896-hap-0004
February 15, 1897	Deficiency Appropriations for 1897 and Prior Years	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1897-hap-0004
February 01, 1898	Sundry Civil Appropriation Bill for 1899	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1898-hap-0003
January 13, 1899	Sundry Civil Appropriation Bill for 1900	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1899-hap-0001
January 26, 1900	Legislative, Executive, and Judicial Appropriation Bill for 1901	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1900-hap-0004
February 15, 1905	Deficiency Appropriations for 1905 and Prior Years, on General Deficiency Bill	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1905-hap-0004
January 09, 1908	Legislative, Executive, and Judicial Appropriation Bill for 1909	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1908-hap-0001
March 18, 1908	Sundry Civil Appropriation Bill for 1909	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1908-hap-0012
	Sundry Civil Appropriation Bill for 1910	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1909-hap-0001
February 23, 1909	Hearings Before the Select Committee on Appropriations for the Prevention of Fraud in and Depredations Upon the Public Service Appointed Under H. Res. No. 480	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1909-apf-0006
January 24, 1910	St. Louis Subtreasury Claim	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1910-clh-0015
February 02, 1910	Investigation of Offices of Surveyor of Customs and Assistant U.S. Treasurer at St. Louis, Mo.	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1910-etd-0001
February 15, 1910	Sundry Civil Appropriation Bill for 1911	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1910-hap-0002
January 24, 1912	Legislative, Executive, and Judicial Appropriation Bill for 1913	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1912-hap-0006
February 20, 1912	Sundry Civil Appropriation Bill for 1913. Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1912-hap-0001

First Date of Hearing	Hearing Title	Link
June 07, 1912	Deficiency Appropriations for 1912 and Prior Years, on General Deficiency Bill	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1912-hap-0015
January 13, 1913	Sundry Civil Appropriation Bill for 1914	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1913-hap-0001
January 14, 1914	Legislative, Executive and Judicial Appropriations	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1914-hap-0022
February 28, 1914	Sundry Civil Bill, 1915	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1914-hap-0010
July 09, 1914	Judge Alston G. Dayton	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1914-hjh-0020
December 16, 1914	Sundry Civil Bill, 1916	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1914-hap-0014
February 18, 1916	Sundry Civil Bill, 1917. Part 2	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1916-hap-0002
November 27, 1916	Legislative, Executive, and Judicial Appropriation Bill, 1918	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1916-hap-0015
January 05, 1917	Sundry Civil Bill, 1918	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1917-hap-0001
December 14, 1917	Legislative, Executive, and Judicial Appropriation Bill, 1919	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1917-hap-0008
January 07, 1918	Urgent Deficiencies, 1918	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1918-hap-0001
March 01, 1918	Sundry Civil Appropriation Bill, 1919	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1918-sap-0009
November 02, 1918	Legislative, Executive, and Judicial Appropriation Bill, 1920	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1918-hap-0005
January 06, 1919	Sundry Civil Bill, 1920. Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1919-hap-0021
August 23, 1919	First Deficiency Appropriation Bill, 1920	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1919-hap-0010
October 06, 1919	First Deficiency Appropriation Bill, 1920	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1919-sap-0012

First Date of Hearing	Hearing Title	Link
December 05, 1919	Legislative, Executive, and Judicial Appropriation Bill, 1921. Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1919-hap-0013
February 05, 1920	Sundry Civil Appropriation Bill, 1921. Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1920-hap-0005
November 22, 1920	Sundry Civil Appropriation Bill, 1922. Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1920-hap-0012
November 22, 1920	Legislative, Executive, and Judicial Appropriation Bill, 1922	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1920-hap-0020
January 28, 1921	Legislative, Executive, and Judicial Appropriation Bill, 1922	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1921-sap-0004
July 14, 1921	West Virginia Coal Fields. Vol. 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1921-eds-0005
December 12, 1921	Treasury Department Appropriation Bill, 1923	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1921-hap-0017
November 10, 1922	Treasury Department Appropriation Bill, 1924	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1922-hap-0013
January 04, 1924	Treasury Department Appropriation Bill, 1925	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1924-hap-0008
February 12, 1924	Treasury and Post Office Departments Appropriation Bill, 1925	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1924-sap-0006
February 25, 1924	Leases upon Naval Oil Reserves. Vol. 3	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1924-plv-0001
November 21, 1924	Treasury Department Appropriation Bill, 1926	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1924-hap-0017
November 27, 1925	Treasury Department Appropriation Bill, 1927	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1925-hap-0005
November 15, 1926	Treasury Department Appropriation Bill, 1928	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1926-hap-0012
January 19, 1927	Second Deficiency Appropriation Bill, 1927	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1927-hap-0001
January 16, 1928	Treasury Department Appropriation Bill, 1929	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1928-hap-0002

First Date of Hearing	Hearing Title	Link
November 19, 1928	Treasury Department Appropriation Bill for 1930	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1928-hap-0011
November 21, 1929	Treasury Department Appropriation Bill for 1931	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1929-hap-0015
February 05, 1930	Public Buildings and Grounds	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1930-pbg-0002
May 13, 1930	Second Deficiency Appropriation Bill for 1930	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1930-hap-0009
November 17, 1930	Treasury Department Appropriation Bill for 1932	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1930-hap-0014
January 22, 1931	Government Paper Mill	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1931-exd-0002
January 11, 1932	Treasury Department Appropriation Bill for 1933	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1932-hap-0008
November 19, 1932	Treasury Department Appropriation Bill for 1934	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1932-hap-0016
December 15, 1933	Treasury Department Appropriation Bill for 1935	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1933-hap-0012
May 16, 1934	Additional Appropriations for Emergency Purposes	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1934-hap-0009
December 13, 1934	Treasury Department Appropriation Bill for 1936	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1934-hap-0011
March 20, 1935	Public Buildings and Grounds	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1935-pbg-0002
May 20, 1935	Second Deficiency Appropriation Bill for 1935	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1935-hap-0011
December 11, 1935	Treasury Department Appropriation Bill for 1937	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1935-hap-0017
February 24, 1936	Treasury and Post Office Departments Appropriation Bill, 1937	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1936-sap-0007
December 16, 1936	Treasury Department Appropriation Bill for 1938	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1936-hap-0019

First Date of Hearing	Hearing Title	Link
April 23, 1937	Seizure and Forfeiture of Contraband Carriers	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1937-hjh-0004
December 08, 1937	Treasury Department Appropriation Bill for 1939	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1937-hap-0022
January 21, 1938	Treasury and Post Office Departments Appropriation Bill, 1939	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1938-sap-0002
January 17, 1939	Treasury Department Appropriation Bill for 1940	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1939-hap-0001
May 12, 1939	Work Relief and Relief for FY40	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1939-hap-0020
December 11, 1939	Treasury Department Appropriation Bill for 1941	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1939-hap-0030
February 01, 1940	First Deficiency Appropriation Bill for 1940	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1940-hap-0007
March 06, 1940	Public Buildings and Grounds	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1940-pbg-0001
May 17, 1940	Second Deficiency Appropriation Bill for 1940	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1940-hap-0017
December 17, 1940	Treasury Department Appropriation Bill for 1942	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1940-hap-0030
May 21, 1941	Work Relief and Relief for FY42	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1941-hap-0013
June 02, 1941	Second Deficiency Appropriation Bill for 1941	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1941-hap-0016
December 06, 1941	Treasury Department Appropriation Bill for 1943	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1941-hap-0034
January 19, 1942	First Deficiency Appropriation Bill for 1942	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1942-hap-0007
February 26, 1942	Treasury and Post Office Departments Appropriation Bill, 1943	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1942-sap-0004
May 29, 1942	First Supplemental National Defense Appropriation Bill for 1943, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1942-hap-0026

First Date of Hearing	Hearing Title	Link
June 01, 1942	Work Relief and Relief for FY43	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1942-hap-0021
September 16, 1942	[To Permit Appointment of White House Police from Sources Outside the Metropolitan D.C. and U.S. Park Police Forces]	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1942-pbg-0011
November 29, 1943	Treasury Department Appropriation Bill for 1945	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1943-hap-0030
December 10, 1943	Treasury Department Appropriation Bill for 1944	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1943-hap-0012
January 15, 1945	Treasury Department Appropriation Bill for 1946	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1945-hap-0006
February 05, 1945	First Deficiency Appropriation Bill for 1945	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1945-hap-0013
December 10, 1945	Treasury Department Appropriation Bill for 1947	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1945-hap-0038
February 27, 1946	Second Deficiency Appropriation Bill for 1946	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1946-hap-0006
April 05, 1946	Second Deficiency Appropriation Bill for 1946	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1946-sap-0008
May 31, 1946	Third Deficiency Appropriation Bill for 1946	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1946-hap-0026
June 06, 1946	To Increase the Salaries of the Metropolitan Police, the U.S. Park Police, the White House Police, and the Members of the Fire Department of D.C.	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1946-dch-0014
January 23, 1947	Treasury Department Appropriation Bill for 1948	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1947-hap-0004
March 27, 1947	Treasury and Post Office Departments Appropriation Bill, 1948	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1947-sap-0004
April 29, 1947	To Credit Military Service and Provide Seniority Benefits, Metropolitan Police Force and Firemen of D.C.	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1947-dcs-0008
May 13, 1947	Second Urgent Deficiency Appropriation Bill for 1947	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1947-hap-0023
June 30, 1947	Reorganization and Home Rule for D.C.	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1947-dch-0002

First Date of Hearing	Hearing Title	Link
January 15, 1948	Treasury Department Appropriation Bill for 1949. Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1948-hap-0010
January 22, 1948	First Deficiency Appropriation Bill for 1948	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1948-hap-0011
March 31, 1948	Annuities for Investigatory Personnel of Treasury Department	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1948-poh-0002
January 26, 1949	Treasury Department Appropriation Bill for 1950	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1949-hap-0006
March 28, 1949	Treasury and Post Office Departments Appropriation Bill, 1950	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1949-sap-0004
January 05, 1950	Treasury Department -- Post Office Appropriations for 1951. Part 1: Treasury Department	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1950-hap-0007
January 25, 1950	Treasury and Post Office Departments Appropriations, 1951	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1950-sap-0015
February 01, 1950	Deficiency Appropriation Bill, 1950	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1950-hap-0046
June 22, 1950	Investigation of Organized Crime in Interstate Commerce. Part 2	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1950-org-0002
July 13, 1950	Supplemental Appropriations for 1951	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1950-sap-0019
November 30, 1950	Second Supplemental Appropriation Bill for 1951	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1950-hap-0058
February 08, 1951	Treasury Department -- Post Office Appropriations for 1952. Treasury Department, Export-Import Bank of Washington	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1951-hap-0005
April 04, 1951	Treasury and Post Office Departments Appropriations, 1952	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1951-sap-0014
May 01, 1951	[To Remove Limitations on Numerical Strength of the White House Police Force]	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1951-dcs-0051
May 01, 1951	[Allowance of Compensatory Time for D.C. Policemen and Firemen on Holiday Duty]	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1951-dcs-0027
September 19, 1951	To Increase the Salaries of the Metropolitan Police, the U.S. Park Police, the White House Police, Members of the Fire Department of D.C., and Employees of the Board of Education of D.C.	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1951-dch-0012

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January 10, 1952	Treasury-Post Office Departments Appropriations for 1953. Treasury Department, Export-Import Bank of Washington	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1952-hap-0039
January 31, 1952	Treasury and Post Office Departments Appropriations, 1953	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1952-sap-0001
March 20, 1952	Third Supplemental Appropriation Bill, 1952	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1952-sap-0003
March 10, 1953	Treasury-Post Office Departments Appropriations for 1954. [Part 1]: Treasury Department	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1953-hap-0013
April 07, 1953	Treasury and Post Office Departments Appropriations, 1954	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1953-sap-0009
January 12, 1954	Treasury-Post Office Departments Appropriations for 1955. Treasury Department, Export-Import Bank, Reconstruction Finance Corporation	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1954-hap-0005
January 26, 1954	Treasury and Post Office Departments Appropriations, 1955	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1954-sap-0002
February 24, 1954	Third Supplemental Appropriation Bill, 1954	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1954-hap-0018
April 08, 1954	Third Supplemental Appropriation Bill, 1954	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1954-sap-0003
April 27, 1954	Supplemental Appropriation Bill, 1955. Part 2	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1954-hap-0033
April 28, 1954	Supplemental Appropriation Bill, 1955	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1954-sap-0016
January 31, 1955	Treasury-Post Office Departments Appropriations for 1956. Treasury Department, Federal Facilities Corporation, Tax Court of the U.S.	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1955-hap-0001
January 16, 1956	Treasury-Post Office Departments Appropriations for 1957. Treasury Department, Tax Court of the U.S.	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1956-hap-0004
January 25, 1957	Treasury-Post Office Departments Appropriations for 1958. Treasury Department, the Tax Court of the U.S.	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1957-hap-0008
February 14, 1957	Scope of Soviet Activity in the U.S. Part 51	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1957-sjs-0018

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May 02, 1957	To Provide for the Retirement of Officers and Members of the Metropolitan Police Force, the Fire Department of D.C., the U.S. Park Police Force, the White House Police Force, and of Certain Officers and Members of the U.S. Secret Service, and for Other Purposes	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1957-dcs-0024
June 28, 1957	Establishing Procedures for the Production of Government Records in Criminal Cases in U.S. Courts	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1957-sjs-0075
January 22, 1958	Treasury-Post Office Departments Appropriations for 1959. Treasury Department, the Tax Court of the U.S.	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1958-hap-0011
April 24, 1958	Investigation of Improper Activities in the Labor or Management Field. Part 49	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1958-imf-0023
June 18, 1958	Supplemental Appropriation Bill, 1959	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1958-hap-0043
July 22, 1958	Supplemental Appropriation Bill, 1959	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1958-sap-0022
July 23, 1958	[To Amend the Act of June 1, 1938, Relating to the Participation of the U.S. in the International Criminal Police Organization]	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1958-hjh-0294
January 26, 1959	Treasury-Post Office Departments Appropriations for 1960. Treasury Department, the Tax Court of the U.S.	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1959-hap-0006
February 23, 1959	Second Supplemental Appropriation Bill, 1959	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1959-hap-0005
January 07, 1960	Treasury-Post Office Departments Appropriations for 1961. Treasury Department, the Tax Court of U.S.	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1960-hap-0011
February 14, 1961	Third Supplemental Appropriation Bill, 1961	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1961-hap-0002
February 16, 1961	Treasury-Post Office Departments Appropriations for 1962. Treasury Department, the Tax Court of the U.S.	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1961-hap-0003
May 10, 1961	To Amend Title 18, U.S. Code Sections 871 and 3056, To Provide Penalties for Threats Against the Successors to the Presidency and To Authorize Their Protection by the Secret Service	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1961-hjh-0057
June 13, 1961	Fourth Supplemental Appropriation Bill, 1961	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1961-hap-0030
June 20, 1961	Fourth Supplemental Appropriation Bill for 1961	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1961-sap-0006

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January 22, 1962	Treasury-Post Office Departments and Executive Office Appropriations for 1963. Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1962-hap-0002
March 07, 1962	Treasury-Post Office Departments and Executive Office Appropriations for 1963	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1962-sap-0003
March 19, 1962	Second Supplemental Appropriation Bill, 1962	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1962-hap-0004
April 04, 1962	Second Supplemental Appropriation Bill for 1962	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1962-sap-0004
June 13, 1962	Wiretapping Legislation	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1962-hjh-0071
August 16, 1962	To Authorize Reimbursement to Appropriations of the U.S. Secret Service of Moneys Expended for the Purchase of Counterfeits	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1962-hjh-0079
August 27, 1962	Supplemental Appropriation Bill, 1963	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1962-hap-0022
October 01, 1962	Supplemental Appropriations for 1963	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1962-sap-0024
February 26, 1963	Treasury-Post Office Departments and Executive Office Appropriations for 1964. Treasury Department, Related Agencies	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1963-hap-0007
March 19, 1963	Supplemental Appropriation Bill, 1963	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1963-hap-0003
April 01, 1963	Supplemental Appropriations for 1963	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1963-sap-0003
April 22, 1963	Investigation of the Circumstances Surrounding the Disappearance of $7.5 Million of U.S. Government Securities from the Vault of the Federal Reserve Bank at San Francisco, California	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1963-bcu-0006
October 15, 1963	Crimes Against Banking Institutions	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1963-oph-0015
February 03, 1964	Treasury-Post Office Departments and Executive Office Appropriations for 1965. Treasury Department, Related Agencies	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1964-hap-0008
March 25, 1964	Relating to Secret Service Retirement	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1964-dch-0008

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August 04, 1964	To Amend the Policemen and Firemen's Retirement and Disability Act To Allow Credit to Certain Members of the U.S. Secret Service Division for Periods of Prior Police Service	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1964-dcs-0028
February 09, 1965	Second Supplemental Appropriation Bill, 1965. Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1965-hap-0003
February 15, 1965	Treasury -- Post Office Departments and Executive Office Appropriations for 1966	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1965-hap-0008
April 13, 1965	Treasury-Post Office Departments and Executive Office Appropriations for 1966	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1965-sap-0005
March 03, 1966	Departments of Treasury and Post Office and Executive Office Appropriations for 1967	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1966-hap-0007
April 19, 1966	Treasury, Post Office and Executive Office Appropriations for FY67	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1966-sap-0005
February 09, 1967	Departments of Treasury and Post Office and Executive Office Appropriations for 1968	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1967-hap-0003
March 21, 1967	Second Supplemental Appropriation Bill, 1967	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1967-hap-0008
April 03, 1967	Treasury, Post Office and Executive Office Appropriations for FY68	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1967-sap-0010
May 02, 1967	Second Supplemental Appropriations for FY67	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1967-sap-0006
February 19, 1968	Departments of Treasury and Post Office and Executive Office Appropriations for 1969. Part 1: Treasury Department	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1968-hap-0007
March 13, 1968	Reproduction of Color Stamps	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1968-hjh-0002
April 14, 1969	Second Supplemental Appropriations for FY69	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1969-sap-0003
April 21, 1969	Treasury, Post Office and Executive Office Appropriations for FY70	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1969-sap-0002
April 23, 1969	Departments of Treasury and Post Office and Executive Office Appropriations for 1970. Part 2: Treasury Department	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1969-hap-0024
May 13, 1969	Federal Law Enforcement Training Center	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1969-pws-0039

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November 26, 1969	Supplemental Appropriations for FY70	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1969-sap-0028
December 18, 1969	Executive Protective Service	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1969-pws-0003
February 26, 1970	Departments of Treasury and Post Office and Executive Office Appropriations for 1971 Part 2: Treasury Department	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1970-hap-0045
April 04, 1970	Second Supplemental Appropriations for FY70	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1970-sap-0029
May 25, 1970	Treasury, Post Office, and Executive Office Appropriations, FY71	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1970-sap-0009
June 10, 1970	Federal Handling of Demonstrations, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1970-sjs-0047
March 08, 1971	Treasury, Post Office, and General Government Appropriations for 1972, Part 1. Treasury Department	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1971-hap-0004
April 27, 1971	Treasury, Postal Service, and General Government Appropriations	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1971-sap-0045
July 15, 1971	Consolidated Federal Law Enforcement Training Center, Beltsville, Md	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1971-pws-0028
March 07, 1972	Treasury, Postal Service, and General Government Appropriations for Fiscal Year 1973, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1972-hap-0002
March 22, 1972	Treasury, U.S. Postal Service, and General Government Appropriations	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1972-sap-0015
February 28, 1973	Second Supplemental Appropriation Bill, 1973, Part 2	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1973-hap-0071
March 05, 1973	Treasury, Postal Service, and General Government Appropriations for FY74 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1973-hap-0011
March 08, 1973	Second Supplemental Appropriations for FY73, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1973-sap-0043
May 02, 1973	Treasury, Postal Service, and General Government Appropriations, FY74, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1973-sap-0029
June 27, 1973	Federal Expenditures at San Clemente and Key Biscayne	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1973-hap-0009

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October 10, 1973	Expenditure of Federal Funds in Support of Presidential Properties	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1973-oph-0014
October 11, 1973	Supplemental Appropriations, FY74, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1973-sap-0004
October 30, 1973	Supplemental Appropriation Bill, 1974, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1973-hap-0007
February 25, 1974	Second Supplemental Appropriation Bill, 1974, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1974-hap-0009
February 25, 1974	Second Supplemental Appropriations for FY74, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1974-sap-0022
March 12, 1974	Treasury, Postal Service, and General Government Appropriations for FY75 Part 1: Treasury Dept	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1974-hap-0052
March 21, 1974	To Increase the Size of the Executive Protective Service	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1974-pwh-0011
April 29, 1974	Official Residence for the Vice President	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1974-sas-0007
May 21, 1974	Treasury, Postal Service, and General Government Appropriations, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1974-sap-0027
August 21, 1974	U.S. Secret Service Procedures and Regulations	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1974-hjh-0005
September 11, 1974	Supplemental Appropriations, FY75	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1974-sap-0015
February 06, 1975	Protective Services Provided by U.S. Secret Service	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1975-hjh-0050
March 13, 1975	Treasury, Postal Service, and General Government Appropriations for FY76 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1975-hap-0014
April 10, 1975	Regulations for Certain Protective Services	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1975-oph-0052
April 15, 1975	Treasury, Postal Service, and General Government Appropriations, FY76, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1975-sap-0024
June 04, 1975	Administration of Criminal Justice, Part 2	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1975-dch-0011

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June 23, 1975	Surveillance Technology	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1975-sjs-0034
July 28, 1975	Presidential Protection Assistance Act of 1975	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1975-ops-0020
October 07, 1975	Presidential Protection and Federal Firearms Control Legislation	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1975-ops-0008
October 21, 1975	Supplemental Appropriations for FY76, Part 2	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1975-hap-0094
November 04, 1975	Supplemental Appropriations, FY76	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1975-sap-0002
November 21, 1975	Testimony of William H. Patterson]	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1975-sgo-0062
January 06, 1976	[Testimony of Elmer W. Moore]	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1976-sgo-0020
January 26, 1976	Treasury, Postal Service, and General Government Appropriations for FY77 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1976-hap-0048
February 13, 1976	[Testimony of James J. Rowley]	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1976-sgo-0016
February 24, 1976	Treasury, Postal Service, and General Government Appropriations, FY77, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1976-sap-0038
March 30, 1976	Debt Collection Practices Act	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1976-bfu-0020
March 01, 1977	Treasury, Postal Service, and General Government Appropriations for FY78, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1977-sap-0037
March 01, 1977	Treasury, Postal Service, and General Government Appropriations for FY78 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1977-hap-0053
July 13, 1977	Erosion of Law Enforcement Intelligence, Capabilities, Public Security, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1977-sjs-0007
October 04, 1977	Hearing on H.R. 8992 and H.R. 8993	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1977-pwt-0051
February 28, 1978	Treasury, Postal Service, and General Government Appropriations for FY79 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1978-hap-0038

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March 01, 1978	Treasury, Postal Service, and General Government Appropriations for FY79, Part 2	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1978-sap-0029
May 22, 1978	Second Supplemental Appropriation Bill, 1978, Part 3	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1978-hap-0090
September 18, 1978	Investigation of the Assassination of President John F. Kennedy, Vol. 3	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1978-has-0006
December 11, 1978	Legislative and Administrative Reform, Vol. 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1978-has-0017
February 07, 1979	Supplemental Appropriation Bill, 1979, Part 2	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1979-hap-0104
February 22, 1979	Treasury, Postal Service, and General Government Appropriations for FY80 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1979-hap-0098
March 07, 1979	Hearing on Budget Committee Report	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1979-pwt-0052
April 04, 1979	Privacy of Medical Records	
May 08, 1979	Treasury, Postal Service, and General Government Appropriations, FY80	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1979-sap-0020
October 18, 1979	Miscellaneous Legislation	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1979-dch-0013
October 24, 1979	FBI Charter Act of 1979, S. 1612, Part 2	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1979-sjs-0073
November 06, 1979	Cost of Former Presidents to U.S. Taxpayers, FY80	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1979-sap-0058
January 31, 1980	Supplemental Appropriation Bill, 1980, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1980-hap-0055
February 06, 1980	Treasury, Postal Service, and General Government Appropriations for FY81 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1980-hap-0057
April 15, 1980	Treasury, Postal Service, and General Government Appropriations, FY81, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1980-sap-0018
February 03, 1981	Supplemental Appropriation and Rescission Bill, 1981, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1981-hap-0012

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March 31, 1981	Treasury, Postal Service, and General Government Appropriations, FY82	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1981-sap-0011
April 02, 1981	Treasury, Postal Service, and General Government Appropriations for FY82 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1981-hap-0047
July 15, 1981	Freedom of Information Act, Vol. 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1981-sjs-0087
September 22, 1981	Presidential Protection Commission Act of 1981	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1981-sga-0082
January 25, 1982	Foreign Missions Act of 1981	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1982-sga-0027
February 11, 1982	Treasury, Postal Service, and General Government Appropriations for FY83 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1982-hap-0085
April 26, 1982	Treasury, Postal Service, and General Government Appropriations, FY83	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1982-sap-0038
May 13, 1982	Prohibition of Threats Against the Presidential Candidates and Other Persons Not Covered By the Presidential Threat Statute	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1982-hjh-0033
June 24, 1982	Domestic Security (Levi) Guidelines	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1982-sjs-0032
July 15, 1982	Supplemental Appropriations for 1982 Part 6: U.S. Secret Service	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1982-hap-0076
February 09, 1983	U.S. Secret Service and Its Use of the National Crime Information Center	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1983-hjh-0018
February 24, 1983	Treasury, Postal Service, and General Government Appropriations for FY84 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1983-hap-0085
March 15, 1983	Treasury, Postal Service, and General Government Appropriations, FY84	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1983-sap-0011
July 29, 1983	Federal Identification Systems	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1983-sjs-0062
September 29, 1983	Counterfeit Access Device and Computer Fraud and Abuse Act	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1983-hjh-0058
October 31, 1983	Credit and Debit Card Counterfeiting and Fraud Act of 1983	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1983-sjs-0057

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February 22, 1984	Treasury, Postal Service, and General Government Appropriations for FY85 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1984-hap-0026
March 05, 1984	Treasury, Postal Service, and General Government Appropriations, FY85	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1984-sap-0014
April 04, 1984	U.S. Secret Service	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1984-hjh-0012
July 24, 1984	Currency Design Act	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1984-bfu-0049
January 02, 1985	D.C. Appropriations, FY86	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1985-sap-0042
March 05, 1985	Treasury, Postal Service, and General Government Appropriations for FY86 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1985-hap-0029
March 07, 1985	Treasury, Postal Service, and General Government Appropriations, FY86	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1985-sap-0012
June 18, 1985	Currency Design Act	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1985-bfu-0030
February 19, 1986	Treasury, Postal Service, and General Government Appropriations for Fiscal Year 1987 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1986-hap-0052
March 12, 1986	Treasury, Postal Service, and General Government Appropriations, Fiscal Year 1987	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1986-sap-0016
April 09, 1986	Federal Role in Investigation of Serial Violent Crime	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1986-oph-0032
May 08, 1986	Hearing on Security for Capitol Grounds and Buildings, Focusing on the Senate and House Whips' Capitol-Complex Security Enhancement Proposal	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1986-ras-0019
February 26, 1987	Treasury, Postal Service, and General Government Appropriations, FY88	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1987-sap-0027
March 05, 1987	Treasury, Postal Service, and General Government Appropriations for FY88 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1987-hap-0033
July 28, 1987	Undetectable Firearms	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1987-sjs-0022
February 11, 1988	Treasury, Postal Service, and General Government Appropriations for Fiscal Year 1989 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1988-hap-0065

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February 26, 1988	Treasury, Postal Service, and General Government Appropriations, Fiscal Year 1989	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1988-sap-0007
March 03, 1988	Former President's Act of 1987	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1988-sga-0007
May 25, 1988	Compensation for U.S. Park Police and Secret Service Uniformed Division	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1988-poh-0020
February 24, 1989	Treasury, Postal Service, and General Government Appropriations, Fiscal Year 1990, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1989-sap-0028
March 09, 1989	Treasury, Postal Service, and General Government Appropriations for Fiscal Year 1990 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1989-hap-0029
March 15, 1989	Review of the FY90 Budget Relating to Items Under the Jurisdiction of the Subcommittee on Public Buildings and Grounds	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1989-pwt-0001
May 04, 1989		
July 10, 1989	Report of the Senate Impeachment Trial Committee on the Articles Against Judge Alcee L. Hastings, Part 2A	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1989-ith-0002
February 07, 1990	Treasury, Postal Service, and General Government Appropriations, FY91, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1990-sap-0028
February 27, 1990	Treasury, Postal Service, and General Government Appropriations for FY91 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1990-hap-0043
April 30, 1990	Scientific Fraud (Part 2)	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1990-hec-0060
July 13, 1990	Counterfeit Deterrence Act of 1990	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1990-bhu-0019
February 21, 1991	Treasury, Postal Service, and General Government Appropriations, Fiscal Year 1992, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1991-sap-0040
February 26, 1991	Countermeasures Against Terrorism: The Federal Effort	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1991-sga-0036
February 28, 1991	Treasury, Postal Service, and General Government Appropriations for Fiscal Year 1992 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1991-hap-0051
April 10, 1991	Budget Oversight for FY92 As It Relates to GSA Services for the Administrative Offices of the U.S. Courts and the Library of Congress	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1991-pwt-0030

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April 23, 1991	U.S. Mint Authorization, the Bureau of Engraving and Printing and the U.S. Secret Service Counterfeit Division	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1991-bfu-0015
June 21, 1991	Innovation in Telemarketing Frauds and Scams	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1991-smb-0054
February 21, 1992	Treasury, Postal Service, and General Government Appropriations, FY93	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1992-sap-0021
March 03, 1992	Treasury, Postal Service, and General Government Appropriations for FY93 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1992-hap-0055
April 29, 1992	Federal Participation in Anticrime Efforts	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1992-dch-0003
June 11, 1992	Telephone Toll Fraud	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1992-hec-0007
February 03, 1993	Treasury, Postal Service, and General Government Appropriations for Fiscal Year 1994 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1993-hap-0049
April 02, 1993	Treasury, Postal Service, and General Government Appropriations, Fiscal Year 1994	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1993-sap-0016
June 15, 1993	Hearings Regarding Private Security Guards	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1993-edl-0016
October 15, 1993	International Consumer Fraud: Can Consumers Be Protected?	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1993-sga-0032
February 02, 1994	Fraud in Federal Nutrition Programs	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1994-anf-0003
February 23, 1994	Treasury, Postal Service, and General Government Appropriations, FY95	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1994-sap-0011/
February 28, 1994	Treasury, Postal Service, and General Government Appropriations for FY95 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1994-hap-0019
July 13, 1994	Redesign of the Currency	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1994-bfu-0018
February 01, 1995	Enforcement of the Food Stamp Program	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1995-hag-0001
February 15, 1995	Treasury, Postal Service, and General Government Appropriations for FY96 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1995-hap-0054

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March 03, 1995	Worksite Enforcement of Employer Sanctions	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1995-hjh-0008
March 06, 1995	Treasury, Postal Service, and General Government Appropriations, FY96	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1995-sap-0026
March 07, 1995	Integrity of Government Documents	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1995-gro-0014
May 01, 1995	Oklahoma City Bombing, Special Hearing	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1995-sap-0028
May 10, 1995	Verification of Applicant Identity for Purposes of Employment and Public Assistance	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1995-sjs-0018
June 20, 1995	RTC's Professional Liability Program	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1995-bfs-0025
July 18, 1995	Investigation of Whitewater Development Corporation and Related Matters, Vol. I	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1995-iwd-0006
October 11, 1995	Future of Money, Part 2	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1995-bfs-0018
February 27, 1996	Counterfeiting of U.S. Currency Abroad	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1996-bfs-0007
February 28, 1996	Organized Crime and Banking	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1996-bfs-0032
March 06, 1996	Treasury, Postal Service, and General Government Appropriations for FY97 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1996-hap-0041
April 17, 1996	Treasury, Postal Service, and General Government Appropriations, FY97	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1996-sap-0015
April 24, 1996	Federal Building Security	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1996-hti-0018
June 07, 1996	Impacts of the Closure of Pennsylvania Avenue on D.C	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1996-gro-0070
June 20, 1996	White House Access to FBI Background Summaries	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1996-sjs-0044
June 26, 1996	S. Res. 254, Sense of the Senate Regarding Reopening of Pennsylvania Avenue	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1996-sga-0011

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July 17, 1996	Financial Instruments Anti-Fraud Act: S. 1009	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1996-bhu-0015
July 17, 1996	Security of FBI Background Files, July 17, 1996	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1996-gro-0010
September 11, 1996	Nigerian White Collar Crime	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1996-hir-0082
September 20, 1996	Drug Policy in the Federal Workforce	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1996-gro-0090
February 25, 1997	Treasury, Postal Service, and General Government Appropriations for Fiscal Year 1998 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1997-hap-0017
March 12, 1997	Oversight of the Implementation of the Electronic Benefit Transfer System for the Food Stamp Program	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1997-hag-0007
March 19, 1997	Internet Crimes Affecting Consumers	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1997-sjs-0013
April 15, 1997	Treasury and General Government Appropriations, Fiscal Year 1998	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1997-sap-0025
May 01, 1997	Computer Generated Check Fraud	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1997-bfs-0014
September 11, 1997	Cellular Telephone Fraud	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1997-hjh-0062
September 16, 1997	Financial Instrument Fraud	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1997-bhu-0036
February 24, 1998	Foreign Terrorists in America: Five Years After the World Trade Center	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1998-sjs-0011
February 25, 1998	Treasury, Postal Service, and General Government Appropriations for FY99 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1998-hap-0032
February 26, 1998	Treasury and General Government Appropriations, FY99	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1998-sap-0006
March 31, 1998	Counterfeiting Using Personal Computers	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1998-bfs-0005
April 01, 1998	Identity Theft	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1998-bhu-0004

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May 08, 1998	D.C. Metropolitan Police Department Oversight and Federal Law Enforcement Assistance	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1998-gro-0039
May 20, 1998	Identity Theft and Assumption Deterrence Act	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1998-sjs-0046
February 23, 1999	Treasury, Postal Service, and General Government Appropriations for FY2000 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1999-hap-0008
February 25, 1999	Treasury and General Government Appropriations for FY2000	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1999-sap-0026
June 24, 1999	U.S. Secret Service	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1999-hjh-0020
July 22, 1999	Counterfeiting and Misuse of the Social Security Card and State and Local Identity Documents	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1999-hjh-0073
September 29, 1999	Violence Against Women Act of 1999, Stalking Prevention and Victim Protection Act of 1999	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-1999-hjh-0066
March 07, 2000	ID Theft: When Bad Things Happen to Your Good Name	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2000-sjs-0051
March 09, 2000	Treasury, Postal Service, and General Government Appropriations for Fiscal Year 2001 Part 1: Department of the Treasury	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2000-hap-0047
March 23, 2000	Treasury and General Government Appropriations for Fiscal Year 2001	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2000-sap-0007
March 28, 2000	Production and Protection of Money	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2000-bfs-0010
May 16, 2000	Threats to Federal Law Enforcement Officers	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2000-sjs-0034
May 19, 2000	Phony IDs and Credentials Via the Internet: An Emerging Problem	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2000-sga-0011
September 13, 2000	H.R. 4311: The Identity Theft Prevention Act of 2000	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2000-bfs-0020
March 21, 2001	America's Main Street: The Future of Pennsylvania Avenue	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2001-hgr-0019
March 21, 2001	Treasury, Postal Service, and General Government Appropriations for FY2002, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2001-hap-0033

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April 26, 2001	Treasury and General Government Appropriations for FY2002	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2001-sap-0003
May 23, 2001	On-Line Fraud and Crime: Are Consumers Safe?	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2001-hec-0056
May 24, 2001	Fighting Cyber Crime	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2001-hjh-0050
May 31, 2001	2002 Winter Olympics in Salt Lake City, Utah: Cooperation Between Federal, State, Local and Private Agencies To Address Public Safety Concerns	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2001-sjs-0015
July 24, 2001	Federal Interagency Data-Sharing and National Security	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2001-hgr-0095
July 24, 2001	Design and Security of Currency	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2001-hfs-0011
July 25, 2001	Improving Our Ability To Fight Cybercrime: Oversight of the National Infrastructure Protection Center	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2001-sjs-0014
October 10, 2001	Cyber Security: How Can We Protect American Computer Networks from Attack?	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2001-sci-0009
February 27, 2002	Treasury, Postal Service, and General Government Appropriations for Fiscal Year 2003, Part 1	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2002-hap-0032
March 14, 2002	Treasury and General Government Appropriations for Fiscal Year 2003	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2002-sap-0006
June 24, 2002	Homeland Security: The Federal and New York Response	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2002-sci-0023
July 09, 2002	Proposal To Create a Department of Homeland Security	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2002-hjh-0039
July 18, 2002	Identity Theft: The Nation's Fastest Growing Crime Wave Hits Seniors	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2002-ags-0015
September 19, 2002	Preserving the Integrity of Social Security Numbers and Preventing Their Misuse by Terrorists and Identity Thieves	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2002-wam-0042
April 03, 2003	Fighting Fraud: Improving Information Security	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2003-hfs-0040
April 08, 2003	Department of Homeland Security Appropriations for FY2004	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2003-sap-0020

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April 08, 2003	Department of Homeland Security Appropriations for 2004 Part 4: Titles III and IV	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2003-hap-0064
May 20, 2003	Fair Credit Reporting Act and Issues Presented by Reauthorization of the Expiring Preemption Provisions	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2003-bhu-0016
June 24, 2003	Fighting Identity Theft--The Role of FCRA	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2003-hfs-0030
December 15, 2003	Identify, Disrupt and Dismantle: Coordinating the Government's Attack on Terrorist Financing	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2003-hgr-0085
February 03, 2004	Law Enforcement Efforts Within the Department of Homeland Security	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2004-hjh-0020
March 23, 2004	Identity Theft Penalty Enhancement Act, and the Identity Theft Investigation and Prosecution Act of 2003	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2004-hjh-0010
April 28, 2004	Money Matters: Coin and Counterfeiting Issues	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2004-hfs-0077
September 22, 2004	Identity Theft: The Causes, Costs, Consequences, and Potential Solutions	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2004-hgr-0220
March 10, 2005	Identity Theft: Recent Developments Involving the Security of Sensitive Consumer Information	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2005-bhu-0011
April 13, 2005	Securing Electronic Personal Data: Striking a Balance Between Privacy and Commercial and Governmental Use	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2005-sjs-0035
March 16, 2006	State of Small Business Security in a Cyber Economy	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2006-smb-0020
April 25, 2006	North Korea: Illicit Activity Funding the Regime	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2006-hsg-0048
July 19, 2006	Coin and Currency Issues Facing Congress: Can We Still Afford Money?	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2006-hfs-0040
January 01, 2007	Department of Homeland Security Appropriations for 2008. Part 3: Department of Homeland Security	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2007-hap-0027
March 17, 2007	Protecting Our Schools: Federal Efforts To Strengthen Community Preparedness and Response	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2007-hsc-0025
August 10, 2007	Information Sharing and National Special Security Events: Preparing for the 2008 Presidential Conventions	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2007-hsc-0045

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December 18, 2007	Privacy and Cybercrime Enforcement Act of 2007	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2007-hjh-0115
January 01, 2008	Department of Homeland Security Appropriations for 2009. Part 2: Department of Homeland Security	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2008-hap-0031
March 11, 2008	Department of Homeland Security Law Enforcement Operations	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2008-hjh-0032
February 26, 2009	Department of Homeland Security Appropriations for 2010. Part 4: Department of Homeland Security	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2009-hap-0058
April 28, 2009	Cyber Security - 2009	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2009-hsg-0069
October 14, 2009	Diversity at the Department of Homeland Security: Continuing Challenges and New Opportunities	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2009-hsc-0025
November 05, 2009	Combating Organized Retail Crime--The Role of Federal Law Enforcement	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2009-hjh-0094
December 03, 2009	United States Secret Service and Presidential Protection: An Examination of a System Failure, Part I and II	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2009-hsc-0018
March 04, 2010	Department of Homeland Security Appropriations for 2011. Part 4: Department of Homeland Security	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2010-hap-0056
June 29, 2010	Role and Operations of the United States Secret Service	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2010-hjh-0049
July 20, 2010	The State of U.S. Coins and Currency	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2010-hfs-0051
July 28, 2010	Online Privacy, Social Networking, and Crime Victimization	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2010-hjh-0046
April 07, 2011	[Secret Service Budget]	http://congressional.proquest.com/congressional/docview/t29.d30.h18-20110407-04
April 12, 2011	Cyber Security: Responding to the Threat of Cyber Crime and Terrorism	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2011-sjs-0019
May 04, 2011	The Threat of Data Theft to American Consumers	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2011-hec-0025
June 21, 2011	Cybersecurity and Data Protection in the Financial Sector	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2011-bhu-0022

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June 29, 2011	Hacked Off: Helping Law Enforcement Protect Private Financial Information	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2011-hfs-0034
September 07, 2011	Cyber Crime: Updating the Computer Fraud and Abuse Act To Protect Cyber Space and Combat Emerging Threats	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2011-sjs-0010
September 14, 2011	United States Secret Service: Examining Protective and Investigative Missions and Challenges in 2012	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2011-hsc-0034
September 14, 2011	Cybersecurity: Threats to the Financial Sector	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2011-hfs-0067
May 23, 2012	Secret Service on the Line: Restoring Trust and Confidence	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2012-hsg-0016
November 18, 2013	Beyond Silk Road: Potential Risks, Threats, and Promises of Virtual Currencies	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2013-hsg-0049
February 03, 2014	Safeguarding Consumers' Financial Data	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2014-bhu-0017
February 04, 2014	Privacy in the Digital Age: Preventing Data Breaches and Combating Cybercrime	http://congressional.proquest.com/congressional/docview/t29.d30.s52-20140204-01
February 05, 2014	Protecting Consumer Information: Can Data Breaches Be Prevented?	http://congressional.proquest.com/congressional/docview/t29.d30.h36-20140205-0
March 05, 2014	Data Security: Examining Efforts To Protect Americans' Financial Information	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2014-hfs-0009
April 02, 2014	Data Breach on the Rise: Protecting Personal Information from Harm	http://congressional.proquest.com/congressional/docview/t29.d30.s48-20140402-01
April 16, 2014	Protecting Your Personal Data: How Law Enforcement Works with the Private Sector To Prevent Cybercrime	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2014-hsc-0020
May 07, 2014	Investing in Cybersecurity: Understanding Risks and Building Capabilities for the Future	http://congressional.proquest.com/congressional/docview/t29.d30.s18-20140507-03
September 30, 2014	White House Perimeter Breach: New Concerns About the Secret Service	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2014-cgr-0067
November 19, 2014	United States Secret Service	http://congressional.proquest.com/congressional/docview/t29.d30.hrg-2014-hjh-0069
December 10, 2014	Cybersecurity: Enhancing Coordination To Protect the Financial Sector	http://congressional.proquest.com/congressional/docview/t29.d30.s24-20141210-01

	Hearing Title	Link
February 12, 2015	Emerging Threats and Technologies to Protect the Homeland	http://congressional.proquest.com/congressional/docview/t29.d30.h41-20150212-01
March 17, 2015	Appropriations--Secret Service	http://congressional.proquest.com/congressional/docview/t29.d30.h18-20150317-06
March 19, 2015	Appropriations: U.S. Secret Service	http://congressional.proquest.com/congressional/docview/t29.d30.h18-20150319-06
March 24, 2015	US Secret Service: Holding the Protectors Accountable	http://congressional.proquest.com/congressional/docview/t29.d30.h60-20150324-01
April 15, 2015	Analyzing Misconduct in Federal Law Enforcement	http://congressional.proquest.com/congressional/docview/t29.d30.h52-20150415-02
April 29, 2015	Flying Under the Radar: Securing Washington D.C. Airspace	http://congressional.proquest.com/congressional/docview/t29.d30.h60-20150429-02

Source: Compiled from data available in the ProQuest Congressional database.

Notes: Each entry contains the first, of potentially multiple, hearing dates. The final column of the table provides a link to the ProQuest Congressional database, which offers additional information on the committee conducting the hearing and in most cases a full text transcript of the proceedings. Several table entries contain what superficially may appear to be redundant information—with similar hearing titles occurring on the same day. These instances generally reflect either appropriations hearings where both the House and Senate held a hearing on the same day, or where ProQuest Congressional offers multiple transcripts for one hearing in multiple locations. In either case, unique links are provided for each entry and contain distinctive information.

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Pursuant to the Committee's request, the below list of security breaches and attempted breaches involve USSS protected persons and USSS secured facilities in which a subject was arrested and charged with a criminal violation, during 4/1/14 – 4/21/15. Where the breach or attempted breach involves a subject moving over or around a bike rack barrier, it should be noted that the barrier cordons areas outside of the White House Complex.

Committee on Oversight and Government Reform Request: Security Incidents from April 1, 2014 to April 21, 2015

			Activity Location	Arrest Date	Charge(s)	Adjudication
1	Subject drove car immediately following a motorcade movement from 17th St NW into secure area of 1600 block Pennsylvania Ave NW. Claimed to be confused.	05/06/14	White House	05/06/14	DC Code Unlawful Entry	Charges dismissed.
2	Subject attempted to climb North Fence Line. Apprehended by UD.	06/15/14	White House	06/15/14	DC Code Unlawful Entry	WH Stay Away issued; granted pre-trial diversion, charges dismissed.
3	Subject jumped North Fence Line. Apprehended by UD. Appeared confused, said wanted to share music with POTUS.	07/08/14	White House	07/08/14	DC Code Unlawful Entry	WH Stay Away issued; bench warrant issued for Failure to Appear.
4	Subject walked behind a bike rack near South Fence Line. Apprehended by UD.	07/16/14	White House	07/16/14	DC Code Unlawful Entry	WH Stay Away issued; bench warrant issued for Failure to Appear.
5	Subject jumped bike rack near South Executive Avenue. Told officers he could easily jump additional fences and that he came to complain about cameras in his home.	07/27/14	White House	07/27/14	DC Code Unlawful Entry	WH Stay Away denied. Pending hearing as prosecution deferred in lieu of federal charges. Same subject as listed in rows #6 and #10.
6	Subject attempted to enter Treasury Department. Stopped by UD.	07/30/14	Treasury	07/30/14	DC Code Unlawful Entry, Assault on Police Officer	WH Stay Away issued. Pending hearing as prosecution deferred in lieu of federal charges. Same subject as listed in rows #5 and #10.
7	Subject jumped North Fence Line. Apprehended by UD. Had on person a stuffed animal, declared safe by DOD-EOD. CSD reported seeing Subject loitering near North Fence Line one hour before jumping.	09/11/14	White House	09/11/14	DC Code Unlawful Entry	WH Stay Away issued; granted pre-trial diversion.
8	Subject jumped North Fence Line and entered White House State Floor. Had on his person a pocket knife.	09/19/14	White House	09/19/14 and 09/20/14	DC Code Unlawful Entry and 1752(a)(1), (b)(1)(A) enhancement - Entering restricted building with weapon; 111(a) - Assaulting officer; Possession of Large Capacity Ammunition Feeding device	DC Code Unlawful Entry superceded; pled guilty to 1752 and four counts 111; pending sentencing.

	Description			Arrest Date	Charge(s)	Adjudication
9	Subject drove car past checkpoint at SP-15 and refused orders to stop. Stopped car at K9 sweep area.	09/20/14	White House	09/20/14	DC Code Unlawful Entry	WH Stay Away issued; granted pre-trial diversion.
10	Subject jumped North Fence Line and engaged by UD-K9 units.	10/22/14	White House	10/22/14	1752(a)(1) - Entering restricted building with weapon; 1368(a) - Harming animals used in law enforcement; DC Code Unlawful poss of large capacity ammunition feeding device	WH Stay Away in effect pursuant to previous arrest for assault on police officer at Treasury. Pled guilty to violation of 1752; pending sentencing. Same subject as listed in rows #5 and #6.
11	Subject pretended to climb fence at POTUS site at Connecticut high school. Subject had box cutter on person.	11/02/14	Protectee Site	11/02/14	Local Disorderly Conduct	Convicted - Misdemeanor, sentenced to 8 years suspended sentence and 3 years probation; note that sentence was tied to greater charges filed by local police after unrelated incident on 11/17/14.
12	Subject climbed over bike racks near the White House. Apprehended by UD.	11/21/14	White House	11/21/14	DC Code Unlawful Entry	WH Stay Away issued; held. Same subject as listed in row #13.
13	Day after release from DC Corrections, Subject pushed open bike rack near White House and entered restricted area. Apprehended by UD.	12/04/14	White House	12/04/14	DC Code Unlawful Entry; Contempt of Court (violated Stay Away order)	Held, pending court ordered mental competency exam. Same suject as row #12.
14	Subject attempted to jump bike rack near north fence line. Apprehended by UD.	02/01/15	White House	02/01/15	DC Code Unlawful Entry	WH Stay Away issued; granted pre-trial diversion.
15	Subject scaled wall near SP-6, jumped bike rack. Apprehended by UD.	03/01/15	White House	03/01/15	DC Code Unlawful Entry	WH Stay Away issued; granted pre-trial diversion.
16	Subject jumped bike rack near Sherman Park and immediately climbed back when passholder informed him a restricted area. Denied knowing it was restricted area.	03/01/15	White House	03/01/15	DC Code Unlawful Entry	Prosecution declined.
17	Subject entered White House pedestrian gate as contractor was exiting. Apprehended by UD.	03/02/15	White House	03/02/15	DC Code Unlawful Entry	WH Stay Away issued; held, pending mental competency hearing.
18	Subject pushed open bike rack near White House and entered restricted area. Claimed to be intoxicated. Apprehended by UD.	03/07/15	White House	03/07/15	DC Code Unlawful Entry	Prosecution declined.

	Description	Activity Date	Activity Location	Arrest Date	Charge(s)	Adjudication
19	Subject jumped bike rack at East Executive Ave. Apprended by UD.	03/10/15	White House	03/10/15	DC Code Unlawful Entry	WH Stay Away issued; held, pending mental competency hearing.
20	Subject threw bag over bike rack near SP-8 and them jumped bike rack. Apprehended by UD.	04/03/15	White House	04/03/15	DC Code Unlawful Entry	WH Stay Away issued; bench warrant issued for Failure to Appear.
21	Subject jumped South Fence Line. Had bag with personal items. Apprehended by UD.	04/19/15	White House	04/19/15	DC Code Unlawful Entry	WH Stay Away issued; pending next court appearance.

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Pursuant to the Committee's request, the Secret Service has compiled two separate lists of security incidents involving Secret Service secured sites in which a subject breached or attempted to breach a security barrier, was arrested, and was subsequently charged with a criminal violation from 4/1/05 to 3/31/14. The first list addresses breaches and attempted breaches of a permanent fence or barrier; the second addresses breaches and attempted breaches involving a temporary fence or barrier. In each list, a security incident was defined as an incident in which an individual either scaled/crossed or attempted to scale/cross a permanent or temporary security fence or barrier. Incidents in which an object such as a tennis ball, cigarette pack, paper, etc., was thrown through or over the permanent fence were not captured in this production. Notations reflecting mental illness are derived from court records or investigative files, where such information was available.

Committee on Oversight and Government Reform Request: Security Incidents from April 1, 2005 to March 31, 2014
Permanent Barrier

Description	Activity/Arrest Date	Activity Location	Charge(s)	Adjudication
Subject jumped North Fence Line after attempting to gain entry via pedestrian gates and being denied. Claimed heard voices. Mentally ill.	06/01/05	White House	DC Code Unlawful Entry	*pre-trial diversion, dismissed*
Subject jumped North Fence Line. Claimed participation in ongoing demonstration.	09/26/05	White House	DC Code Unlawful Entry	*stay away order, guilty: suspended sentence, 6 months probation*
Subject jumped North Fence Line. Claimed depression made him want to be arrested.	11/04/05	White House	DC Code Unlawful Entry	*guilty: suspended sentence, 6 months probation*
Subject followed group of workers through pedestrian gate at White House. Possessed steak knife. Claimed to be former President Coolidge's grandson. Mentally ill.	11/09/05	White House	DC Code Unlawful Entry, Felony Threats, Carrying Prohibited Weapon	*guilty CPW: 6 months jail, 3 years supervised release*
Subject jumped North Fence Line. Claimed Chelsea Clinton told him to jump.	12/04/05	White House	DC Code Unlawful Entry	*stay away order, guilty: 150 days suspended and 18 months probation*
Subject entered pedestrian gate and immediately detained. Claimed he was former President Johnson.	12/21/05	White House	DC Code Unlawful Entry	*Failure to Appear bench warrant, arrested by MPD on 05/22/06, civilly committed, dismissed*
Subject jumped fence at Prairie Chapel Ranch TX and immediately arrested. Claimed President Bush sent him to ranch.	01/28/06	Bush Residence, Waco, TX	18 USC 1752	*guilty: 30 days jail, 4 years probation*
Subject jumped the North Fence Line. Mentally ill.	02/18/06	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject approached vehicle gate and said God told him to pass. After being denied entry, subject drove forward and struck the raised security barriers.	03/09/06	White House	DC Code Unlawful Entry, Driving Under Influence	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject attempted to scale North Fence Line. Mentally ill.	04/09/06	White House	DC Code Unlawful Entry, Contempt of Court (stay away)	*stay away order, pre-trial diversion, dismissed*
Subject entered vehicle gate and immediately detained. Mentally ill.	04/16/06	White House	DC Code Unlawful Entry	*stay away order, civilly committed*

ATTEMPT: Subject attempted to climb South Fence Line. Claimed he wanted to clean the White House, had a bag of cleaning supplies. Mentally ill.	06/04/06	White House	DC Code Unlawful Entry, Destruction of Property, Assault on Police Officer	*stay away order, guilty Simple Assault: suspended sentence, 1 year probation, $100 fine*
Subject jumped North Fence Line. Mentally ill.	07/22/06	White House	DC Code Unlawful Entry	*stay away order, dismissed*
ATTEMPT: Subject attempted to climb North Fence Line. Claimed only wanted better view.	07/31/06	White House	DC Code Unlawful Entry	*stay away order, dismissed in lieu of unrelated Assault on Police Officer prosecution, guilty of APO: suspended sentence, $50 fine*
ATTEMPT: Subject ran from White House tour line and attempted to force way through pedestrian gate. Mentally ill.	08/25/06	White House	DC Code Unlawful Entry	*not prosecuted*
ATTEMPT: Subject attempted to pass through pedestrian gate on North Fence Line. When stopped, caused disturbance. Mentally ill.	08/29/06	White House	DC Code Unlawful Entry, Disorderly Conduct, Assault on Police Officer	*guilty APO: 9 months jail with 5 months time served (suspended), 3 years supervised release; guilty, DIS CON sentenced to time served*
Subject jumped pedestrian gate on North Fence Line. Mentally ill.	09/15/06	White House	DC Code Unlawful Entry	*stay away order, Failure to Appear bench warrant, dismissed upon evidence of return to home country*
Subject jumped North Fence Line. Claimed did so to protest government.	10/14/06	White House	DC Code Unlawful Entry, Possession of Marijuana	*stay away order, guilty: suspended sentence, 1 year probation*
Subject observed inside secure fence of Treasury Dept. Claimed to be intoxicated.	11/04/06	Treasury Dept	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
Subject jumped North Fence Line and threw package on ground later revealed to be hoax device. Refused interview.	03/16/07	White House	DC Code Unlawful Entry, Throwing Missile, False Bomb Threat	*stay away order, pre-trial diversion, dismissed*
Subject jumped North Fence Line. Mentally ill.	03/26/07	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject attempted to enter pedestrian gate open for pass holder. Claimed to have an appointment. Mentally ill.	04/06/07	White House	DC Code Unlawful Entry, Disorderly Conduct, Assault on Police Officer (2x)	*stay away order, guilty of APO 2x: 100 days jail, $100 fine*
ATTEMPT: Subject attempted to climb South Fence Line. Claimed his aunt worked at White House. Mentally ill.	04/10/07	White House	DC Code Disorderly Conduct	*stay away order, guilty: suspended sentence, $50 fine*
Subject jumped fence at Treasury near 15th and Hamilton Pl. Appeared under influence of drugs.	04/30/07	Treasury Dept	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*

ATTEMPT: Subject rammed vehicle into bollards. Exited vehicle and fought with officers. Claimed he was trying to kill himself.	05/06/07	White House	DC Code Unlawful Entry, Carrying Prohibited Weapon, Assault on Police Officer (4x), Failure to Obey Police Officer, Traffic Offense	*stay away order, guilty to lesser charges: $650 fine*
After being denied a tour, subject jumped North Fence Line. Claimed wanted to give President Bush a gift.	06/17/07	White House	DC Code Unlawful Entry	*stay away order, Failure to Appear bench warrant, dismissed*
Subject jumped fence at Eisenhower Executive Office Building (EEOB). Claimed wanted picture.	07/04/07	EEOB	DC Code Unlawful Entry	*not prosecuted*
Subject jumped the North Fence Line. Claimed he did so because he wanted to be famous.	08/05/07	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject attempted entry to White House using other agency visitor pass. Claimed wanted to speak with President about family problem.	11/28/07	White House	DC Code Unlawful Entry	*guilty: suspended sentence, 5 days jail, 18 months probation, $50 fine*
ATTEMPT: Subject attempted to follow pass holder through North Fence Line pedestrian gate. Mentally ill.	12/24/07	White House	DC Code Unlawful Entry	*stay away order, Failure to Appear bench warrant, pending*
ATTEMPT: Subject attempted to follow pass holder through North Fence Line pedestrian gate. Mentally ill.	01/05/08	White House	DC Code Failure to Obey Police Officer	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject attempted to push past officer after being denied entry to gate. Mentally ill.	02/05/08	White House	DC Code Unlawful Entry, Assault on Police Officer	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject attempted to climb North Fence Line. Claimed to be intoxicated and seeking help with employment dispute. Mentally ill.	05/15/08	White House	DC Code Unlawful Entry	*stay away order, Failure to Appear bench warrant, dismissed upon evidence of return to home country*
ATTEMPT: Subject attempted to jump fence at Treasury. Mentally ill.	06/04/08	Treasury Dept	DC Code Unlawful Entry, Destruction of Property	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject attempted to gain entry through North Fence Line pedestrian gate. Claimed to want help with employment dispute.	06/06/08	White House	DC Code Unlawful Entry	*stay away order, Failure to Appear bench warrant, dismissed (poss. in lieu of open ICE deportation warrant)*
Subject ran through open vehicle gate on South Fence Line. Claimed did so for the excitement.	08/01/08	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
Subject jumped North Fence Line. Claimed did so to deliver a letter to President Bush.	11/02/08	White House	DC Code Unlawful Entry	*stay away order, Failure to Appear bench warrant, dismissed*

Subject, who was intoxicated, jumped fence near Treasury Annex.	11/05/08	Treasury Annex	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject attempted to enter restricted area near EEOB. When stopped, threatened agents and officers. Mentally ill.	01/18/09	EEOB	DC Code Unlawful Entry, Threats to do Bodily Harm	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject attempted to walk past officer after being denied entry to restricted area near South Fence Line.	02/07/09	White House	DC Code Failure to Obey Police Officer, Crossing Police Line	*Failure to Appear bench warrant, pending*
Subject jumped the East Fence Line after running through vehicle gate gaining access to East Executive Ave. Mentally ill.	06/09/09	White House	DC Code Unlawful Entry	*guilty: 30 days jail*
Subject jumped the North Fence Line. Claimed wanted appointment with President to help with a problem.	08/02/09	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject attempted to gain entry through North Fence Line vehicle gate opened for authorized vehicle. When stopped stated, "I should have brought a bomb for Obama." Mentally ill.	01/14/10 Incident 01/16/10 Arrest	White House	DC Code Unlawful Entry, Felony Threats	*stay away order, guilty: suspended sentence, 2 years probation*
ATTEMPT: Subject attempted to pass through pedestrian gate on North Fence Line as pass holder exited. Claimed she loved the President and wanted to be on news with the First Family.	01/25/10	White House	DC Code Unlawful Entry	*stay away order, dismissed in lieu of prosecution for contempt of court (stay away), guilty: suspended sentence, 1 year probation, $50 fine*
ATTEMPT: Subject attempted to follow pass holder through pedestrian gate. Mentally ill.	02/05/10	White House	DC Code Unlawful Entry	*stay away order, jury trial resulted in hung jury mistrial, granted pre-trial diversion, dismissed*
Two subjects climbed onto the first floor façade of the Treasury Building on 15th Street in order to better display protest signs.	03/19/10	Treasury	DC Code Unlawful Entry, Failure to Obey	*Case was Dismissed- Nolle- Diversion*
Three subjects scaled fence to enter former President Bush's Waco TX residence. Claimed to be unaware they had entered restricted area. Had photographs of grounds.	04/03/10	Bush Residence, Waco,TX	Local Police: Local Code Trespassing	*guilty: 9 months probation, $100 fine*
Subject observed sitting on North Fence Line. Claimed wanted unobstructed view.	04/17/10	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*

Subject arrested after jumping EEOB fence near 600 block of 17th Street NW. Claimed to be looking for better spot to watch fireworks.	07/04/10	EEOB	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject attempted to follow pass holder through South Fence Line gate. Claimed had appointment with President Obama.	07/12/10	White House	DC Code Unlawful Entry	*stay away order, guilty: suspended sentence, 1 year probation, $50 fine*
Two subjects arrested after climbing fence at 17th and State Pl. Claimed trying to get closer look at White House.	08/25/10	EEOB	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
Two subjects arrested after jumping over a masonry wall concealing Treasury Annex air intake. Claimed to be "urban climbers" and unaware the area was restricted.	10/23/10	Treasury Annex	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject attempted to follow group of pass holders through North Fence Line gate. Claimed she was Secretary of State. Mentally ill.	04/01/11	White House	DC Code Unlawful Entry	*guilty: time served, $50 fine*
ATTEMPT: Subject attempted to jump North Fence Line. Refused interview. Mentally ill.	04/25/11	White House	DC Code Unlawful Entry	*stay away order, guilty: suspended sentence, 7 days jail, 2 years probation (see 8/2/15)*
Subject entered White House pedestrian gate and immediately detained. Mentally ill.	06/02/11	White House	DC Contempt of Court (stay away) and APO, ICE detainer issued	*civilly committed, guilty: 100 days jail*
ATTEMPT: Subject attempted to push way through pedestrian gate at Treasury. Claimed wanted a $1billion bank account. Mentally ill.	07/19/11	Treasury Dept	Local Police: Local Code Unlawful Entry	*dismissed, found incompetent to stand trial*
Subject jumped North Fence Line. Claimed to be depressed and God told him to go to White House.	08/02/11	White House	DC Code Unlawful Entry, Felony Contempt of Court (stay away)	*stay away order, guilty: suspended sentence, 7 days jail, 2 years probation (see 4/25/11)*
ATTEMPT: Subject attempted entry to Treasury, when denied fought with officers. Under influence of drugs.	09/12/11	Treasury Dept	DC Code Assault on Police Officer	*stay away order, guilty: 11 months probation, $50 fine*
ATTEMPT: Subject attempted to enter President Obama site without ticket. When denied became aggressive. Claimed wanted to hear President.	09/13/11	Protectee Site	Local Code Disorderly Conduct (juvenile)	*guilty: $135 fine*
Subject jumped North Fence Line. Refused interview.	09/20/11	White House	DC Code Unlawful Entry	*deported, dismissed*

Subject entered vehicle gate near EEOB on foot. Claimed intoxicated and looking for shortcut.	10/08/11	EEOB	DC Code Unlawful Entry	*stay away order, dismissed*
ATTEMPT: Subject arrested after attempting to climb North Fence Line while posing for picture. Claimed to be intoxicated and only posing for picture.	10/09/11	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject attempted to rush past security at New Executive Office Building (NEOB). Claimed to have to pass top secret information. Mentally ill.	06/22/12	NEOB	DC Code Unlawful Entry	*stay away order, dismissed*
ATTEMPT: Subject attempted to walk through North Fence Line vehicle gate opened for authorized vehicle. Mentally ill.	07/27/12	White House	DC Code Unlawful Entry	*stay away order, guilty: suspended sentence*
ATTEMPT: Subject attempted to pass through pedestrian gate on North Fence Line by following pass holder. Mentally ill.	10/11/12	White House	DC Code Unlawful Entry	*guilty: suspended sentence, $50 fine*
ATTEMPT: Subject participating in a demonstration attempted to pass through pedestrian gate on North Fence Line opened for pass holder.	10/11/12	White House	DC Code Unlawful entry	*stay away order, pre-trial diversion, dismissed*
Subject stepped past bollards and struck window of VIP vehicle entering White House. Claimed it was misunderstanding. Mentally ill.	11/29/12	White House	DC Code Unlawful Entry, Assault on Police Officer	*stay away order, Failure to Appear bench warrant, dismissed*
Subject jumped turnstile at pedestrian gate near South Fence Line. Claimed wanted to speak with President Obama and get arrested.	01/12/13	White House	DC Code Unlawful Entry	*stay away order, Failure to Appear bench warrant, pending*
Subject rigged vehicle to self-drive into White House Complex security barrier as a diversion, while he jumped fence in front of EEOB. Attempted to reach White House, but was stopped before reaching West Executive Avenue. Vehicle contained numerous firearms and ammunition. Claimed did so as protest of government.	06/09/13	EEOB	18 USC § 111, 1361, 1752; DC Code Destruction of Property, Unlawful Entry, Unregistered Ammunition	*guilty (18 USC §111): 35 months penitentiary, 3 years supervised release, $5345 restitution*
Subject jumped North Fence Line. Claimed it was an act of civil disobedience.	06/26/13	White House	DC Code Unlawful Entry	*stay away order, guilty: suspended sentence 1 year probation, $250 fine*
Subject entered North Fence Line vehicle gate opened for authorized vehicle. Claimed to be looking for short cut.	09/24/13	White House	DC Code Unlawful Entry	*not prosecuted*

ATTEMPT: Subject attempted to jump North Fence Line. Claimed wanted to go to jail.	01/15/14	White House	DC Code Unlawful Entry	*stay away order, guilty; suspended sentence, 45 days jail, 3 years probation, $50 fine*
ATTEMPT: Subject attempted to climb North Fence Line. Mentally ill.	02/07/14	White House	US Park Police; DC Code Unlawful Entry	*Failure to Appear bench warrant, pending*
Subject jumped North Fence Line. Refused orders to stop, subdued by K9. Claimed wanted to talk to President about healthcare.	03/30/14	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*

Pursuant to the Committee's request, the Secret Service has compiled two separate lists of security incidents involving Secret Service secured sites in which a subject breached or attempted to breach a security barrier, was arrested, and was subsequently charged with a criminal violation from 4/1/05 to 3/31/14. The first list addresses breaches and attempted breaches of a permanent fence or barrier; the second addresses breaches and attempted breaches involving a temporary fence or barrier. In each list, a security incident was defined as an incident in which an individual either scaled/crossed or attempted to scale/cross a permanent or temporary security fence or barrier. Incidents in which an object such as a tennis ball, cigarette pack, paper, etc., was thrown through or over the permanent fence were not captured in this production. Notations reflecting mental illness are derived from court records or investigative files, where such information was available.

Committee on Oversight and Government Reform Request: Security Incidents from April 1, 2005 to March 31, 2014
Temporary Barrier

Description	Activity/Arrest Date	Activity Location	Charge(s)	Adjudication
ATTEMPT: Subject twice attempted to enter secure area of United Nations by claiming diplomatic status. Second time warned he was found to be in possession of a handgun.	08/11/05	Protectee Site	Local Code: Criminal Possession of Firearm, Assault	*mentally incompetent, civilly committed*
Subject walked past bike rack despite warnings. Claimed was there to work at White House. Mentally ill.	09/25/05	White House	DC Code Unlawful Entry	*not prosecuted*
ATTEMPT: Two subjects participating in a demonstration attempted to circumvent security by swimming to Vice President Cheney site in attempt to gain media attention.	06/26/06	Protectee Site	Local Police: Local Code Failure to Obey Law Enforcement, Causing Public Nuisance in water.	*adjudication undetermined*
Subject observed inside restricted area near Pennsylvania Ave. Claimed to be intoxicated.	01/01/07	White House	DC Code Unlawful Entry	*pre-trial diversion, dismissed*
Subject jumped bike rack near South Fence Line Mentally ill.	04/29/07	White House	DC Code Unlawful Entry	*stay away order, guilty: suspended sentence, 1 year probation*
Subject approached checkpoint and entered restricted area by jumping over concrete 'jersey' barrier. Claimed to want to speak with President about refugee status.	09/11/07	White House	DC Code Unlawful Entry	*stay away order, dismissed upon evidence of return to home country*
Subject jumped concrete barrier on E Street and walked toward gate. Claimed had meeting. Mentally ill.	10/13/07	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
Subject jumped bike rack near EEOB. Mentally ill.	11/06/07	EEOB	DC Code Unlawful Entry	*mental health diversion, dismissed*
ATTEMPT: Four subjects engaged in a protest attempted to crawl under security fence at protectee site.	09/03/08	Protectee Site	Local Police: Local Code Trespassing	*adjudication undetermined*
Subject jumped bike rack near Sherman Park. Mentally ill.	10/28/08	Treasury Dept	DC Code Unlawful Entry	*stay away order, pre-trial diversion, Failure to Appear bench warrant, dismissed*
Subject observed inside construction barriers preventing public access to area of Lafayette Park. Claimed he hoped to speak with President Bush.	12/12/08	White House	DC Code Unlawful Entry	*stay away order, dismissed*

ATTEMPT: Subject attempted to enter restricted area near EEOB. When stopped, threatened agents and officers. Mentally ill.	01/19/09	EEOB	DC Code Unlawful Entry, Threats to do Bodily Harm	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject attempted to enter President Obama site through rear entrance and denied. Carried pocket knife. Claimed did not have ticket and wanted admittance.	08/11/09	Protectee Site	Local Police: Local Code- Criminal Trespass, Carrying Concealed Weapon	*guilty: 90 days jail, 25 hours community service, $2000 fine*
Subject moved bike rack to enter restricted area. Mentally ill.	08/12/09	White House	DC Code Unlawful Entry	*stay away order, guilty (greater charge from unrelated incident): 30 days jail (time served), $50 fine*
Subject jumped bike rack construction zone on North Fence Line. Appeared intoxicated.	08/19/09	White House	DC Code Unlawful Entry	*stay away order, guilty: suspended sentence, 3 years probation, $50 fine*
ATTEMPT: Subject attempted to walk past pedestrian barrier into restricted area outside White House. Ignored requests to leave area. Claimed wanted to make citizens arrest of President Obama. Mentally ill.	02/21/10	White House	DC Code Unlawful Entry, Assault on Police Officer	*stay away order, pre-trial diversion, dismissed*
ATTEMPT: Subject attempted to enter restricted area of E Street closed for President Obama movement. Claimed wanted to discuss his application for employment.	04/10/10	White House	DC Code Unlawful Entry	*stay away order, Failure to Appear bench warrant, dismissed*
Subject jumped over a bike rack near the South Fence Line. Claimed to be lost.	05/14/10	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
Subject moved bike rack near South Fence Line and entered restricted area. Appeared intoxicated. Mentally ill.	05/24/10	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
Subject jumped perimeter fence at President Obama site. Claimed wanted to attend without ticket.	08/09/10	Protectee Site	Local Police: Local Code Criminal Trespassing.	*dismissed*
Subject jumped over bike rack and entered restricted area near 17th Street and State Place. Claimed that he traveled to the area to attend a political rally and decided to deliver a letter to the President.	08/28/10	White House	DC Code Unlawful Entry	*Case was Dismissed- Nolle- Diversion*
Subject jumped over bike rack near EEOB. Tourist, denied knowledge area was restricted.	08/31/10	EEOB	DC Code Unlawful Entry	*not prosecuted*
Subject jumped bike rack near EEOB. Tourist, denied knowledge area was restricted.	09/03/10	EEOB	DC Code Unlawful Entry	*pre-trial diversion, dismissed*
Subject jumped bike rack near South Fence Line. Stated he wanted to meet President.	09/04/10	White House	DC Code Unlawful Entry	*pre-trial diversion, dismissed*

Subject jumped bike rack near North Fence Line. Claimed he wanted to bring attention to his problems.	09/18/10	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
Subject jumped police barrier near a vehicle gate. Claimed to be taking shortcut. Appeared intoxicated.	10/09/10	Treasury Dept	DC Code Unlawful Entry	*pre-trial diversion, dismissed*
Subject jumped bike rack near Sherman Park. Appeared intoxicated.	10/23/10	Treasury Dept	DC Code Unlawful Entry	*not prosecuted*
ATTEMPT: Subject attempted to climb over bike rack near North Fence Line. Claimed to be taking shortcut.	12/08/10	White House	DC Code Unlawful Entry	*dismissed*
Subject observed inside area restricted by a bike rack near South Fence Line. Appeared intoxicated.	01/05/11	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
Subject jumped bike rack near North Fence Line. Claimed he was being chased. Mentally ill.	04/04/11	White House	DC Code Unlawful Entry	*not prosecuted*
Subject jumped a bike rack near Sherman Park.	07/04/11	White House	DC Code Unlawful Entry	*stay away order, failure to Appear bench warrant, dismissed*
ATTEMPT: Subject attempted to enter President Obama site without ticket. When denied became aggressive. Claimed wanted to hear President.	09/13/11	Protectee Site	Local Code Disorderly Conduct (juvenile)	*guilty: $135 fine*
Subject observed riding skateboard on West Executive Avenue. Claimed had jumped bike rack to test security. Claimed to be intoxicated.	10/08/11	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
Subject moved bike rack near EEOB. Claimed wanted to get closer for picture.	12/04/11	EEOB	DC Code Unlawful Entry	*not prosecuted*
Subject jumped bike rack near Blair House despite warnings. Claimed to be looking for shortcut.	03/20/12	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
Subject jumped bike rack near Sherman Park. Wanted meeting with President. Mentally ill.	04/02/12	White House	DC Code Unlawful Entry	*stay away order, dismissed due to felony extradition*
Subject bypassed locked gate on college campus during President Obama visit. Claimed to be invited, but did not have ticket.	07/05/12	Protectee Site	Local Police: Local Code Obstruction of Official Business, Trespass, Disorderly Conduct	*pre-trial diversion, dismissed*
Subject moved bike rack near South Fence Line. Mentally ill.	08/15/12	White House	DC Code Unlawful Entry	*stay away order, failure to Appear bench warrant, dismissed*
ATTEMPT: Subject moved a bike rack in an attempt to enter a restricted area. Mentally ill.	09/29/12	White House	DC Code Unlawful Entry	*guilty: 165 days jail*
Subject jumped a perimeter fence at President's site.	11/04/12	Protectee Site	Local Police: Local Code Trespassing	*adjudication undetermined*

Subject moved bike rack to enter restricted area. Mentally ill.	01/27/13	White House	DC Code Unlawful Entry	*dismissed*
Subject jumped bike rack near White House. Mentally ill.	02/20/13	White House	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
Two subjects arrested after being found in restricted area of Sherman Park. Subjects claimed to be on first date and wanted to see White House.	06/23/13	Treasury Dept	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*
Subject moved bike rack to enter restricted area. Mentally ill.	10/13/13	Obama Residence, Chicago	Local Police: Local Code Trespassing	*civilly committed, no charges filed*
Subject jumped bike rack. Claimed he thought he could get a White House tour. Mentally ill.	11/03/13	White House	DC Code Unlawful Entry	*stay away order, Failure to Appear bench warrant, pending*
Subject moved bike rack and attempted to enter restricted area near South Fence Line. Mentally ill.	12/01/13	White House	DC Code Unlawful Entry	*not prosecuted*
Subject jumped bike rack near South Fence Line. Claimed to be unaware restricted area.	01/01/14	White House	DC Code Unlawful Entry	*stay away order, guilty: suspended sentence, 12 months probation, $50 fine*
Subject moved bike rack near Sherman Park. Claimed to be intoxicated.	01/30/14	Treasury Dept	DC Code Unlawful Entry	*stay away order, pre-trial diversion, dismissed*

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Response Summary

	Surveys Completed
2015 Governmentwide	421,748
2015 Department of Homeland Security	43,090
2015 U.S. Secret Service (USSS)	**1,277**
2014 U.S. Secret Service (USSS)	1,123
2013 U.S. Secret Service (USSS)	1,400
2012 U.S. Secret Service (USSS)	2,205
2011 U.S. Secret Service (USSS)	959
2010 U.S. Secret Service (USSS)	578

This 2015 Federal Employee Viewpoint Survey Report provides summary results for subagencies within your department or agency. The results include response percentages for each survey item. The definitions for the Positive, Neutral, and Negative response percentages vary in the following ways across the three primary response scales used in the survey:

Positive: *Strongly Agree* and *Agree / Very Satisfied* and *Satisfied / Very Good* and *Good*

Neutral: *Neither Agree nor Disagree / Neither Satisfied nor Dissatisfied / Fair*

Negative: *Disagree* and *Strongly Disagree / Dissatisfied* and *Very Dissatisfied / Poor* and *Very Poor*

Positive, Neutral, and Negative percentages are based on the total number of responses (N) that are in these three categories. The number of *Do Not Know (DNK)* or *No Basis to Judge (NBJ)* responses, where applicable, is listed separately.

The last column indicates whether or not there was a significant increase, decrease, or no change in positive percentages from the previous year. Arrows slanting up indicate a statistically significant increase, and arrows slanting down indicate a statistically significant decrease. Horizontal arrows indicate the change was not statistically significant. For example, in the row with the 2015 results, if the arrow was slanting up ↗, there was a significant increase in positive percentages from 2014 to 2015.

Note: The report tables that follow do not include results for any year listed in the Response Summary table (above) that had fewer than 10 completed surveys. If there were fewer than 30 respondents for a given year, the column showing the 'Difference from previous year' will show '--' to signify that no test was performed due to small sample size. Items 72 to 78 are on a different response scale and are not included in the significance testing. 2010 response percentages are shown to provide context for the significance test from 2011.

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1. I am given a real opportunity to improve my skills in my organization.

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	420,841	61.3%	16.6%	22.1%	
2015 Department of Homeland Security	42,999	46.3%	18.9%	34.8%	
2015 U.S. Secret Service (USSS)	**1,275**	**33.5%**	**19.6%**	**47.0%**	↘
2014 U.S. Secret Service (USSS)	1,123	46.4%	21.0%	32.6%	↘
2013 U.S. Secret Service (USSS)	1,399	49.9%	18.3%	31.8%	↘
2012 U.S. Secret Service (USSS)	2,203	55.9%	16.9%	27.2%	↘
2011 U.S. Secret Service (USSS)	958	62.8%	14.9%	22.3%	→
2010 U.S. Secret Service (USSS)	577	59.2%	18.0%	22.9%	

2. I have enough information to do my job well.

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	418,183	69.9%	15.0%	15.2%	
2015 Department of Homeland Security	42,975	59.5%	17.6%	23.0%	
2015 U.S. Secret Service (USSS)	**1,273**	**47.8%**	**21.3%**	**30.9%**	↘
2014 U.S. Secret Service (USSS)	1,115	61.2%	18.8%	20.0%	↘
2013 U.S. Secret Service (USSS)	1,392	65.4%	18.2%	16.3%	↘
2012 U.S. Secret Service (USSS)	2,199	70.1%	16.4%	13.5%	↘
2011 U.S. Secret Service (USSS)	958	75.4%	13.0%	11.6%	↗
2010 U.S. Secret Service (USSS)	577	67.4%	16.6%	16.0%	

3. I feel encouraged to come up with new and better ways of doing things.

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	414,872	56.5%	18.3%	25.2%	
2015 Department of Homeland Security	42,911	39.4%	18.6%	42.0%	
2015 U.S. Secret Service (USSS)	**1,274**	**31.2%**	**18.7%**	**50.1%**	↘
2014 U.S. Secret Service (USSS)	1,106	38.4%	21.8%	39.8%	↘
2013 U.S. Secret Service (USSS)	1,389	45.1%	19.5%	35.4%	↘
2012 U.S. Secret Service (USSS)	2,193	49.0%	19.4%	31.6%	↘
2011 U.S. Secret Service (USSS)	959	56.9%	18.4%	24.7%	→
2010 U.S. Secret Service (USSS)	572	50.7%	17.8%	31.5%	

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4. My work gives me a feeling of personal accomplishment.

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	418,769	70.4%	14.6%	14.9%	
2015 Department of Homeland Security	42,922	56.0%	17.4%	26.6%	
2015 U.S. Secret Service (USSS)	**1,273**	**56.0%**	**18.4%**	**25.5%**	↘
2014 U.S. Secret Service (USSS)	1,114	61.8%	17.3%	20.9%	→
2013 U.S. Secret Service (USSS)	1,388	63.8%	19.0%	17.2%	↘
2012 U.S. Secret Service (USSS)	2,194	70.7%	15.0%	14.3%	↘
2011 U.S. Secret Service (USSS)	958	74.2%	13.6%	12.3%	→
2010 U.S. Secret Service (USSS)	577	70.0%	16.1%	13.8%	

5. I like the kind of work I do.

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	414,001	82.9%	10.9%	6.2%	
2015 Department of Homeland Security	42,891	76.4%	13.7%	9.9%	
2015 U.S. Secret Service (USSS)	**1,270**	**77.9%**	**13.2%**	**8.9%**	→
2014 U.S. Secret Service (USSS)	1,109	81.2%	13.3%	5.6%	→
2013 U.S. Secret Service (USSS)	1,380	81.3%	13.1%	5.6%	↘
2012 U.S. Secret Service (USSS)	2,196	84.1%	10.5%	5.4%	↘
2011 U.S. Secret Service (USSS)	955	88.0%	7.5%	4.6%	→
2010 U.S. Secret Service (USSS)	576	86.1%	8.3%	5.6%	

6. I know what is expected of me on the job.

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	417,035	79.1%	11.2%	9.7%	
2015 Department of Homeland Security	42,780	73.0%	12.7%	14.3%	
2015 U.S. Secret Service (USSS)	**1,265**	**70.4%**	**15.2%**	**14.4%**	↘
2014 U.S. Secret Service (USSS)	1,113	75.4%	14.6%	10.0%	↘
2013 U.S. Secret Service (USSS)	1,395	81.2%	11.7%	7.1%	→
2012 U.S. Secret Service (USSS)	2,189	82.3%	10.0%	7.7%	↘
2011 U.S. Secret Service (USSS)	952	86.0%	8.5%	5.5%	↗
2010 U.S. Secret Service (USSS)	572	81.1%	13.3%	5.6%	

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7. When needed I am willing to put in the extra effort to get a job done.

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	418,594	95.6%	2.8%	1.7%	
2015 Department of Homeland Security	42,945	92.6%	3.9%	3.5%	
2015 U.S. Secret Service (USSS)	**1,275**	**93.6%**	**3.9%**	**2.5%**	↘
2014 U.S. Secret Service (USSS)	1,112	96.1%	2.6%	1.4%	→
2013 U.S. Secret Service (USSS)	1,389	96.2%	2.6%	1.1%	→
2012 U.S. Secret Service (USSS)	2,195	96.6%	2.3%	1.1%	→
2011 U.S. Secret Service (USSS)	958	97.3%	1.9%	0.8%	→
2010 U.S. Secret Service (USSS)	576	96.1%	2.1%	1.8%	

8. I am constantly looking for ways to do my job better.

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	419,588	90.5%	7.6%	1.9%	
2015 Department of Homeland Security	42,891	84.9%	10.7%	4.4%	
2015 U.S. Secret Service (USSS)	**1,271**	**85.1%**	**11.9%**	**3.0%**	↘
2014 U.S. Secret Service (USSS)	1,119	88.7%	8.7%	2.6%	→
2013 U.S. Secret Service (USSS)	1,398	89.2%	8.6%	2.2%	→
2012 U.S. Secret Service (USSS)	2,196	90.2%	8.4%	1.5%	→
2011 U.S. Secret Service (USSS)	952	92.4%	6.0%	1.7%	↗
2010 U.S. Secret Service (USSS)	576	87.4%	10.6%	1.9%	

9. I have sufficient resources (for example, people, materials, budget) to get my job done.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	419,427	46.1%	16.2%	37.7%	1,039	
2015 Department of Homeland Security	42,826	37.0%	15.5%	47.6%	168	
2015 U.S. Secret Service (USSS)	**1,272**	**18.4%**	**11.3%**	**70.3%**	**1**	↘
2014 U.S. Secret Service (USSS)	1,119	30.9%	17.5%	51.6%	2	→
2013 U.S. Secret Service (USSS)	1,397	30.7%	17.8%	51.4%	3	↘
2012 U.S. Secret Service (USSS)	2,195	38.2%	15.4%	46.3%	4	↘
2011 U.S. Secret Service (USSS)	955	41.3%	19.6%	39.1%	2	↗
2010 U.S. Secret Service (USSS)	571	36.2%	18.3%	45.5%	4	

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10. My workload is reasonable.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	417,538	57.0%	16.5%	26.5%	784	
2015 Department of Homeland Security	42,783	54.6%	17.2%	28.2%	118	
2015 U.S. Secret Service (USSS)	**1,269**	**42.4%**	**18.7%**	**38.9%**	**1**	↘
2014 U.S. Secret Service (USSS)	1,113	54.5%	18.9%	26.6%	1	↘
2013 U.S. Secret Service (USSS)	1,390	62.4%	18.1%	19.5%	2	↘
2012 U.S. Secret Service (USSS)	2,183	64.9%	16.4%	18.7%	4	↘
2011 U.S. Secret Service (USSS)	949	68.8%	16.0%	15.2%	3	→
2010 U.S. Secret Service (USSS)	576	63.3%	19.2%	17.5%	1	

11. My talents are used well in the workplace.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	406,246	57.7%	16.7%	25.6%	1,945	
2015 Department of Homeland Security	42,376	43.2%	18.0%	38.7%	369	
2015 U.S. Secret Service (USSS)	**1,268**	**38.0%**	**19.7%**	**42.2%**	**5**	↘
2014 U.S. Secret Service (USSS)	1,095	45.6%	18.8%	35.6%	5	↘
2013 U.S. Secret Service (USSS)	1,353	49.7%	20.3%	30.0%	9	↘
2012 U.S. Secret Service (USSS)	2,163	55.0%	17.0%	28.0%	10	→
2011 U.S. Secret Service (USSS)	947	56.7%	17.1%	26.1%	7	→
2010 U.S. Secret Service (USSS)	573	53.1%	20.7%	26.3%	3	

12. I know how my work relates to the agency's goals and priorities.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	416,802	82.5%	10.3%	7.3%	1,495	
2015 Department of Homeland Security	42,537	72.5%	12.6%	14.9%	273	
2015 U.S. Secret Service (USSS)	**1,264**	**69.2%**	**16.6%**	**14.2%**	**6**	↘
2014 U.S. Secret Service (USSS)	1,119	78.0%	11.9%	10.1%	2	↘
2013 U.S. Secret Service (USSS)	1,391	80.8%	12.5%	6.6%	3	↘
2012 U.S. Secret Service (USSS)	2,183	82.8%	10.5%	6.7%	6	↘
2011 U.S. Secret Service (USSS)	954	85.5%	9.8%	4.7%	2	→
2010 U.S. Secret Service (USSS)	574	82.6%	10.5%	7.0%	2	

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13. The work I do is important.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	413,090	90.0%	6.8%	3.2%	1,176	
2015 Department of Homeland Security	42,602	84.6%	8.3%	7.1%	226	
2015 U.S. Secret Service (USSS)	**1,270**	**89.0%**	**8.0%**	**3.0%**	**3**	→
2014 U.S. Secret Service (USSS)	1,105	88.6%	8.7%	2.7%	4	→
2013 U.S. Secret Service (USSS)	1,388	90.2%	7.0%	2.8%	1	→
2012 U.S. Secret Service (USSS)	2,186	90.8%	5.9%	3.3%	3	→
2011 U.S. Secret Service (USSS)	952	91.1%	6.4%	2.5%	1	→
2010 U.S. Secret Service (USSS)	572	88.6%	7.8%	3.6%	0	

14. Physical conditions (for example, noise level, temperature, lighting, cleanliness in the workplace) allow employees to perform their jobs well.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	417,770	65.8%	14.1%	20.1%	1,841	
2015 Department of Homeland Security	42,672	57.5%	15.6%	26.9%	247	
2015 U.S. Secret Service (USSS)	**1,268**	**67.3%**	**15.4%**	**17.3%**	**4**	↘
2014 U.S. Secret Service (USSS)	1,121	74.7%	13.6%	11.7%	1	→
2013 U.S. Secret Service (USSS)	1,394	77.7%	13.1%	9.1%	4	→
2012 U.S. Secret Service (USSS)	2,193	78.1%	11.9%	10.0%	3	→
2011 U.S. Secret Service (USSS)	951	78.3%	11.7%	10.0%	5	↗
2010 U.S. Secret Service (USSS)	575	73.2%	16.1%	10.7%	2	

15. My performance appraisal is a fair reflection of my performance.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	413,321	69.1%	14.4%	16.5%	5,987	
2015 Department of Homeland Security	42,372	58.1%	16.5%	25.4%	574	
2015 U.S. Secret Service (USSS)	**1,260**	**67.4%**	**17.7%**	**14.9%**	**14**	→
2014 U.S. Secret Service (USSS)	1,110	70.7%	16.5%	12.8%	9	→
2013 U.S. Secret Service (USSS)	1,393	71.6%	14.8%	13.7%	4	→
2012 U.S. Secret Service (USSS)	2,189	73.8%	14.3%	11.8%	9	→
2011 U.S. Secret Service (USSS)	949	74.6%	14.1%	11.3%	5	→
2010 U.S. Secret Service (USSS)	568	69.6%	15.8%	14.6%	8	

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16. I am held accountable for achieving results.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	416,218	81.3%	12.2%	6.5%	2,077	
2015 Department of Homeland Security	42,542	69.8%	17.0%	13.3%	297	
2015 U.S. Secret Service (USSS)	**1,266**	**67.8%**	**20.5%**	**11.7%**	**6**	↘
2014 U.S. Secret Service (USSS)	1,115	73.7%	15.8%	10.4%	5	→
2013 U.S. Secret Service (USSS)	1,394	76.2%	15.0%	8.8%	1	↘
2012 U.S. Secret Service (USSS)	2,183	80.7%	12.7%	6.6%	14	→
2011 U.S. Secret Service (USSS)	951	79.9%	13.9%	6.3%	3	→
2010 U.S. Secret Service (USSS)	574	75.8%	16.3%	7.8%	3	

17. I can disclose a suspected violation of any law, rule or regulation without fear of reprisal.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	400,156	61.2%	18.7%	20.1%	18,409	
2015 Department of Homeland Security	41,186	50.2%	20.0%	29.8%	1,687	
2015 U.S. Secret Service (USSS)	**1,233**	**36.8%**	**22.1%**	**41.1%**	**41**	↘
2014 U.S. Secret Service (USSS)	1,082	46.7%	25.7%	27.5%	35	↘
2013 U.S. Secret Service (USSS)	1,357	52.7%	22.1%	25.2%	38	↘
2012 U.S. Secret Service (USSS)	2,143	55.6%	21.9%	22.5%	53	→
2011 U.S. Secret Service (USSS)	935	57.4%	22.7%	19.8%	21	→
2010 U.S. Secret Service (USSS)	548	57.3%	21.2%	21.5%	27	

18. My training needs are assessed.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	414,506	51.7%	23.1%	25.2%	4,422	
2015 Department of Homeland Security	42,262	42.2%	24.1%	33.8%	596	
2015 U.S. Secret Service (USSS)	**1,257**	**25.3%**	**23.9%**	**50.9%**	**11**	↘
2014 U.S. Secret Service (USSS)	1,111	32.3%	27.0%	40.7%	8	↘
2013 U.S. Secret Service (USSS)	1,382	36.7%	23.9%	39.4%	13	↘
2012 U.S. Secret Service (USSS)	2,181	42.9%	23.6%	33.5%	16	→
2011 U.S. Secret Service (USSS)	939	46.3%	23.9%	29.8%	9	→
2010 U.S. Secret Service (USSS)	566	46.4%	22.2%	31.4%	7	

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19. In my most recent performance appraisal, I understood what I had to do to be rated at different performance levels (for example, Fully Successful, Outstanding).

	N	Positive	Neutral	Negative	NBJ	Difference from previous year
2015 Governmentwide	410,220	68.1%	14.1%	17.8%	10,590	
2015 Department of Homeland Security	41,909	61.0%	16.0%	23.0%	1,097	
2015 U.S. Secret Service (USSS)	**1,253**	**64.4%**	**17.6%**	**18.0%**	**19**	↘
2014 U.S. Secret Service (USSS)	1,104	68.5%	16.5%	15.1%	17	→
2013 U.S. Secret Service (USSS)	1,386	70.6%	16.4%	13.0%	12	→
2012 U.S. Secret Service (USSS)	2,171	72.7%	14.2%	13.1%	31	→
2011 U.S. Secret Service (USSS)	951	74.8%	15.2%	10.0%	4	↗
2010 U.S. Secret Service (USSS)	565	69.2%	16.8%	14.0%	11	

20. The people I work with cooperate to get the job done.

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	420,499	72.7%	14.0%	13.3%	
2015 Department of Homeland Security	42,977	65.7%	15.5%	18.7%	
2015 U.S. Secret Service (USSS)	**1,271**	**75.1%**	**12.8%**	**12.1%**	→
2014 U.S. Secret Service (USSS)	1,121	76.3%	13.5%	10.2%	→
2013 U.S. Secret Service (USSS)	1,396	78.5%	11.4%	10.1%	→
2012 U.S. Secret Service (USSS)	2,195	80.4%	11.1%	8.5%	↘
2011 U.S. Secret Service (USSS)	919	83.7%	10.5%	5.8%	→
2010 U.S. Secret Service (USSS)	563	79.7%	10.8%	9.5%	

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21. My work unit is able to recruit people with the right skills.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	405,630	41.6%	25.7%	32.7%	15,085	
2015 Department of Homeland Security	41,687	30.0%	27.2%	42.8%	1,321	
2015 U.S. Secret Service (USSS)	**1,232**	**25.3%**	**27.7%**	**47.0%**	**39**	↘
2014 U.S. Secret Service (USSS)	1,080	32.1%	32.0%	35.9%	40	↘
2013 U.S. Secret Service (USSS)	1,340	38.1%	31.8%	30.1%	58	↘
2012 U.S. Secret Service (USSS)	2,129	42.3%	31.6%	26.1%	70	↘
2011 U.S. Secret Service (USSS)	930	52.0%	30.7%	17.3%	27	↗
2010 U.S. Secret Service (USSS)	561	46.9%	30.7%	22.4%	15	

22. Promotions in my work unit are based on merit.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	391,579	32.9%	27.9%	39.2%	27,063	
2015 Department of Homeland Security	41,003	20.1%	23.1%	56.8%	1,919	
2015 U.S. Secret Service (USSS)	**1,217**	**13.9%**	**17.3%**	**68.8%**	**54**	↘
2014 U.S. Secret Service (USSS)	1,066	19.9%	25.3%	54.8%	49	↘
2013 U.S. Secret Service (USSS)	1,320	23.6%	30.3%	46.1%	72	↘
2012 U.S. Secret Service (USSS)	2,111	27.3%	26.7%	46.0%	81	→
2011 U.S. Secret Service (USSS)	922	27.9%	29.4%	42.7%	35	→
2010 U.S. Secret Service (USSS)	557	31.5%	24.0%	44.5%	21	

23. In my work unit, steps are taken to deal with a poor performer who cannot or will not improve.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	379,304	28.2%	27.0%	44.8%	39,603	
2015 Department of Homeland Security	40,527	20.4%	22.1%	57.5%	2,416	
2015 U.S. Secret Service (USSS)	**1,198**	**15.2%**	**23.1%**	**61.8%**	**73**	↘
2014 U.S. Secret Service (USSS)	1,056	22.6%	25.7%	51.7%	56	↘
2013 U.S. Secret Service (USSS)	1,318	26.5%	25.5%	48.0%	72	↘
2012 U.S. Secret Service (USSS)	2,097	29.6%	24.7%	45.7%	97	→
2011 U.S. Secret Service (USSS)	920	31.1%	26.5%	42.4%	36	→
2010 U.S. Secret Service (USSS)	556	31.4%	24.5%	44.1%	18	

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24. In my work unit, differences in performance are recognized in a meaningful way.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	395,142	32.8%	27.9%	39.3%	24,411	
2015 Department of Homeland Security	41,459	23.4%	23.9%	52.7%	1,484	
2015 U.S. Secret Service (USSS)	**1,219**	**17.0%**	**24.4%**	**58.5%**	**52**	↘
2014 U.S. Secret Service (USSS)	1,073	26.3%	27.3%	46.4%	42	→
2013 U.S. Secret Service (USSS)	1,345	28.2%	31.4%	40.4%	44	↘
2012 U.S. Secret Service (USSS)	2,124	31.6%	29.3%	39.1%	69	↘
2011 U.S. Secret Service (USSS)	930	34.8%	31.6%	33.6%	26	→
2010 U.S. Secret Service (USSS)	562	34.6%	27.2%	38.1%	15	

25. Awards in my work unit depend on how well employees perform their jobs.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	390,970	40.1%	25.0%	34.9%	27,677	
2015 Department of Homeland Security	40,985	28.5%	22.0%	49.5%	1,908	
2015 U.S. Secret Service (USSS)	**1,192**	**20.8%**	**25.0%**	**54.1%**	**81**	↘
2014 U.S. Secret Service (USSS)	1,047	32.3%	26.7%	41.1%	67	→
2013 U.S. Secret Service (USSS)	1,310	33.2%	29.5%	37.3%	78	→
2012 U.S. Secret Service (USSS)	2,082	35.0%	29.8%	35.2%	115	→
2011 U.S. Secret Service (USSS)	914	38.4%	33.1%	28.5%	42	→
2010 U.S. Secret Service (USSS)	549	36.7%	27.6%	35.6%	26	

26. Employees in my work unit share job knowledge with each other.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	417,688	72.7%	14.1%	13.2%	1,762	
2015 Department of Homeland Security	42,761	67.8%	15.5%	16.7%	142	
2015 U.S. Secret Service (USSS)	**1,265**	**70.0%**	**15.9%**	**14.1%**	**6**	↘
2014 U.S. Secret Service (USSS)	1,116	76.4%	14.0%	9.6%	3	→
2013 U.S. Secret Service (USSS)	1,381	74.5%	14.8%	10.7%	11	↘
2012 U.S. Secret Service (USSS)	2,192	76.5%	13.0%	10.4%	4	→
2011 U.S. Secret Service (USSS)	950	77.8%	15.7%	6.5%	2	→
2010 U.S. Secret Service (USSS)	570	73.3%	14.2%	12.5%	4	

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27. The skill level in my work unit has improved in the past year.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	403,364	52.5%	29.1%	18.3%	16,549	
2015 Department of Homeland Security	41,689	43.7%	30.9%	25.4%	1,213	
2015 U.S. Secret Service (USSS)	**1,231**	**36.0%**	**37.1%**	**26.9%**	**42**	↘
2014 U.S. Secret Service (USSS)	1,082	44.1%	36.9%	19.0%	35	→
2013 U.S. Secret Service (USSS)	1,359	44.7%	36.2%	19.1%	32	↘
2012 U.S. Secret Service (USSS)	2,140	50.0%	35.1%	14.8%	58	↘
2011 U.S. Secret Service (USSS)	937	56.0%	32.7%	11.4%	18	→
2010 U.S. Secret Service (USSS)	555	51.4%	34.2%	14.4%	15	

28. How would you rate the overall quality of work done by your work unit?

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	419,817	82.0%	14.5%	3.5%	
2015 Department of Homeland Security	42,900	72.8%	20.6%	6.7%	
2015 U.S. Secret Service (USSS)	**1,271**	**78.5%**	**17.2%**	**4.3%**	↘
2014 U.S. Secret Service (USSS)	1,116	83.4%	13.2%	3.4%	→
2013 U.S. Secret Service (USSS)	1,393	83.4%	14.1%	2.5%	↘
2012 U.S. Secret Service (USSS)	2,197	87.5%	10.7%	1.8%	→
2011 U.S. Secret Service (USSS)	954	87.0%	10.9%	2.1%	→
2010 U.S. Secret Service (USSS)	578	83.0%	15.0%	2.0%	

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29. The workforce has the job-relevant knowledge and skills necessary to accomplish organizational goals.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	406,662	69.0%	17.8%	13.2%	7,091	
2015 Department of Homeland Security	41,653	61.2%	19.1%	19.7%	524	
2015 U.S. Secret Service (USSS)	**1,232**	**53.2%**	**22.8%**	**24.0%**	**16**	↘
2014 U.S. Secret Service (USSS)	1,075	67.9%	19.5%	12.6%	9	↘
2013 U.S. Secret Service (USSS)	1,329	71.2%	18.5%	10.3%	20	↘
2012 U.S. Secret Service (USSS)	2,149	75.6%	15.4%	9.0%	19	↘
2011 U.S. Secret Service (USSS)	927	79.0%	14.2%	6.7%	6	→
2010 U.S. Secret Service (USSS)	564	74.4%	15.7%	9.9%	4	

30. Employees have a feeling of personal empowerment with respect to work processes.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	404,200	43.0%	25.2%	31.8%	9,417	
2015 Department of Homeland Security	41,501	28.6%	24.7%	46.7%	696	
2015 U.S. Secret Service (USSS)	**1,226**	**23.0%**	**24.2%**	**52.8%**	**23**	↘
2014 U.S. Secret Service (USSS)	1,070	36.1%	28.1%	35.8%	18	↘
2013 U.S. Secret Service (USSS)	1,318	40.9%	29.8%	29.3%	31	↘
2012 U.S. Secret Service (USSS)	2,128	47.0%	25.7%	27.3%	43	↘
2011 U.S. Secret Service (USSS)	914	53.4%	26.6%	20.0%	21	↗
2010 U.S. Secret Service (USSS)	553	43.3%	26.2%	30.5%	15	

31. Employees are recognized for providing high quality products and services.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	403,880	46.5%	23.5%	30.0%	8,603	
2015 Department of Homeland Security	41,486	30.7%	23.3%	46.0%	660	
2015 U.S. Secret Service (USSS)	**1,218**	**23.7%**	**24.9%**	**51.4%**	**28**	↘
2014 U.S. Secret Service (USSS)	1,069	36.0%	27.0%	37.0%	16	↘
2013 U.S. Secret Service (USSS)	1,316	42.5%	27.5%	30.0%	28	↘
2012 U.S. Secret Service (USSS)	2,133	46.5%	25.8%	27.7%	37	↘
2011 U.S. Secret Service (USSS)	921	54.0%	23.6%	22.4%	13	→
2010 U.S. Secret Service (USSS)	566	47.5%	21.6%	30.9%	4	

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32. ***Creativity and innovation are rewarded.***

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	398,504	36.7%	28.7%	34.6%	13,352	
2015 Department of Homeland Security	41,051	23.8%	25.3%	50.9%	999	
2015 U.S. Secret Service (USSS)	**1,209**	**15.3%**	**24.2%**	**60.5%**	**36**	↘
2014 U.S. Secret Service (USSS)	1,059	23.3%	30.1%	46.6%	24	↘
2013 U.S. Secret Service (USSS)	1,307	30.0%	30.5%	39.4%	36	→
2012 U.S. Secret Service (USSS)	2,120	32.3%	31.7%	36.0%	44	↘
2011 U.S. Secret Service (USSS)	917	41.1%	29.3%	29.6%	12	↗
2010 U.S. Secret Service (USSS)	556	32.4%	30.8%	36.8%	13	

33. ***Pay raises depend on how well employees perform their jobs.***

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	383,014	21.1%	26.5%	52.4%	27,671	
2015 Department of Homeland Security	40,085	14.1%	20.8%	65.1%	2,013	
2015 U.S. Secret Service (USSS)	**1,182**	**6.9%**	**20.1%**	**73.0%**	**63**	↘
2014 U.S. Secret Service (USSS)	1,035	12.2%	26.2%	61.6%	49	→
2013 U.S. Secret Service (USSS)	1,278	12.4%	29.7%	58.0%	68	↘
2012 U.S. Secret Service (USSS)	2,067	15.4%	31.1%	53.5%	96	→
2011 U.S. Secret Service (USSS)	890	15.9%	32.9%	51.2%	43	→
2010 U.S. Secret Service (USSS)	551	14.5%	32.9%	52.6%	18	

34. ***Policies and programs promote diversity in the workplace (for example, recruiting minorities and women, training in awareness of diversity issues, mentoring).***

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	381,978	56.5%	28.1%	15.4%	30,877	
2015 Department of Homeland Security	38,513	45.9%	31.4%	22.7%	3,599	
2015 U.S. Secret Service (USSS)	**1,147**	**50.1%**	**33.4%**	**16.4%**	**101**	↘
2014 U.S. Secret Service (USSS)	1,018	59.1%	29.5%	11.4%	67	→
2013 U.S. Secret Service (USSS)	1,267	59.2%	31.1%	9.7%	81	↘
2012 U.S. Secret Service (USSS)	2,048	63.5%	26.8%	9.7%	119	↘
2011 U.S. Secret Service (USSS)	896	67.8%	25.8%	6.5%	33	→
2010 U.S. Secret Service (USSS)	545	65.3%	24.8%	9.9%	23	

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35. Employees are protected from health and safety hazards on the job.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	406,232	75.9%	13.6%	10.5%	6,356	
2015 Department of Homeland Security	41,572	58.7%	17.9%	23.3%	585	
2015 U.S. Secret Service (USSS)	**1,223**	**58.0%**	**22.0%**	**20.1%**	**24**	↘
2014 U.S. Secret Service (USSS)	1,070	67.4%	19.8%	12.7%	13	↘
2013 U.S. Secret Service (USSS)	1,322	71.9%	18.2%	9.9%	21	→
2012 U.S. Secret Service (USSS)	2,143	74.5%	16.5%	9.0%	27	→
2011 U.S. Secret Service (USSS)	924	76.5%	15.2%	8.2%	6	→
2010 U.S. Secret Service (USSS)	559	73.7%	17.3%	9.0%	9	

36. My organization has prepared employees for potential security threats.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	406,396	75.9%	14.1%	10.0%	5,444	
2015 Department of Homeland Security	41,604	62.9%	17.4%	19.7%	405	
2015 U.S. Secret Service (USSS)	**1,237**	**64.3%**	**16.0%**	**19.7%**	**9**	↘
2014 U.S. Secret Service (USSS)	1,077	74.8%	13.2%	12.0%	4	→
2013 U.S. Secret Service (USSS)	1,338	77.4%	14.4%	8.2%	10	↘
2012 U.S. Secret Service (USSS)	2,149	82.4%	9.6%	8.1%	8	→
2011 U.S. Secret Service (USSS)	928	84.8%	8.5%	6.7%	2	↗
2010 U.S. Secret Service (USSS)	565	77.8%	11.4%	10.9%	4	

37. Arbitrary action, personal favoritism and coercion for partisan political purposes are not tolerated.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	387,840	50.7%	22.8%	26.5%	24,090	
2015 Department of Homeland Security	40,030	33.8%	23.5%	42.7%	2,063	
2015 U.S. Secret Service (USSS)	**1,197**	**28.7%**	**25.9%**	**45.4%**	**49**	↘
2014 U.S. Secret Service (USSS)	1,045	37.8%	24.7%	37.5%	37	↘
2013 U.S. Secret Service (USSS)	1,274	43.0%	26.5%	30.5%	67	→
2012 U.S. Secret Service (USSS)	2,091	45.5%	24.7%	29.9%	76	→
2011 U.S. Secret Service (USSS)	909	48.6%	25.1%	26.3%	23	→
2010 U.S. Secret Service (USSS)	551	47.0%	22.9%	30.0%	18	

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38. Prohibited Personnel Practices (for example, illegally discriminating for or against any employee/applicant, obstructing a person's right to compete for employment, knowingly violating veterans' preference requirements) are not tolerated.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	374,659	65.6%	19.5%	14.9%	36,134	
2015 Department of Homeland Security	38,153	55.1%	23.3%	21.6%	3,874	
2015 U.S. Secret Service (USSS)	**1,132**	**58.6%**	**22.4%**	**19.0%**	**111**	↘
2014 U.S. Secret Service (USSS)	1,006	64.6%	20.7%	14.7%	69	↘
2013 U.S. Secret Service (USSS)	1,233	68.1%	22.0%	9.9%	103	→
2012 U.S. Secret Service (USSS)	2,034	69.9%	19.7%	10.4%	127	↘
2011 U.S. Secret Service (USSS)	889	77.7%	13.5%	8.8%	42	→
2010 U.S. Secret Service (USSS)	543	72.8%	18.3%	9.0%	26	

39. My agency is successful at accomplishing its mission.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	404,808	73.2%	17.8%	9.0%	7,655	
2015 Department of Homeland Security	41,397	59.8%	20.8%	19.3%	668	
2015 U.S. Secret Service (USSS)	**1,233**	**63.2%**	**22.4%**	**14.4%**	**9**	↘
2014 U.S. Secret Service (USSS)	1,066	78.6%	14.5%	6.9%	15	↘
2013 U.S. Secret Service (USSS)	1,333	83.4%	12.6%	4.0%	13	↘
2012 U.S. Secret Service (USSS)	2,156	86.8%	9.9%	3.3%	6	↘
2011 U.S. Secret Service (USSS)	928	90.3%	7.7%	2.1%	1	↗
2010 U.S. Secret Service (USSS)	560	82.4%	13.6%	4.0%	3	

40. I recommend my organization as a good place to work.

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	412,958	62.7%	20.9%	16.4%	
2015 Department of Homeland Security	42,097	45.8%	24.2%	30.0%	
2015 U.S. Secret Service (USSS)	**1,243**	**35.2%**	**26.9%**	**37.9%**	↘
2014 U.S. Secret Service (USSS)	1,082	49.9%	24.0%	26.1%	↘
2013 U.S. Secret Service (USSS)	1,348	58.7%	23.1%	18.3%	↘
2012 U.S. Secret Service (USSS)	2,169	66.0%	21.1%	12.9%	↘
2011 U.S. Secret Service (USSS)	927	72.4%	16.9%	10.8%	↗
2010 U.S. Secret Service (USSS)	568	61.2%	21.9%	17.0%	

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41. I believe the results of this survey will be used to make my agency a better place to work.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	379,647	39.0%	27.5%	33.4%	33,765	
2015 Department of Homeland Security	38,920	32.1%	22.8%	45.1%	3,199	
2015 U.S. Secret Service (USSS)	**1,125**	**16.4%**	**23.3%**	**60.3%**	**119**	↘
2014 U.S. Secret Service (USSS)	985	22.9%	28.3%	48.8%	100	↘
2013 U.S. Secret Service (USSS)	1,229	27.8%	27.7%	44.4%	118	↘
2012 U.S. Secret Service (USSS)	1,980	34.2%	28.2%	37.7%	189	→
2011 U.S. Secret Service (USSS)	881	35.3%	31.6%	33.0%	50	→
2010 U.S. Secret Service (USSS)	530	32.7%	27.1%	40.3%	40	

42. My supervisor supports my need to balance work and other life issues.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	410,015	77.8%	11.1%	11.0%	2,468	
2015 Department of Homeland Security	41,792	67.0%	14.4%	18.6%	225	
2015 U.S. Secret Service (USSS)	**1,238**	**64.7%**	**15.0%**	**20.3%**	**6**	↘
2014 U.S. Secret Service (USSS)	1,067	69.1%	15.7%	15.2%	11	↘
2013 U.S. Secret Service (USSS)	1,333	74.4%	13.7%	12.0%	6	→
2012 U.S. Secret Service (USSS)	2,155	75.5%	12.5%	12.0%	7	→
2011 U.S. Secret Service (USSS)	921	76.9%	12.5%	10.6%	3	→
2010 U.S. Secret Service (USSS)	568	74.7%	16.2%	9.1%	0	

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43. My supervisor provides me with opportunities to demonstrate my leadership skills.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	409,471	65.5%	17.3%	17.3%	2,240	
2015 Department of Homeland Security	41,811	57.4%	18.8%	23.9%	152	
2015 U.S. Secret Service (USSS)	**1,235**	**58.2%**	**20.7%**	**21.2%**	**5**	↘
2014 U.S. Secret Service (USSS)	1,068	64.4%	17.6%	18.0%	3	→
2013 U.S. Secret Service (USSS)	1,330	66.2%	18.7%	15.1%	7	↘
2012 U.S. Secret Service (USSS)	2,156	68.4%	17.2%	14.4%	3	↘
2011 U.S. Secret Service (USSS)	916	72.0%	15.7%	12.3%	3	→
2010 U.S. Secret Service (USSS)	568	69.5%	17.4%	13.1%	0	

44. Discussions with my supervisor about my performance are worthwhile.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	404,650	62.5%	18.7%	18.8%	4,783	
2015 Department of Homeland Security	41,458	54.1%	20.8%	25.1%	452	
2015 U.S. Secret Service (USSS)	**1,224**	**53.0%**	**25.1%**	**21.9%**	**15**	↘
2014 U.S. Secret Service (USSS)	1,065	58.8%	22.1%	19.1%	6	↘
2013 U.S. Secret Service (USSS)	1,326	62.3%	19.6%	18.1%	12	→
2012 U.S. Secret Service (USSS)	2,138	62.8%	20.0%	17.2%	18	↘
2011 U.S. Secret Service (USSS)	917	68.3%	18.7%	13.0%	5	↗
2010 U.S. Secret Service (USSS)	557	61.9%	20.1%	18.0%	8	

45. My supervisor is committed to a workforce representative of all segments of society.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	376,582	66.9%	22.4%	10.7%	34,337	
2015 Department of Homeland Security	38,314	56.7%	27.3%	15.9%	3,550	
2015 U.S. Secret Service (USSS)	**1,140**	**57.6%**	**31.5%**	**10.9%**	**97**	→
2014 U.S. Secret Service (USSS)	995	62.2%	28.5%	9.2%	78	→
2013 U.S. Secret Service (USSS)	1,235	64.7%	27.1%	8.3%	102	→
2012 U.S. Secret Service (USSS)	2,023	64.4%	27.0%	8.6%	132	↘
2011 U.S. Secret Service (USSS)	875	70.0%	24.1%	5.9%	40	→
2010 U.S. Secret Service (USSS)	532	67.0%	26.4%	6.6%	35	

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46. My supervisor provides me with constructive suggestions to improve my job performance.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	408,296	61.4%	19.9%	18.7%	2,452	
2015 Department of Homeland Security	41,707	54.6%	20.8%	24.6%	182	
2015 U.S. Secret Service (USSS)	**1,230**	**53.2%**	**25.5%**	**21.3%**	**7**	→
2014 U.S. Secret Service (USSS)	1,070	56.6%	25.2%	18.3%	2	↘
2013 U.S. Secret Service (USSS)	1,330	62.9%	21.3%	15.8%	6	→
2012 U.S. Secret Service (USSS)	2,144	62.2%	20.9%	16.9%	10	↘
2011 U.S. Secret Service (USSS)	917	68.3%	19.8%	11.9%	5	→
2010 U.S. Secret Service (USSS)	565	63.8%	19.6%	16.6%	4	

47. Supervisors in my work unit support employee development.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	404,801	64.3%	18.5%	17.2%	6,499	
2015 Department of Homeland Security	41,372	52.6%	21.8%	25.6%	516	
2015 U.S. Secret Service (USSS)	**1,226**	**51.7%**	**23.8%**	**24.5%**	**13**	↘
2014 U.S. Secret Service (USSS)	1,071	58.1%	21.0%	20.8%	5	↘
2013 U.S. Secret Service (USSS)	1,317	63.9%	19.6%	16.5%	15	→
2012 U.S. Secret Service (USSS)	2,139	63.7%	20.5%	15.8%	14	↘
2011 U.S. Secret Service (USSS)	911	69.6%	18.1%	12.2%	8	→
2010 U.S. Secret Service (USSS)	563	67.2%	19.8%	12.9%	5	

48. My supervisor listens to what I have to say.

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	411,425	75.7%	12.3%	12.0%	
2015 Department of Homeland Security	41,919	70.0%	14.2%	15.8%	
2015 U.S. Secret Service (USSS)	**1,233**	**70.0%**	**14.6%**	**15.5%**	↘
2014 U.S. Secret Service (USSS)	1,074	74.4%	13.9%	11.7%	→
2013 U.S. Secret Service (USSS)	1,333	75.3%	13.9%	10.8%	→
2012 U.S. Secret Service (USSS)	2,157	74.8%	12.8%	12.4%	→
2011 U.S. Secret Service (USSS)	922	77.1%	12.9%	10.0%	→
2010 U.S. Secret Service (USSS)	568	75.6%	13.0%	11.5%	

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49. My supervisor treats me with respect.

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	410,437	80.9%	10.2%	8.9%	
2015 Department of Homeland Security	41,869	77.1%	11.7%	11.1%	
2015 U.S. Secret Service (USSS)	**1,234**	**78.2%**	**12.1%**	**9.7%**	→
2014 U.S. Secret Service (USSS)	1,074	79.5%	10.1%	10.4%	→
2013 U.S. Secret Service (USSS)	1,335	82.1%	10.4%	7.5%	→
2012 U.S. Secret Service (USSS)	2,160	80.5%	11.0%	8.5%	→
2011 U.S. Secret Service (USSS)	917	83.1%	10.3%	6.6%	→
2010 U.S. Secret Service (USSS)	567	80.9%	12.0%	7.1%	

50. In the last six months, my supervisor has talked with me about my performance.

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	410,472	77.5%	10.2%	12.3%	
2015 Department of Homeland Security	41,855	73.8%	10.9%	15.2%	
2015 U.S. Secret Service (USSS)	**1,233**	**69.2%**	**14.5%**	**16.3%**	→
2014 U.S. Secret Service (USSS)	1,072	70.4%	15.9%	13.7%	↘
2013 U.S. Secret Service (USSS)	1,334	76.3%	13.8%	10.0%	→
2012 U.S. Secret Service (USSS)	2,156	76.8%	12.0%	11.1%	↘
2011 U.S. Secret Service (USSS)	917	81.8%	11.6%	6.7%	→
2010 U.S. Secret Service (USSS)	567	79.1%	12.0%	8.9%	

51. I have trust and confidence in my supervisor.

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	410,689	66.5%	16.5%	16.9%	
2015 Department of Homeland Security	41,860	59.8%	18.6%	21.6%	
2015 U.S. Secret Service (USSS)	**1,231**	**60.6%**	**17.6%**	**21.7%**	↘
2014 U.S. Secret Service (USSS)	1,072	64.7%	17.5%	17.8%	↘
2013 U.S. Secret Service (USSS)	1,333	68.3%	16.0%	15.7%	→
2012 U.S. Secret Service (USSS)	2,152	68.0%	16.7%	15.4%	↘
2011 U.S. Secret Service (USSS)	916	72.5%	16.1%	11.4%	↗
2010 U.S. Secret Service (USSS)	564	66.6%	16.7%	16.7%	

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52. Overall, how good a job do you feel is being done by your immediate supervisor?

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	410,877	69.7%	18.0%	12.3%	
2015 Department of Homeland Security	41,887	63.3%	21.1%	15.6%	
2015 U.S. Secret Service (USSS)	**1,235**	**65.0%**	**21.0%**	**14.0%**	↘
2014 U.S. Secret Service (USSS)	1,070	69.8%	18.3%	12.0%	→
2013 U.S. Secret Service (USSS)	1,331	70.9%	17.5%	11.6%	→
2012 U.S. Secret Service (USSS)	2,154	70.2%	18.4%	11.3%	↘
2011 U.S. Secret Service (USSS)	923	73.7%	18.3%	8.0%	→
2010 U.S. Secret Service (USSS)	567	70.4%	18.7%	10.9%	

53. In my organization, senior leaders generate high levels of motivation and commitment in the workforce.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	401,121	39.0%	24.7%	36.3%	7,849	
2015 Department of Homeland Security	41,128	25.3%	20.4%	54.3%	525	
2015 U.S. Secret Service (USSS)	**1,219**	**15.7%**	**18.1%**	**66.2%**	**11**	↘
2014 U.S. Secret Service (USSS)	1,044	24.7%	22.0%	53.3%	18	↘
2013 U.S. Secret Service (USSS)	1,313	35.6%	25.5%	38.8%	7	↘
2012 U.S. Secret Service (USSS)	2,112	40.9%	26.1%	33.0%	22	↘
2011 U.S. Secret Service (USSS)	905	46.0%	25.0%	29.0%	4	↗
2010 U.S. Secret Service (USSS)	564	36.6%	28.0%	35.4%	4	

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54. My organization's senior leaders maintain high standards of honesty and integrity.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	383,737	50.4%	24.7%	24.9%	24,649	
2015 Department of Homeland Security	39,519	36.8%	23.7%	39.4%	2,103	
2015 U.S. Secret Service (USSS)	**1,198**	**22.1%**	**21.6%**	**56.3%**	**31**	↘
2014 U.S. Secret Service (USSS)	1,023	35.3%	26.3%	38.4%	37	↘
2013 U.S. Secret Service (USSS)	1,287	49.4%	25.4%	25.3%	30	↘
2012 U.S. Secret Service (USSS)	2,091	54.7%	23.8%	21.5%	39	↘
2011 U.S. Secret Service (USSS)	901	58.4%	24.0%	17.6%	10	↗
2010 U.S. Secret Service (USSS)	560	52.7%	23.0%	24.3%	8	

55. Supervisors work well with employees of different backgrounds.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	379,628	62.9%	22.7%	14.4%	25,756	
2015 Department of Homeland Security	39,417	54.7%	24.2%	21.1%	2,117	
2015 U.S. Secret Service (USSS)	**1,138**	**39.5%**	**33.3%**	**27.2%**	**88**	↘
2014 U.S. Secret Service (USSS)	997	49.4%	33.5%	17.1%	57	↘
2013 U.S. Secret Service (USSS)	1,254	61.0%	26.9%	12.1%	58	↘
2012 U.S. Secret Service (USSS)	2,065	66.3%	21.8%	11.9%	66	→
2011 U.S. Secret Service (USSS)	889	70.8%	21.2%	8.0%	19	→
2010 U.S. Secret Service (USSS)	548	65.4%	21.1%	13.5%	20	

56. Managers communicate the goals and priorities of the organization.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	401,551	59.1%	20.8%	20.1%	5,334	
2015 Department of Homeland Security	40,988	44.5%	22.0%	33.5%	493	
2015 U.S. Secret Service (USSS)	**1,214**	**38.0%**	**20.8%**	**41.2%**	**9**	↘
2014 U.S. Secret Service (USSS)	1,049	49.6%	21.8%	28.6%	10	↘
2013 U.S. Secret Service (USSS)	1,302	58.6%	22.2%	19.2%	10	↘
2012 U.S. Secret Service (USSS)	2,114	64.6%	19.9%	15.5%	13	→
2011 U.S. Secret Service (USSS)	903	65.1%	22.1%	12.8%	4	→
2010 U.S. Secret Service (USSS)	565	62.0%	19.7%	18.3%	3	

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57. Managers review and evaluate the organization's progress toward meeting its goals and objectives.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	379,267	58.8%	24.3%	16.9%	27,154	
2015 Department of Homeland Security	38,324	41.9%	27.4%	30.7%	3,165	
2015 U.S. Secret Service (USSS)	**1,125**	**30.4%**	**31.5%**	**38.1%**	**101**	↘
2014 U.S. Secret Service (USSS)	967	46.0%	29.8%	24.2%	90	↘
2013 U.S. Secret Service (USSS)	1,237	53.3%	29.2%	17.5%	72	↘
2012 U.S. Secret Service (USSS)	2,015	58.9%	27.7%	13.5%	115	↘
2011 U.S. Secret Service (USSS)	869	64.3%	24.9%	10.8%	35	→
2010 U.S. Secret Service (USSS)	543	56.9%	23.0%	20.1%	24	

58. Managers promote communication among different work units (for example, about projects, goals, needed resources).

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	393,192	50.5%	23.2%	26.3%	14,282	
2015 Department of Homeland Security	40,055	35.7%	23.4%	40.9%	1,469	
2015 U.S. Secret Service (USSS)	**1,186**	**27.5%**	**26.9%**	**45.6%**	**43**	↘
2014 U.S. Secret Service (USSS)	1,016	41.8%	27.2%	31.0%	39	↘
2013 U.S. Secret Service (USSS)	1,265	48.2%	28.1%	23.7%	41	↘
2012 U.S. Secret Service (USSS)	2,068	53.0%	25.0%	21.9%	62	↘
2011 U.S. Secret Service (USSS)	883	58.3%	24.4%	17.3%	21	↗
2010 U.S. Secret Service (USSS)	558	51.2%	25.3%	23.5%	10	

59. Managers support collaboration across work units to accomplish work objectives.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	392,340	54.2%	23.3%	22.5%	14,928	
2015 Department of Homeland Security	39,913	39.0%	24.8%	36.2%	1,548	
2015 U.S. Secret Service (USSS)	**1,181**	**32.8%**	**28.4%**	**38.8%**	**43**	↘
2014 U.S. Secret Service (USSS)	1,011	47.2%	26.4%	26.4%	44	↘
2013 U.S. Secret Service (USSS)	1,267	54.0%	24.9%	21.1%	42	↘
2012 U.S. Secret Service (USSS)	2,063	58.2%	23.8%	18.0%	60	↘
2011 U.S. Secret Service (USSS)	880	61.6%	23.1%	15.3%	17	→
2010 U.S. Secret Service (USSS)	543	54.9%	23.1%	22.0%	17	

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60. Overall, how good a job do you feel is being done by the manager directly above your immediate supervisor?

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	384,360	56.8%	23.8%	19.5%	23,479	
2015 Department of Homeland Security	39,671	44.7%	26.6%	28.7%	1,837	
2015 U.S. Secret Service (USSS)	**1,149**	**43.9%**	**26.6%**	**29.5%**	**74**	↘
2014 U.S. Secret Service (USSS)	990	53.8%	24.8%	21.5%	67	→
2013 U.S. Secret Service (USSS)	1,242	55.8%	23.5%	20.8%	68	↘
2012 U.S. Secret Service (USSS)	2,039	59.7%	23.9%	16.4%	93	→
2011 U.S. Secret Service (USSS)	881	62.1%	25.8%	12.1%	21	→
2010 U.S. Secret Service (USSS)	552	54.7%	24.3%	21.1%	13	

61. I have a high level of respect for my organization's senior leaders.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	402,356	51.4%	24.4%	24.3%	5,387	
2015 Department of Homeland Security	41,075	38.1%	24.0%	37.9%	462	
2015 U.S. Secret Service (USSS)	**1,211**	**26.5%**	**21.7%**	**51.8%**	**12**	↘
2014 U.S. Secret Service (USSS)	1,048	36.3%	27.2%	36.5%	9	↘
2013 U.S. Secret Service (USSS)	1,297	44.4%	28.0%	27.6%	14	↘
2012 U.S. Secret Service (USSS)	2,114	52.4%	23.2%	24.5%	19	→
2011 U.S. Secret Service (USSS)	902	54.8%	25.6%	19.6%	5	↗
2010 U.S. Secret Service (USSS)	558	47.4%	22.2%	30.3%	5	

62. Senior leaders demonstrate support for Work/Life programs.

	N	Positive	Neutral	Negative	DNK	Difference from previous year
2015 Governmentwide	371,258	53.4%	27.1%	19.5%	36,507	
2015 Department of Homeland Security	37,698	37.1%	28.5%	34.4%	3,828	
2015 U.S. Secret Service (USSS)	**1,124**	**22.2%**	**24.0%**	**53.9%**	**97**	↘
2014 U.S. Secret Service (USSS)	961	36.8%	28.8%	34.4%	93	↘
2013 U.S. Secret Service (USSS)	1,185	42.1%	30.3%	27.5%	121	↘
2012 U.S. Secret Service (USSS)	1,952	48.3%	27.6%	24.1%	172	→
2011 U.S. Secret Service (USSS)	865	53.4%	25.1%	21.5%	39	↗
2010 U.S. Secret Service (USSS)	537	43.4%	29.0%	27.6%	27	

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63. How satisfied are you with your involvement in decisions that affect your work?

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	406,408	49.6%	23.4%	26.9%	
2015 Department of Homeland Security	41,358	36.8%	24.8%	38.4%	
2015 U.S. Secret Service (USSS)	**1,214**	**31.5%**	**26.0%**	**42.5%**	↘
2014 U.S. Secret Service (USSS)	1,047	43.5%	25.1%	31.4%	→
2013 U.S. Secret Service (USSS)	1,301	45.7%	28.0%	26.3%	↘
2012 U.S. Secret Service (USSS)	2,129	52.4%	24.5%	23.1%	→
2011 U.S. Secret Service (USSS)	894	54.9%	25.3%	19.8%	→
2010 U.S. Secret Service (USSS)	563	53.6%	22.7%	23.7%	

64. How satisfied are you with the information you receive from management on what's going on in your organization?

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	405,736	46.8%	24.0%	29.2%	
2015 Department of Homeland Security	41,341	34.1%	23.7%	42.3%	
2015 U.S. Secret Service (USSS)	**1,213**	**23.7%**	**21.0%**	**55.3%**	↘
2014 U.S. Secret Service (USSS)	1,043	35.1%	23.6%	41.2%	↘
2013 U.S. Secret Service (USSS)	1,300	38.6%	22.5%	38.9%	↘
2012 U.S. Secret Service (USSS)	2,125	44.8%	24.2%	31.0%	→
2011 U.S. Secret Service (USSS)	893	48.9%	26.0%	25.1%	→
2010 U.S. Secret Service (USSS)	565	47.0%	21.3%	31.7%	

65. How satisfied are you with the recognition you receive for doing a good job?

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	404,473	46.6%	23.8%	29.5%	
2015 Department of Homeland Security	41,300	34.1%	23.8%	42.1%	
2015 U.S. Secret Service (USSS)	**1,214**	**30.3%**	**30.1%**	**39.6%**	↘
2014 U.S. Secret Service (USSS)	1,044	41.5%	28.2%	30.3%	↘
2013 U.S. Secret Service (USSS)	1,296	46.4%	28.7%	24.9%	↘
2012 U.S. Secret Service (USSS)	2,122	49.4%	26.7%	23.9%	↘
2011 U.S. Secret Service (USSS)	890	54.6%	24.5%	20.8%	→
2010 U.S. Secret Service (USSS)	565	50.9%	25.9%	23.2%	

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66. How satisfied are you with the policies and practices of your senior leaders?

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	404,697	40.8%	29.8%	29.4%	
2015 Department of Homeland Security	41,226	27.8%	27.4%	44.7%	
2015 U.S. Secret Service (USSS)	**1,210**	**18.5%**	**25.0%**	**56.5%**	↘
2014 U.S. Secret Service (USSS)	1,045	29.2%	29.7%	41.1%	↘
2013 U.S. Secret Service (USSS)	1,296	36.8%	30.3%	32.9%	↘
2012 U.S. Secret Service (USSS)	2,119	42.6%	29.2%	28.1%	→
2011 U.S. Secret Service (USSS)	892	45.1%	31.0%	23.9%	↗
2010 U.S. Secret Service (USSS)	564	40.1%	27.8%	32.1%	

67. How satisfied are you with your opportunity to get a better job in your organization?

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	404,808	34.8%	27.5%	37.7%	
2015 Department of Homeland Security	41,252	25.1%	24.9%	50.0%	
2015 U.S. Secret Service (USSS)	**1,209**	**16.7%**	**28.3%**	**54.9%**	↘
2014 U.S. Secret Service (USSS)	1,041	24.0%	28.7%	47.3%	↘
2013 U.S. Secret Service (USSS)	1,300	30.0%	28.7%	41.3%	↘
2012 U.S. Secret Service (USSS)	2,123	33.9%	30.5%	35.6%	↘
2011 U.S. Secret Service (USSS)	889	41.4%	29.5%	29.1%	→
2010 U.S. Secret Service (USSS)	565	36.7%	33.1%	30.2%	

68. How satisfied are you with the training you receive for your present job?

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	404,872	51.6%	23.8%	24.6%	
2015 Department of Homeland Security	41,240	44.1%	23.4%	32.5%	
2015 U.S. Secret Service (USSS)	**1,215**	**26.4%**	**21.9%**	**51.7%**	↘
2014 U.S. Secret Service (USSS)	1,042	35.2%	26.4%	38.4%	↘
2013 U.S. Secret Service (USSS)	1,296	39.3%	22.9%	37.8%	↘
2012 U.S. Secret Service (USSS)	2,113	46.4%	23.6%	30.1%	↘
2011 U.S. Secret Service (USSS)	889	52.4%	22.0%	25.7%	→
2010 U.S. Secret Service (USSS)	566	49.4%	25.1%	25.5%	

Department of Homeland Security
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69. Considering everything, how satisfied are you with your job?

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	404,704	65.2%	17.9%	16.9%	
2015 Department of Homeland Security	41,254	52.1%	20.6%	27.3%	
2015 U.S. Secret Service (USSS)	**1,217**	**42.9%**	**22.8%**	**34.3%**	↘
2014 U.S. Secret Service (USSS)	1,048	55.8%	20.0%	24.2%	↘
2013 U.S. Secret Service (USSS)	1,297	60.1%	18.3%	21.6%	↘
2012 U.S. Secret Service (USSS)	2,122	66.9%	18.3%	14.8%	→
2011 U.S. Secret Service (USSS)	891	69.3%	19.8%	10.9%	→
2010 U.S. Secret Service (USSS)	564	66.5%	18.6%	14.9%	

70. Considering everything, how satisfied are you with your pay?

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	405,405	57.1%	17.3%	25.6%	
2015 Department of Homeland Security	41,274	49.6%	16.4%	34.0%	
2015 U.S. Secret Service (USSS)	**1,214**	**56.2%**	**16.8%**	**27.0%**	↘
2014 U.S. Secret Service (USSS)	1,043	62.0%	18.2%	19.8%	→
2013 U.S. Secret Service (USSS)	1,295	60.8%	18.1%	21.1%	↘
2012 U.S. Secret Service (USSS)	2,124	66.1%	15.3%	18.6%	→
2011 U.S. Secret Service (USSS)	893	66.9%	15.1%	18.0%	→
2010 U.S. Secret Service (USSS)	566	63.3%	17.2%	19.5%	

71. Considering everything, how satisfied are you with your organization?

	N	Positive	Neutral	Negative	Difference from previous year
2015 Governmentwide	405,517	55.7%	22.0%	22.3%	
2015 Department of Homeland Security	41,273	39.4%	22.7%	37.9%	
2015 U.S. Secret Service (USSS)	**1,215**	**28.8%**	**20.4%**	**50.7%**	↘
2014 U.S. Secret Service (USSS)	1,047	44.2%	22.7%	33.1%	↘
2013 U.S. Secret Service (USSS)	1,296	51.7%	21.5%	26.7%	↘
2012 U.S. Secret Service (USSS)	2,128	60.6%	19.7%	19.7%	↘
2011 U.S. Secret Service (USSS)	891	66.3%	19.5%	14.2%	↗
2010 U.S. Secret Service (USSS)	563	54.9%	23.2%	21.9%	

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72. Have you been notified whether or not you are eligible to telework?

	N	Notified eligible	Notified not eligible	Not notified	Not sure notified
2015 Governmentwide	404,547	37.6%	21.3%	31.2%	9.8%
2015 Department of Homeland Security	41,131	22.7%	21.9%	42.3%	13.1%
2015 U.S. Secret Service (USSS)	**1,207**	**3.0%**	**43.8%**	**42.8%**	**10.5%**
2014 U.S. Secret Service (USSS)	1,045	2.1%	43.3%	42.5%	12.2%
2013 U.S. Secret Service (USSS)	--	--	--	--	--
2012 U.S. Secret Service (USSS)	--	--	--	--	--
2011 U.S. Secret Service (USSS)	--	--	--	--	--
2010 U.S. Secret Service (USSS)	--	--	--	--	--

**This item is on a different response scale and is not included in the significance testing.*

73. Please select the response below that BEST describes your current teleworking situation.

		Telework			
	N	3+ Days Per Week	1-2 Days Per Week	No More Than 1-2 Days Per Month	Infrequently
2015 Governmentwide	400,800	4.8%	10.9%	4.5%	11.1%
2015 Department of Homeland Security	40,791	2.5%	7.5%	2.7%	6.0%
2015 U.S. Secret Service (USSS)	**1,191**	**0.1%**	**0.8%**	**0.0%**	**1.4%**
2014 U.S. Secret Service (USSS)	1,026	0.4%	0.2%	0.0%	1.4%
2013 U.S. Secret Service (USSS)	1,274	0.2%	0.5%	0.7%	2.3%
2012 U.S. Secret Service (USSS)	2,078	0.2%	3.2%	0.8%	1.4%
2011 U.S. Secret Service (USSS)	876	0.4%	0.0%	0.2%	2.0%
2010 U.S. Secret Service (USSS)	--	--	--	--	--

**This item is on a different response scale and is not included in the significance testing.*

(continued)

73. Please select the response below that BEST describes your current teleworking situation. (continued)

		Do Not Telework			
	N	Must Be Physically Present	Technical Issues	Not Allowed To Telework	Choose Not To Telework
2015 Governmentwide	400,800	31.7%	4.7%	19.8%	12.5%
2015 Department of Homeland Security	40,791	57.9%	1.8%	13.6%	8.0%
2015 U.S. Secret Service (USSS)	**1,191**	**71.2%**	**3.5%**	**19.0%**	**4.0%**
2014 U.S. Secret Service (USSS)	1,026	74.1%	3.2%	18.0%	2.7%
2013 U.S. Secret Service (USSS)	1,274	68.2%	3.2%	20.8%	4.2%
2012 U.S. Secret Service (USSS)	2,078	67.5%	3.1%	17.8%	6.0%
2011 U.S. Secret Service (USSS)	876	71.9%	4.6%	18.1%	2.8%
2010 U.S. Secret Service (USSS)	--	--	--	--	--

**This item is on a different response scale and is not included in the significance testing.*

Department of Homeland Security
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74. Do you participate in the following Work/Life programs? Alternative Work Schedules (AWS)

	N	Yes	No	Not Available To Me
2015 Governmentwide	403,625	33.1%	46.0%	20.9%
2015 Department of Homeland Security	41,201	25.0%	43.3%	31.7%
2015 U.S. Secret Service (USSS)	**1,211**	**7.1%**	**43.1%**	**49.8%**
2014 U.S. Secret Service (USSS)	1,045	11.6%	40.8%	47.6%
2013 U.S. Secret Service (USSS)	1,288	12.2%	45.3%	42.5%
2012 U.S. Secret Service (USSS)	2,105	9.9%	46.5%	43.6%
2011 U.S. Secret Service (USSS)	889	8.2%	49.3%	42.5%
2010 U.S. Secret Service (USSS)	--	--	--	--

**This item is on a different response scale and is not included in the significance testing.*

Department of Homeland Security
U.S. Secret Service (USSS)
1st Level Trend Report

75. Do you participate in the following Work/Life programs? Health and Wellness Programs (for example, exercise, medical screening, quit smoking programs)

	N	Yes	No	Not Available To Me
2015 Governmentwide	402,481	27.4%	60.7%	11.9%
2015 Department of Homeland Security	41,148	23.6%	59.9%	16.5%
2015 U.S. Secret Service (USSS)	**1,206**	**43.8%**	**44.1%**	**12.1%**
2014 U.S. Secret Service (USSS)	1,037	48.0%	41.0%	11.0%
2013 U.S. Secret Service (USSS)	1,283	48.3%	44.2%	7.5%
2012 U.S. Secret Service (USSS)	2,098	50.4%	40.3%	9.4%
2011 U.S. Secret Service (USSS)	890	48.9%	41.6%	9.5%
2010 U.S. Secret Service (USSS)	--	--	--	--

**This item is on a different response scale and is not included in the significance testing.*

76. Do you participate in the following Work/Life programs? Employee Assistance Program (EAP)

	N	Yes	No	Not Available To Me
2015 Governmentwide	398,860	13.9%	80.7%	5.4%
2015 Department of Homeland Security	41,087	15.3%	80.9%	3.8%
2015 U.S. Secret Service (USSS)	**1,209**	**16.3%**	**80.9%**	**2.8%**
2014 U.S. Secret Service (USSS)	1,030	20.8%	75.7%	3.5%
2013 U.S. Secret Service (USSS)	1,271	19.5%	78.3%	2.3%
2012 U.S. Secret Service (USSS)	2,099	20.2%	76.6%	3.2%
2011 U.S. Secret Service (USSS)	890	18.3%	78.5%	3.2%
2010 U.S. Secret Service (USSS)	--	--	--	--

**This item is on a different response scale and is not included in the significance testing.*

77. Do you participate in the following Work/Life programs? Child Care Programs (for example, daycare, parenting classes, parenting support groups)

	N	Yes	No	Not Available To Me
2015 Governmentwide	403,125	3.8%	78.8%	17.4%
2015 Department of Homeland Security	41,065	1.5%	73.9%	24.6%
2015 U.S. Secret Service (USSS)	**1,207**	**0.7%**	**64.3%**	**35.0%**
2014 U.S. Secret Service (USSS)	1,039	1.6%	68.5%	29.9%
2013 U.S. Secret Service (USSS)	1,291	2.0%	72.2%	25.8%
2012 U.S. Secret Service (USSS)	2,107	1.9%	72.0%	26.1%
2011 U.S. Secret Service (USSS)	884	1.3%	71.5%	27.3%
2010 U.S. Secret Service (USSS)	--	--	--	--

**This item is on a different response scale and is not included in the significance testing.*

Department of Homeland Security
U.S. Secret Service (USSS)
1st Level Trend Report

78. Do you participate in the following Work/Life programs? Elder Care Programs (for example, support groups, speakers)

	N	Yes	No	Not Available To Me
2015 Governmentwide	403,461	2.4%	80.1%	17.5%
2015 Department of Homeland Security	41,010	1.3%	75.4%	23.3%
2015 U.S. Secret Service (USSS)	**1,206**	**1.2%**	**67.7%**	**31.1%**
2014 U.S. Secret Service (USSS)	1,043	2.0%	72.7%	25.3%
2013 U.S. Secret Service (USSS)	1,289	2.2%	74.3%	23.4%
2012 U.S. Secret Service (USSS)	2,103	2.5%	75.2%	22.3%
2011 U.S. Secret Service (USSS)	886	1.9%	75.3%	22.8%
2010 U.S. Secret Service (USSS)	--	--	--	--

**This item is on a different response scale and is not included in the significance testing.*

79. How satisfied are you with the following Work/Life programs in your agency? Telework

	N	Positive	Neutral	Negative	NBJ	Difference from previous year
2015 Governmentwide	190,959	78.2%	12.8%	9.1%	6,780	
2015 Department of Homeland Security	11,673	73.2%	14.0%	12.7%	593	
2015 U.S. Secret Service (USSS)	**34**	**38.5%**	**33.0%**	**28.5%**	**24**	--
2014 U.S. Secret Service (USSS)	25	40.9%	27.4%	31.8%	20	--
2013 U.S. Secret Service (USSS)	41	54.0%	24.2%	21.8%	22	→
2012 U.S. Secret Service (USSS)	126	66.4%	22.0%	11.6%	43	--
2011 U.S. Secret Service (USSS)	22	22.5%	47.6%	29.9%	16	--
2010 U.S. Secret Service (USSS)	--	--	--	--	--	

**The results for this item only include employees who indicated that they participated in this program.*

Department of Homeland Security
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80. How satisfied are you with the following Work/Life programs in your agency? Alternative Work Schedules (AWS)

	N	Positive	Neutral	Negative	NBJ	Difference from previous year
2015 Governmentwide	151,249	89.0%	7.5%	3.5%	2,908	
2015 Department of Homeland Security	12,662	85.8%	8.8%	5.4%	224	
2015 U.S. Secret Service (USSS)	**105**	**86.7%**	**7.7%**	**5.6%**	**5**	↗
2014 U.S. Secret Service (USSS)	116	73.7%	17.0%	9.3%	8	→
2013 U.S. Secret Service (USSS)	168	80.7%	15.3%	4.1%	8	→
2012 U.S. Secret Service (USSS)	208	80.5%	11.6%	7.9%	17	↘
2011 U.S. Secret Service (USSS)	63	89.6%	3.8%	6.7%	4	--
2010 U.S. Secret Service (USSS)	--	--	--	--	--	

**The results for this item only include employees who indicated that they participated in this program.*

81. How satisfied are you with the following Work/Life programs in your agency? Health and Wellness Programs (for example, exercise, medical screening, quit smoking programs)

	N	Positive	Neutral	Negative	NBJ	Difference from previous year
2015 Governmentwide	106,036	79.9%	16.5%	3.6%	7,380	
2015 Department of Homeland Security	10,379	72.6%	21.1%	6.3%	666	
2015 U.S. Secret Service (USSS)	**505**	**62.3%**	**31.0%**	**6.7%**	**47**	↘
2014 U.S. Secret Service (USSS)	481	69.4%	25.8%	4.9%	38	→
2013 U.S. Secret Service (USSS)	570	74.1%	20.7%	5.2%	50	↘
2012 U.S. Secret Service (USSS)	974	78.8%	18.0%	3.2%	91	→
2011 U.S. Secret Service (USSS)	446	77.2%	19.0%	3.8%	24	--
2010 U.S. Secret Service (USSS)	--	--	--	--	--	

**The results for this item only include employees who indicated that they participated in this program.*

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82. How satisfied are you with the following Work/Life programs in your agency? Employee Assistance Program (EAP)

	N	Positive	Neutral	Negative	NBJ	Difference from previous year
2015 Governmentwide	55,156	74.8%	20.9%	4.4%	8,714	
2015 Department of Homeland Security	5,712	73.3%	21.2%	5.5%	584	
2015 U.S. Secret Service (USSS)	**183**	**71.7%**	**24.0%**	**4.4%**	**17**	→
2014 U.S. Secret Service (USSS)	186	70.7%	23.7%	5.6%	46	→
2013 U.S. Secret Service (USSS)	244	77.1%	20.7%	2.2%	36	↘
2012 U.S. Secret Service (USSS)	410	82.5%	14.5%	2.9%	45	→
2011 U.S. Secret Service (USSS)	190	83.9%	11.4%	4.7%	5	--
2010 U.S. Secret Service (USSS)	--	--	--	--	--	

**The results for this item only include employees who indicated that they participated in this program.*

83. How satisfied are you with the following Work/Life programs in your agency? Child Care Programs (for example, daycare, parenting classes, parenting support groups)

	N	Positive	Neutral	Negative	NBJ	Difference from previous year
2015 Governmentwide	10,781	71.6%	24.4%	4.1%	4,620	
2015 Department of Homeland Security	491	56.7%	36.5%	6.8%	317	
2015 U.S. Secret Service (USSS)	**9**	**11.2%**	**67.7%**	**21.1%**	**3**	--
2014 U.S. Secret Service (USSS)	9	93.0%	7.0%	0.0%	18	--
2013 U.S. Secret Service (USSS)	15	64.5%	35.5%	0.0%	10	--
2012 U.S. Secret Service (USSS)	32	63.4%	36.6%	0.0%	21	--
2011 U.S. Secret Service (USSS)	10	34.7%	61.7%	3.6%	9	--
2010 U.S. Secret Service (USSS)	--	--	--	--	--	

**The results for this item only include employees who indicated that they participated in this program.*

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84. How satisfied are you with the following Work/Life programs in your agency? Elder Care Programs (for example, support groups, speakers)

	N	Positive	Neutral	Negative	NBJ	Difference from previous year
2015 Governmentwide	7,497	66.3%	31.3%	2.4%	3,831	
2015 Department of Homeland Security	464	56.9%	37.7%	5.5%	339	
2015 U.S. Secret Service (USSS)	**15**	**42.5%**	**50.3%**	**7.2%**	**8**	--
2014 U.S. Secret Service (USSS)	15	84.0%	10.8%	5.2%	14	--
2013 U.S. Secret Service (USSS)	24	70.6%	29.4%	0.0%	12	--
2012 U.S. Secret Service (USSS)	46	69.6%	30.4%	0.0%	26	--
2011 U.S. Secret Service (USSS)	26	67.5%	28.5%	4.0%	4	--
2010 U.S. Secret Service (USSS)	--	--	--	--	--	

**The results for this item only include employees who indicated that they participated in this program.*

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Where do you work?

	N	%
Headquarters	378	31.3%
Field	829	68.7%

What is your supervisory status?

	N	%
Non-Supervisor	753	62.4%
Team Leader	183	15.2%
Supervisor	171	14.2%
Manager	81	6.7%
Senior Leader	18	1.5%

Are you:

	N	%
Male	809	67.8%
Female	385	32.2%

Are you Hispanic or Latino?

	N	%
Yes	82	6.9%
No	1,099	93.1%

Race

	N	%
American Indian or Alaska Native	11	1.0%
Asian	41	3.6%
Black or African American	150	13.1%
Native Hawaiian or Other Pacific Islander	6	0.5%
White	897	78.3%
Two or more races	40	3.5%

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What is the highest degree or level of education you have completed?

	N	%
Less than High School	0	0.0%
High School Diploma/GED or equivalent	53	4.4%
Trade or Technical Certificate	14	1.2%
Some College (no degree)	134	11.2%
Associate's Degree (e.g., AA, AS)	57	4.8%
Bachelor's Degree (e.g., BA, BS)	632	52.8%
Master's Degree (e.g., MA, MS, MBA)	268	22.4%
Doctoral/Professional Degree (e.g., Ph.D., MD, JD)	40	3.3%

What is your pay category/grade?

	N	%
Federal Wage System	7	0.6%
GS 1-6	7	0.6%
GS 7-12	271	22.5%
GS 13-15	823	68.4%
Senior Executive Service	11	0.9%
Senior Level (SL) or Scientific or Professional (ST)	2	0.2%
Other	82	6.8%

How long have you been with the Federal Government (excluding military service)?

	N	%
Less than 1 year	3	0.2%
1 to 3 years	21	1.7%
4 to 5 years	110	9.1%
6 to 10 years	218	18.0%
11 to 14 years	230	19.0%
15 to 20 years	336	27.8%
More than 20 years	291	24.1%

How long have you been with your current agency (for example, Department of Justice, Environmental Protection Agency)?

	N	%
Less than 1 year	9	0.7%
1 to 3 years	38	3.2%
4 to 5 years	139	11.5%
6 to 10 years	248	20.6%
11 to 20 years	556	46.1%
More than 20 years	216	17.9%

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Are you considering leaving your organization within the next year, and if so, why?

	N	%
No	621	51.9%
Yes, to retire	71	5.9%
Yes, to take another job within the Federal Government	358	29.9%
Yes, to take another job outside the Federal Government	69	5.8%
Yes, other	77	6.4%

I am planning to retire:

	N	%
Within one year	48	4.0%
Between one and three years	120	10.1%
Between three and five years	147	12.4%
Five or more years	873	73.5%

Self-Identify as:

	N	%
Heterosexual or Straight	984	86.1%
Gay, Lesbian, Bisexual, or Transgender	17	1.5%
I prefer not to say	142	12.4%

What is your US military service status?

	N	%
No Prior Military Service	871	73.1%
Currently in National Guard or Reserves	19	1.6%
Retired	48	4.0%
Separated or Discharged	253	21.2%

Are you an individual with a disability?

	N	%
Yes	56	4.7%
No	1,136	95.3%

What is your age group?

	N	%
25 and under	6	0.5%
26-29	58	4.5%
30-39	370	29.0%
40-49	560	43.9%
50-59	251	19.7%
60 or older	32	2.5%

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United States Secret Service
Directives System

Manual : Human Resources and Training
RO : DEP

Section : PER-05(13)
Date : 11/15/2013

Subject: United States Secret Service Table of Penalties

To: All Supervisors and All Manual Holders of the Human Resources and Training Manual

Filing Instructions:

- Remove and destroy the PER-05 Table of Contents and replace with the attached Table of Contents.
- File the attached section PER-05(13) immediately behind PER-05(12).
- File this Policy Memorandum in front of section PER-05(13).
- This directive is in effect until superseded.

Impact Statement: This directive issues the United States Secret Service's Table of Penalties.

The United States Secret Service's (Secret Service) Table of Penalties is intended to serve as a **guide** in determining appropriate corrective, disciplinary, or adverse actions for common offenses and supersedes all previous policies and practices regarding disciplinary offenses and penalties.

The Offense Codes outlined in the Table of Penalties do not cover every possible offense but rather provide a general description of certain types of misconduct, whether committed on or off-duty, for which employees may be disciplined. **The absence of a specific Offense Code covering an act does not mean that such an act is condoned, permissible, or would not result in disciplinary or adverse action.** Offenses not described in the Offense Codes may be separately identified and result in appropriate disciplinary or adverse action, provided there is a nexus between the misconduct and the efficiency of the service. Employees are encouraged and expected to report through their chain of command, or the Inspection Division Hotline, or the DHS Office of the Inspector General, information that indicates another employee may have engaged in misconduct described in the Table of Penalties. Supervisors are required to report through their chain of command an employee's misconduct involving violations set forth in the Table of Penalties. Failure of a supervisor to report information required by this policy may result in disciplinary action.

Mandatory Review: The Responsible Office will review all policy contained in this section in its entirety by or before November 2016.

A.T. Smith
Deputy Director

DCP #: HRT 2013-33

UNITED STATES SECRET SERVICE TABLE OF PENALTIES

Introduction

The United States Secret Service's (Secret Service) Table of Penalties is intended to serve as a **guide** in determining appropriate corrective, disciplinary or adverse actions for common offenses and supersedes all previous policies and practices regarding disciplinary offenses and penalties.

The Offense Codes outlined in the Table of Penalties do not cover every possible offense but rather provide a general description of certain types of misconduct, whether committed on or off-duty, for which employees may be disciplined. The absence of a specific Offense Code covering an act does not mean that such an act is condoned, permissible, or would not result in disciplinary or adverse action. Offenses not described in the Offense Codes may be separately identified and result in appropriate disciplinary or adverse action, provided there is a nexus between the misconduct and the efficiency of the service. Employees are encouraged and expected to report through their chain of command, or the Inspection Division Hotline, or the DHS Office of the Inspector General hotline, information that indicates another employee may have engaged in misconduct described in the Table of Penalties. Supervisors are required to report through their chain of command an employee's misconduct involving violations set forth in the Table of Penalties. Failure of a supervisor to report information required by this policy may result in disciplinary action. See Offense Code 5.6.

Purpose and Progressive Nature of Discipline

The Secret Service is a world renowned pre-eminent law enforcement agency and is distinguished by its responsibilities to protect the president, vice-president, and other national leaders, visiting world leaders, and designated National Special Security Events. As such, the Secret Service employs advanced recruitment strategies designed to attract and retain employees who possess the highest levels of aptitude and integrity. All Secret Service employees are held to a high standard of conduct and are expected to be worthy of trust and confidence. The Secret Service's disciplinary and adverse action processes serve to ensure adherence to the highest standards of conduct. Disciplinary measures are imposed to promote behaviors and principles that champion the pursuit of organizational achievement and excellence. The discipline model of the Secret Service is designed to incentivize self-discipline at all levels. Discipline at the Secret Service is progressive in nature, meaning that subsequent acts of misconduct are treated with increasing severity, especially but not exclusively, when the acts of misconduct are similar in nature. Certain offenses are so egregious that a single act is sufficient to warrant an employee's removal.

Penalty Ranges and Factors Considered in Determining the Penalty

The Secret Service's Penalty Guidelines are expressed in terms of a Standard Penalty, a Mitigated Range, and an Aggravated Range. Selection of an appropriate penalty involves a responsible balancing of the relevant factors in each case. The aggravating and mitigating factors listed in the Penalty Guidelines are a general description of certain factors that will result in higher or lower penalties depending on the specific case's circumstances. The factors listed in the Penalty Guidelines are illustrative and not exhaustive.

In addition, the Douglas Factors set forth below will be considered in every case prior to determining the penalty. Not all of these factors are applicable to every case, and the deciding official will balance the relevant ones.

The Douglas Factors are:

1) The nature and seriousness of the offense, and its relation to the employee's duties, position, and responsibilities, including whether the offense was intentional or technical or inadvertent, or was committed maliciously or for gain, or was frequently repeated;

2) The employee's job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position;

3) The employee's past disciplinary record;

4) The employee's past work record, including length of service, performance on the job, ability to get along with fellow workers, and dependability;

5) The effect of the offense upon the employee's ability to perform at a satisfactory level and its effect upon supervisors' confidence in the employee's ability to perform assigned duties;

6) Consistency of the penalty with those imposed upon other employees for the same or similar offenses;

7) Consistency of the penalty any applicable agency table of penalties;

8) The notoriety of the offense or its impact upon the reputation of the agency;

9) The clarity with which the employee was on notice of any rules that were violated in committing the offense, or had been warned about the conduct in question;

10) The potential for the employee's rehabilitation;

11) Mitigating circumstances surrounding the offense such as unusual job tensions, personality problems, mental impairment, harassment, or bad faith, malice or provocation on the part of others involved in the matter; and

12) The adequacy and effectiveness of alternative sanctions to deter such conduct in the future by the employee or others.

The penalty for misconduct will be mitigated or aggravated only after full and fair consideration of all available information. The Table of Penalties is a guide to help ensure consistent application of similar penalties for similar offenses but the selection of a penalty should always be appropriate to the facts of the case.

Statutory, regulatory, or policy citations listed in the Offense Codes or Penalty Guidelines are provided strictly for the convenience of the user. A specific reference to a statute, regulation, or policy in the Offense Codes or Penalty Guidelines does not mean that the citation is the only one applicable or that a citation is required to determine a violation. Although a criminal statute or conduct may be cited, the level of proof required for disciplinary purposes does not rise to the level required for criminal prosecution.

Suspensions are imposed in calendar days, not work days, and are intended to be served concurrently. Demotions may also be considered as an appropriate disciplinary measure even though they are not specifically designated as a penalty in the Penalty Guidelines. (Consult with designated Secret Service Employee Relations officials for additional guidance.)

Combination of Penalties

In cases where more than one offense is substantiated against an employee, the penalties may be added together. However, in proposing a disciplinary action, the proposing official will not assess multiple penalties where the substantiated charges are essentially restatements of the same misconduct. Further, if an employee commits more than one kind of offense, then the employee may be subject to a higher penalty to include removal, even when one offense, standing alone, would not necessarily result in the higher penalty or removal.

Nexus

The listed offenses apply to all Secret Service personnel regardless of position or title. Law enforcement officials and supervisory personnel may be held to a higher standard of conduct than other employees. The term "on duty" refers to the period when an employee is performing an official duty or acting in an official capacity, whether or not the employee is being paid at the time (e.g., misconduct occurring while an employee is driving an official Government Vehicle (GOV) at the end of the employee's work day, traveling on a commercial carrier while armed, and/or is on official travel, is considered "on duty" for administrative disciplinary purposes).

An employee may be disciplined for misconduct that occurs off duty. In such circumstances, there must be a nexus between the employee's misconduct and the efficiency of the service. A nexus may be established by the effect of the misconduct on the mission of the Secret Service, publicity or notoriety arising from the misconduct, the misconduct's effect on the Secret Service's ability to rely on the integrity, honesty, or judgment of the employee, and other similar and relevant factors.

Senior Executive Service (SES)

Title 5 of the Code of Federal Regulations, section 752.601 provides that members of the SES may not receive an adverse action of less than fifteen days. Accordingly, where the Penalty Guidelines indicate a suspension of one to fourteen days for an offense, that sanction cannot be imposed on an SES employee. When the proposing and deciding officials conclude that an adverse action of more than a three day suspension, but less than a fifteen day suspension is appropriate, an SES employee will generally receive a minimum of a fifteen day suspension. When the proposing and deciding officials conclude that an adverse action of a one day to a three day suspension is appropriate, an SES employee may receive a letter of reprimand rather than a minimum of a fifteen day suspension if, after weighing the heighten behavioral and managerial expectations associated with SES personnel against the facts and circumstances of the case, the deciding official determines that a fifteen day suspension is not appropriate.

Exceptions to the Offense Codes and Penalty Guidelines

The security clearance process is separate from the disciplinary process and this guidance does not apply to security clearance determinations regarding the denial, suspension, or revocation of eligibility for access to classified information. However, as outlined in the Offense Codes, when an employee's Top Secret security clearance has been suspended or revoked, a proposed indefinite suspension may be issued; and when an employee's Top Secret security clearance has been finally revoked by the Security Appeals Board, a proposal to remove the employee from federal service will be issued. Consistent with this guidance, an employee may be subject to disciplinary or adverse action for misconduct that raises security concerns regardless of whether or not the Security Clearance Division takes a security related action in the matter.

The Medical Review Board process is also separate from the disciplinary process and this guidance does not apply to removals proposed by the Medical Review Board based on inability to perform the essential functions of an employee's position due to his or her medical condition.

This guidance also does not apply to performance deficiencies which may be addressed through the use of performance improvement plans (see PER-06(03)), to denials of within-grade increases (see PER-06(04)), or to removal or demotion actions taken under title 5 of the United States Code, chapter 43.

In addition, a matter may be referred to other Secret Service divisions for appropriate action regardless of whether or not disciplinary action is taken. For example, a matter may be referred to the Financial Management Division for the recoupment of monies owed to the government, to the Safety, Health and Environmental Programs Division for a fitness-for-duty or medical examination, and to the Security Clearance Division for review.

Although some offenses may fall within an Offense Code listed in the Table of Penalties, supervisors may consider issuing informal discipline to an employee in certain situations. Supervisors and managers have the responsibility of using good judgment when considering whether informal discipline may be appropriate, based on the totality of the circumstances. The following are examples (not inclusive) of such situations:

- Tardiness – non habitual
- Absent Without Leave – less than one workday
- Appearance Policy – minor violations
- Performance – minor issues that do not affect the mission
- Discourtesy or disruptive behavior– minor, non-habitual violations
- Failure to follow instructions – minor, non-habitual violations
- Failure to follow leave policies – minor, non-habitual violations
- Loss of Government Property valued at $500 or less (non-protective equipment or weapons)
- Loss of Government issued identification or access cards (does not include badges)
- Security Violation (First Offense)

When considering whether other offenses not listed above may not be so severe as to warrant formal discipline, and therefore may be addressed using Informal Discipline (verbal counseling or memorandum of counseling), supervisors and managers should first review the Table of Penalties. Minor offenses for which a Letter of Reprimand is within the mitigated penalty range may be addressed through Informal Discipline.

Appendix A:
United States Secret Service Table of Penalties
(Offense Codes – Applicable to USSS's Internal Disciplinary Process)

Offense Codes – Applicable to USSS's Internal Disciplinary Process
• The Offense Codes are arranged by category of offenses. Within each category, the offenses are arranged alphabetically. • Unless otherwise noted, the listed offenses apply to all USSS personnel, regardless of position or title. • The term "on duty" refers to the period when an employee is performing an official duty or acting in an official capacity, whether or not the employee is being paid at the time (*e.g.*, misconduct occurring while an employee is driving a USSS vehicle home at the end of the employee's shift, is traveling on a commercial carrier while armed, or is on official travel status is considered "on duty" for administrative disciplinary purposes). • See the Penalty Guidelines for an expanded discussion of applicable penalties, including examples of mitigating and aggravating factors for various offenses.

1. MISSION RELATED MISCONDUCT	
Offense Code 1.1 Activities that Jeopardize the USSS Mission	**Engaging, assisting, or participating in an activity that jeopardizes or negatively impacts the USSS's mission or operations not specifically delineated in any other Offense Code.** **Mitigated: 5-10 Days** **Penalty: 14 Days** **Aggravated: 21 Days - Removal**
Offense Code 1.2 Asset/Cooperating Witness (CW)/Informant (Source) – Failure to Report Criminal Activity or Improper Intervention on Behalf Of	**Failing to inform in a timely manner the appropriate USSS official of a source's unauthorized criminal activity about which the employee knows, or reasonably should know, based upon all available information; or without authorization, aiding, protecting, harboring, or shielding a source, or any attempt to aid, protect, harbor, or shield a source from law enforcement or legal obligations. Timely manner means as soon as possible in light of operational/mission requirements.** "Criminal activity" does not include non-felonious traffic related offenses. **Mitigated: 1 – 5 Days** **Penalty: 7 Days** **Aggravated: 10 Days – Removal**

Offense Code 1.3 Asset/CW/Informant (Source) – Improper Relationship	**Without authorization, directly or indirectly loaning money to or receiving money from a source; giving a favor/gift to or accepting a favor/gift from a source; paying a source for a favor, gift, or service; attempting to obtain any favor, gift, or service from a source; or engaging in a social, romantic, sexual, or intimate relationship with a source.** This includes financial benefits, favors, and gifts conferred upon an employee's relatives or associates due to the employee's relationship with the source. Social relationships/associations involve any contact beyond that reasonably necessary for the completion of an investigative mission or beyond that which is authorized. An employee can be disciplined for: 1) engaging in an improper personal relationship, or 2) engaging in unauthorized conduct that would cause the reasonably prudent person to believe that there is an improper relationship. **Mitigated: 3 – 7 Days** **Penalty: 10 Days** **Aggravated: 14 Days – Removal**
Offense Code 1.4 Improper Handling of Document(s) or Property in the Care, Custody, or Control of the Government	**Intentionally failing to properly process, seize, describe, package, inventory, verify, record, document, control, store, secure, or safeguard documents or property under the care, custody, or control of the government, including evidence, counterfeit currency/notes/bonds, non-evidentiary items, or seized property held by the government.** This offense includes, but is not limited to, the unauthorized or improper use, loss, damage, destruction, or improper disposal of documents or property, to include electronic surveillance materials and classified or law enforcement sensitive documents. Note that the improper handling of classified information also raises security concerns and could result in a security clearance action. **Mitigated: Letter of Reprimand – 3 Days** **Penalty: 5 Days** **Aggravated: 7 Days – 30 Days**
Offense Code 1.5 Leaving Post Without Proper Relief	**Without authorization, leaving an assignment without proper relief.** **Mitigated: Letter of Reprimand – 3 Days** **Penalty: 5 Days** **Aggravated: 7 Days – 30 Days**
Offense Code 1.6 Misconduct Related to Judicial Proceedings	**During the investigative or litigation phases of a criminal or civil case, engaging in conduct that dishonors, discredits, or otherwise brings the integrity of the USSS into question.** This does not apply to conduct involving falsification covered under Offense Code 2.6, Lack of Candor/Lying - Under Oath. **Mitigated: 3 – 7 Days** **Penalty: 10 Days** **Aggravated: 14 Days – Removal**

Offense Code 1.7 Misconduct Related to Investigative or Protective Activities	**Recklessly disregarding rules governing search, seizure, arrest, treatment of suspects or individuals under arrest, or the exercise of an individual's constitutional rights.** See Federal Rules of Criminal Procedure, Rule 41. **Mitigated: 3 – 7 Days** **Penalty: 10 Days** **Aggravated: 14 – 30 Days**
Offense Code 1.8 Negligence in Performance of Official Duties	**Negligently performing your official duties.** Examples of negligent performance include, but are not limited to, sleeping or appearing to sleep while on duty, inattention to duty, using unauthorized electronic devices while on duty. **Mitigated: Letter of Reprimand – 3 Days** **Penalty:5 Days** **Aggravated: 7 - 21 Days**
Offense Code 1.9 Suspect/Criminal Element – Improper Relationship	**Without authorization, engaging in a social, romantic, sexual, or intimate relationship or association with a person the employee knew, or should have known, is involved in criminal activities, or is a suspect in a USSS investigation.** Social relationships or associations involve any contact beyond that reasonably necessary for the completion of an investigative mission or beyond that which is authorized. **Mitigated: 5-10 Days** **Penalty: 14 Days** **Aggravated: 21 Days – Removal**
Offense Code 1.10 Violation of Operational Guidelines and Policies, Other	**Failing to enforce or comply with a USSS operational guideline or policy not specifically delineated in any of the other Mission Related Misconduct Offense Codes provided herein.** **Mitigated: Letter of Reprimand – 3 Days** **Penalty: 5 Days** **Aggravated: 7 - 30 Days**

2. INTEGRITY/ETHICAL MISCONDUCT	
Offense Code 2.1 False/Misleading/Inaccurate Information – Employment/Security Document(s)	**Knowingly providing false, misleading, or inaccurate information in an employment-related or security-related document; or signing or attesting to the truthfulness of information provided in an employment-related or security-related document in reckless disregard of the accuracy or completeness of pertinent information contained therein.** Employment/security related documents include, but are not limited to, the Employment Application, Security Investigation Questionnaires, and other security clearance forms; Government Employees Training Acts forms; training records; Candidate Qualification forms; report of medical history; and other documents/forms which impact hiring, retention, transfer, promotion and award decisions. Note that knowingly providing false, inaccurate, or misleading information on a security-related document also raises security concerns and could result in a security clearance action. **Mitigated: 5 – 10 Days** **Penalty: 14 Days** **Aggravated: 21 Days – Removal**
Offense Code 2.2 False/Misleading Information – Fiscal Matter(s)	**Knowingly providing false or misleading information in a fiscal-related document; or signing or attesting to the truthfulness of information provided in a fiscal-related document in reckless disregard of the accuracy or completeness of pertinent information contained therein.** Documents involving fiscal matters include, but are not limited to, Time and Attendance (T&A) records, travel vouchers, disbursement/expenditure forms, draft requests, expense forms, supporting documentation for leave purposes, insurance forms, benefits forms, and transfer documents. **Mitigated: 5 - 10 Days** **Penalty: 14 Days** **Aggravated: 21 Days – Removal**
Offense Code 2.3 False/Misleading Information – Investigative Activity	**Knowingly providing false or misleading information in an investigative document; or signing or attesting to the truthfulness of information provided in an investigative document in reckless disregard of the accuracy or completeness of pertinent information contained therein.** Documents involving investigative matters include, but are not limited to, Memorandum Reports, inserts, evidence control documents, and documentation of informant matters. **Mitigated: 5 – 10 Days** **Penalty: 14 Days** **Aggravated: 21 Days – Removal**

Offense Code 2.4 False/Misleading Information – Other Official Matter(s)	**Knowingly providing false or misleading information in an official USSS document or an official document of another government agency; or signing or attesting to the truthfulness of information provided in an official USSS document or official document of another government agency in reckless disregard of the accuracy or completeness of pertinent information contained therein.** This applies to documents executed either on-duty or off-duty. **Mitigated: 5 – 10 Days** **Penalty: 14 Days** **Aggravated: 21 Days – Removal**
Offense Code 2.5 Lack of Candor – No Oath	**Knowingly providing inaccurate information when making a verbal or written statement, not under oath, to a supervisor, another USSS employee in an authoritative position, or another governmental agency, when the employee is questioned about his/her conduct or the conduct of another person.** "Inaccurate information" includes misrepresentations, the failure to be fully forthright, or the concealment of a material fact/information. **Mitigated: 1 – 5 Days** **Penalty: 7 Days** **Aggravated: 10 – Removal**
Offense Code 2.6 Lack of Candor/Lying – Under Oath	**Knowingly providing false information in a verbal or written statement made under oath.** "False information" includes false statements, misrepresentations, the failure to be fully forthright, or the concealment of a material fact/information. **Mitigated: 60 – 120 Days** **Penalty: Removal** **Aggravated: N/A**
Offense Code 2.7 Misuse of Position	**Exceeding the limits of USSS authority to further a personal, unofficial, or unauthorized interest; or using USSS position or affiliation for private gain or advantage or for the gain or advantage of relatives or associates of the employee.** See 5 C.F.R. § 2635.702 for additional information. **Mitigated: Letter of Reprimand – 3 Days** **Penalty: 5 Days** **Aggravated: 7 - 30 Days**
Offense Code 2.8 Failure to Cooperate in an Administrative Matter	**Failing or refusing to fully participate in an administrative matter after an employee has been provided with the administrative warnings (i.e., Kalkines Warnings).** "Administrative Matter" includes, but is not limited to, internal disciplinary investigations, OIG investigations, Inspection Division investigations, or EEO Matters. **Mitigated: 60 – 120 Days** **Penalty: Removal** **Aggravated: N/A**

Offense Code 2.9 Obstruction of an Administrative Matter	**Taking any action to influence, intimidate, impede or otherwise obstruct an administrative matter.** "Administrative Matter" includes, but is not limited to, internal disciplinary investigations, OIG investigations, Inspection Division investigations, or EEO Matters. **Mitigated: 3- 7 Days** **Penalty: 10 Days** **Aggravated: 14 Days – Removal**
Offense Code 2.10 Prohibited Personnel Practices	**Committing a prohibited personnel practice (5 U.S.C. 2302) not elsewhere covered in the Offense Codes provided herein.** See 5 U.S.C. § 2302 for information concerning prohibited personnel practices. **Mitigated: Letter of Reprimand – 1 Day** **Penalty: 3 Days** **Aggravated: 5 Days –Removal**
Offense Code 2.11 Violation of Ethical Guidelines	**Engaging in any activity or conduct prohibited by the uniform Standards of Conduct of Employees of the Executive Branch (5 C.F.R. Part 2635), the supplemental regulations (5 C.F.R. Part 3801), or USSS policy.** Prohibited conduct involves, but is not limited to, issues such as conflict of interest, favoritism, and gifts. See Executive Order 12674; 5 C.F.R. Part 2635; 5 C.F.R. Part 3801; 5 U.S.C. § 3110; 18 U.S.C. §§ 203, 205, 208, and 209; and the USSS Standards of Ethical, Professional, and Personal Conduct Desk Reference. **Mitigated: Letter of Reprimand** **Penalty: 5 Days** **Aggravated: 10 Days – Removal**

3. PROPERTY/RELATED MISCONDUCT	
Offense Code 3.1 Destruction or Improper Disposal of Government Property	**Without proper authority, damaging, destroying, or disposing of any government document(s) or property.** This does not include the destruction or wrongful disposal of the type of property and documents covered in Offense Code 1.4, Mission Related Misconduct, Improper Handling of Document(s) or Property. **Mitigated: Letter of Reprimand - 3 Days** **Penalty: 5 Days** **Aggravated: 7- 14 Days**

Offense Code 3.2 Loss of Government Property or Document(s) of a Sensitive/Valuable Nature	**Loss or theft of government property, including documents, resulting from the employee's failure to adequately safeguard an item, deemed by an appropriate authority to be of a sensitive or valuable nature.** This includes loss or theft of a USSS Special Agent or Uniformed Division badge or USSS credentials. This does not include the loss of the type of property and documents covered in Offense Code 1.4, Mission Related Misconduct, Improper Handling of Document(s) or Property or the loss or theft of classified information which is covered by Offense Code, 3.3, Loss of Classified Information. **Mitigated: Letter of Reprimand - 3 Days** **Penalty: 5 Days** **Aggravated: 7- 14 Days**
Offense Code 3.3 Loss of Classified Information	**Loss or theft of classified national security information, resulting from the employee's willful failure to adequately safeguard the information.** Refer to SCD-03(01). Note that the loss or theft of classified information also raises security concerns and could result in a security clearance action. **Mitigated: 3 - 7 Days** **Penalty: 10 Days** **Aggravated: 14 Days - Removal**
Offense Code 3.4 Loss of Firearm	**Loss or theft of a USSS official firearm resulting from employee's failure to adequately safeguard the property.** **Mitigated: 3 - 7 Days** **Penalty: 10 Days** **Aggravated: 14 – 30 Days**
Offense Code 3.5 Misuse of USSS Database(s)/Unauthorized Access	**Without authorization, accessing a USSS or other government database or record.** Examples of databases include but are not limited to NCIC, TECS, etc. This does not include the disclosure of such information to others, which is covered in Offense Code 4.12, Illegal/Criminal Misconduct, Unauthorized Disclosure – Classified/Law-Enforcement Sensitive/Grand Jury Information or Offense Code 4.13, Illegal/Criminal Misconduct, Unauthorized Disclosure - Sensitive Information. **Mitigated: Letter of Reprimand – 3 Days** **Penalty: 5 Days** **Aggravated: 7 Days – Removal**
Offense Code 3.6 Misuse of Government Computer(s)	**Using a government computer or other electronic device for personal, unofficial, or unauthorized use.** This does not include use of a classified system. This does not apply to *de minimis* use, i.e., where the cost to the government is negligible, as long as the use is not otherwise objectionable. See 5 C.F.R. § 2635.704, IRM-10(03), and PER-05(10). **Mitigated: Letter of Reprimand – 1 Day** **Penalty: 3 Days** **Aggravated: 5 – 14 Days**

Offense Code 3.7 Misuse of Government Computer(s) – Inappropriate Content	**Without authorization, using a government computer or electronic device to create, send, solicit, or view any material that is sexual in nature or that makes fun of or insults others' race, religion, color, sex, disability, national origin, or sexual orientation ("prohibited material"). The unintended receipt and viewing of prohibited material is not a violation of this Offense Code.** **Mitigated: Letter of Reprimand – 3 Days** **Penalty: 5 Days** **Aggravated: 7 Days – Removal**
Offense Code 3.8 Misuse of Secure Communication Systems	**Using a secure communication system for personal, unofficial, or unauthorized use.** Refer to SCD -03(01). Note that misuse of classified systems also raises security concerns and could result in a security clearance action. **Mitigated: 3 - 7 Days** **Penalty: 10 Days** **Aggravated: 14 Days – Removal**
Offense Code 3.9 Misuse of Government Charge Card – Personal Use	**Knowingly using or permitting the use of, a Government Charge Card (GCC) for personal purchase, rentals, services, and/or cash advance resulting in financial gain to the employee or others.** **Mitigated: 21 – 45 Days** **Penalty: Removal** **Aggravated: N/A**
Offense Code 3.10 Misuse of Government Vehicle Non-Title 31	**Using or permitting the use of, a government owned, leased, or rented passenger motor vehicle, boat, or aircraft, or the equipment therein, regardless of the employee's intent, for an unofficial purpose; or transporting or allowing another to transport an unauthorized passenger in a motor vehicle, boat, or aircraft.** **Mitigated: Letter of Reprimand - 3 Days** **Penalty: 5 Days** **Aggravated: 7- 30 Days**
Offense Code 3.11 Misuse of Government Vehicle Title 31	**Knowingly or with reckless disregard, using or permitting the use of, a government owned or leased passenger motor vehicle, boat, or aircraft for an unofficial or purely personal purpose (i.e., a purpose other than the facilitation of government work or the execution of the USSS's mission).** See 31 U.S.C. §§ 1344 and 1349(b). **Mitigated: N/A** **Penalty: 30 Days** **Aggravated: 45 Days – Removal**

Offense Code 3.12 Misuse of Government Property, Other	**Using government property, not specifically delineated in another offense code, for personal, unofficial or unauthorized use.** This does not apply to *de minimis* use, where the cost to the government is negligible. See 5 C.F.R. § 2635.704. **Mitigated: N/A** **Penalty: Letter of Reprimand** **Aggravated: 1-10 Days**

4. ILLEGAL/CRIMINAL CONDUCT	
Offense Code 4.1 Assault	**Attempting or threatening to inflict bodily harm on another using unlawful force or violence.** **Mitigated: 1 – 5 Days** **Penalty: 7 Days** **Aggravated: 10 Days – Removal**
Offense Code 4.2 Battery	**Inflicting bodily harm on another using unlawful force or violence.** **Mitigated: 5 – 10 Days** **Penalty: 14 Days** **Aggravated: 21 Days – Removal**
Offense Code 4.3 Counterfeit Related Offenses	**Any activity which violates laws relating to the creation, passing, or uttering of counterfeit currency, notes, bonds, or other obligations of the United States.** **Mitigated: 21 – 45 Days** **Penalty: Removal** **Aggravated: N/A**
Offense Code 4.4 Domestic Violence – Law Enforcement Officers	**Conviction of a felony or misdemeanor act of domestic violence.** Applies to law enforcement officers only. Law enforcement officers include: Special Agents, Uniformed Division Officers, Physical Security Specialists, Special Officers, and Operation Support Technicians, Physical Security Technicians. An LEO convicted of a domestic violence offense will, at a minimum, be removed from his/her LEO position. See 18 U.S.C. §922(g)(9) and 5 U.S.C. § 7371. **Mitigated: 21 – 45 Days** **Penalty: Removal** **Aggravated: N/A**
Domestic Violence – Non- Law Enforcement Personnel	**Conviction of a non-law enforcement employee for felony or misdemeanor act of domestic violence.** **Mitigated: 21 – 45 Days** **Penalty: Removal** **Aggravated: N/A**

Offense Code 4.5 Drugs – Use or Possession	**Knowingly and consciously ingesting, injecting, inhaling, possessing, selling or distributing an illegal controlled substance or anabolic steroid, on or off duty, after entering on duty.** An illegal controlled substance includes all substances designated as such under Federal law. See 21 U.S.C. § 812 for a list of controlled substances. Note that marijuana is an illegal controlled substance under Federal law regardless of any State law initiatives which may permit recreational or medicinal use. This Offense Code does not apply to the possession of controlled substances for official purposes. Mitigated: 21 – 45 Days Penalty: Removal Aggravated: N/A
Offense Code 4.6 DUI/DWI – Government Vehicle	**Operating or being in actual physical control of government owned, leased, or rented passenger motor vehicle, boat, or aircraft, while intoxicated or impaired by alcohol or a controlled substance.** Impairment can be evidenced by a chemical analysis (breathalyzer and/or blood test), or credible observations of law enforcement personnel or other witnesses if no law enforcement personnel are present. Mitigated: 30 – 40 Days Penalty: 45 Days Aggravated: Removal
Offense Code 4.7 DUI/DWI – Privately Owned Vehicle, Law Enforcement Officer	**Operating or being in actual physical control of any privately owned, leased, or rented passenger motor vehicle, boat, or aircraft, while intoxicated or impaired by alcohol or a controlled substance.** This offense code applies to Law Enforcement officers. Law enforcement officers include: Special Agents, Uniformed Division Officers, Physical Security Specialists, Special Officers, and Physical Security Technicians. Impairment can be evidenced by a chemical analysis (breathalyzer and/or blood test), or credible observations of law enforcement personnel or other witnesses if no law enforcement personnel are present. Mitigated: 5 - 10 Days Penalty: 14 Days Aggravated: 21 Days – Removal

Offense Code 4.8 DUI/DWI – Privately Owned Vehicle, Non-Law Enforcement Personnel	**Operating or being in actual physical control of any privately owned, leased, or rented passenger motor vehicle, boat, or aircraft, while intoxicated or impaired by alcohol or a controlled substance.** This offense code applies to non-Law Enforcement personnel. Impairment can be evidenced by a chemical analysis (breathalyzer and/or blood test), or credible observations of law enforcement personnel or other witnesses if no law enforcement personnel are present. **Mitigated: 1 – 5 Days** **Penalty: 7 Days** **Aggravated: 10 Days – Removal**
Offense Code 4.9 Fraud/Theft	**Taking, obtaining, or withholding, by any means, from the possession of the government or another owner, any money, property or article of value of any kind, with the intent to deprive or defraud the government or another owner, of the use and benefit of the property or with the intent to appropriate it for personal use of for the use of another entity or person other than the owner.** This does not include conduct covered under the Offense Codes included in Part 3, Property Related Misconduct. **Mitigated: 21 – 45 Days** **Penalty: Removal** **Aggravated: N/A**
Offense Code 4.10 Indecent/Lascivious Acts	**Inappropriately acting in a manner to appeal to or gratify the sexual desires of the employee, victim, or both; or intentionally exposing an intimate body part to public view.** This does not apply to sexual assault or any sexually related conduct rising to the level of a felony offense, as determined by the jurisdiction in which the act occurred, which is covered under 4.11, Other Felonies. **Mitigated: 10 -21 Days** **Penalty: 30 Days** **Aggravated: 45 Days – Removal**
Offense Code 4.11 Other Felonies	**Engaging in an act, other than one which has been specifically delineated in another offense code, which is considered a felony in the jurisdiction in which the act occurred.** This does not apply to perjury, which is covered under Offense Code 2.6, Lack of Candor/Lying- Under Oath. **Mitigated: 10 – 21 Days** **Penalty: 30 Days** **Aggravated: 45 Days – Removal**

Offense Code 4.12 Other Misdemeanors	**Engaging in an act, other than one which has been specifically delineated in another offense code, which is considered a misdemeanor in the jurisdiction in which the act occurred.** **Mitigated: 1 – 5 Days** **Penalty: 7 Days** **Aggravated: 10 – Removal**
Offense Code 4.13 Unauthorized Disclosure – Classified/Law-Enforcement Sensitive/Grand Jury Information	**Without authorization, disclosing or attempting to disclose classified, or law enforcement sensitive materials, or Grand Jury Information.** See the Federal Rules of Criminal Procedure, Rule 6(e), for additional information. Refer to SCD-03(01). Note that the loss or theft of classified information also raises security concerns and could result in a security clearance action. **Mitigated: 3 – 7 Days** **Penalty: 10 Days** **Aggravated: 14 Days – Removal**
Offense Code 4.14 Unauthorized Disclosure - Sensitive Information	**Without authorization, disclosing or attempting to disclose the USSS's, or another Agency's, sensitive material.** This also includes disclosures of information in violation of the Privacy Act of 1974, 5 U.S.C. § 552a. **Mitigated: 1 – 5 Days** **Penalty: 7 Days** **Aggravated: 10 Days – Removal**

5. GENERAL MISCONDUCT	
Offense Code 5.1 Absence Without Leave	**Absence Without Leave (AWOL) or unauthorized absence from work place.** **Mitigated: Letter of reprimand - 1 Day** **Penalty: 3 Days** **Aggravated: 5 Days – Removal**
Offense Code 5.2 Alcohol/Substance Abuse – Under the Influence While on Duty	**Without authorization, consuming a beverage containing alcohol while on duty or during a break; consuming alcohol prior to reporting for duty to the extent that it has an effect on the employee's workplace or performance; or using prescribed medicine in a manner inconsistent with the prescribing physician's instructions, having an effect on the employee's workplace or performance.** **Mitigated: 5 – 10 Days** **Penalty: 14 Days** **Aggravated: 21 Days – Removal**

Offense Code 5.3 Alcohol/Substance Abuse – Consumption During Abstinence Period or at Prohibited Locations	**Consuming alcohol within any designated period of abstinence prior to reporting for duty or consuming alcohol at the protectee's hotel after a protective visit begins.** **Mitigated: 1 – 5 Days** **Penalty: 7 Days** **Aggravated: 10 Days – Removal**
Offense Code 5.4 Bias-Motivated Groups or Activities	**Becoming or remaining a member of, participating in activities or knowingly associating yourself with a hate group or the hate-motivated activities of others.** "Hate group" or "hate-motivated activities" include any organization, association, event or activity whose sole or primary purpose is to advocate or promote hate, violence, or invidious prejudice against individuals on account of protected classes. See PER-05(05). **Mitigated: 21 – 45 Days** **Penalty: Removal** **Aggravated: N/A**
Offense Code 5.5 Bias-Motivated Conduct or Behavior	**On or off duty, using offensive, abusive, derisive, profane, degrading, critical, or demeaning statements, remarks, comments, observations, or actions, conduct, or gestures based on another's protected group, including creating a hostile work environment based on protected group membership.** "Protected Group" includes race, color, religion, national origin, sex, age, disability, sexual orientation, protected genetic information, marital status, parental status. **Mitigated: Letter of Reprimand - 3 Days** **Penalty: 5 Days** **Aggravated: 7 Days - Removal**
Offense Code 5.6 Dereliction of Supervisory Responsibility	**A supervisor, or an employee acting in an authorized supervisory capacity, failing to exercise reasonable care in the execution of his duties or responsibilities; disregarding his duties or responsibilities; significantly deviating from appropriate methods of supervision; or intentionally failing to report an employee's misconduct involving violations set forth in the Table of Penalties, the USSS Standards of Ethical , Professional, and Personal Conduct Desk Reference, Human Resources and Training Manual, section SCD-02(01) relating to security policies and procedures, and other violations of law. This Offense Code does not require that supervisors report performance issues and other minor policy violations not otherwise described above.** **Mitigated: Letter of Reprimand - 3 Days** **Penalty: 5 Days** **Aggravated: 7-14 Days**

Offense Code 5.7 Disclosure of Information and Documents	**Intentional disclosure of sensitive information obtained during course of employment with the USSS including information obtained from a protectee, observations of a protectee, sensitive but unclassified information, or USSS documents without permission.** Mitigated: 1-5 Days Penalty: 7 Days Aggravated: 10 Days – Removal
Offense Code 5.8 Discrimination/Harassment	**Acting or failing to act on an official matter in a manner which improperly takes into consideration an individual's protected group; failing to take appropriate action to prevent or curtail prohibited discrimination or harassment of a subordinate when the supervisor knew or should have known the conduct was discriminatory.** "Protected Group" includes race, color, religion, national origin, sex, disability, age, parental status, sexual orientation, protected genetic information, marital status, parental status, or political affiliation. See, e.g., Civil Rights Act of 1964; Age Discrimination in Employment Act; and Executive Order 11478. Mitigated: 10 – 21 Days Penalty: 30 Days Aggravated: 45 Days – Removal
Offense Code 5.9 Discourteous Conduct	**Using rude, impolite, discourteous, disrespectful, unprofessional, foul, derogatory, or similarly inappropriate language, gestures, or other conduct to or about another employee or members of the public while on duty or acting in an official capacity.** Mitigated: Letter of Reprimand - 1 Day Penalty: 3 Days Aggravated: 5 Days – Removal
Offense Code 5.10 Disruptive Behavior	**Fighting, threatening, intimidating, attempting to inflict, or inflicting bodily harm to another; harassing or provoking quarrel; engaging in dangerous horseplay; any violent, reckless, or disorderly act, language, gestures, or conduct toward other employees or members of the public.** Mitigated: Letter of Reprimand - 3 Days Penalty: 5 Days Aggravated: 7 Days - Removal
Offense Code 5.11 Failure to Follow Appearance Policy	**Failure to maintain a neat, clean, professional and business-like appearance; failure to comply with uniform or appearance standards while on duty, on official travel, or if a Law Enforcement Officer traveling while armed in a non-duty status.** Note this does not include instances where an accommodation has been granted. See PER-05(05) for the Appearance Standards for USSS employees. Mitigated: Letter of Reprimand - 1 Day Penalty: 3 Days Aggravated: 5 Days – Removal

Offense Code 5.12 Failure to Follow Instructions	**Failure to promptly and fully comply with directions, instructions, or assignments of a supervisor or other management official; failure to follow a regulation, policy, procedure, practice, protocol or rule.** **Mitigated: Letter of Reprimand - 1 Day** **Penalty: 3 Days** **Aggravated: 5 – 7 Days**
Offense Code 5.13 Failure to Follow Leave Policies	**Failure to follow established leave procedures including while on leave restriction or on administrative leave; improper use of sick leave or other leave programs; excessive unscheduled absences.** **Mitigated: Letter of Reprimand - 1 Day** **Penalty: 3 Days** **Aggravated: 5 Days – Removal**
Offense Code 5.14 Failure to Honor Just Debts/Regulatory Obligations	**Without valid justification, failing to satisfy an uncontested, lawful debt, or to fulfill legal or regulatory obligation.** The failure to satisfy the debt or fulfill the obligation must be characterized by deceit, evasion, false promises, or other indicators of a deliberate nonpayment or gross indifference towards the just debt or obligation. This includes failure to file and/or pay any Federal, state, or local tax obligation. This does not apply to debts involving government credit cards, which are covered under Offense Code 3.7, Misuse of Government Charge Cards – Personal Use. Note that Failure to Honor Just Debts also raises security concerns and could result in a security clearance action. **Mitigated: 3 – 7 Days** **Penalty: 10 Days** **Aggravated: 14 Days – Removal**
Offense Code 5.15 Failure to Maintain Top Secret Security Clearance – Final Revocation	**Failure to maintain your Top Secret Security Clearance resulting in its final revocation. See Human Resources and Training Manual, section RPS-02(02).** **Mitigated: N/A** **Penalty: Removal** **Aggravated: N/A**
Offense Code 5.16 Failure to Maintain Top Secret Security Clearance – Revocation or Suspension	**Failure to maintain your Top Secret Security Clearance resulting in its revocation. See Human Resources and Training Manual, section RPS-02(02).** **Mitigated: Approved Leave Status** **Penalty: Indefinite Suspension** **Aggravated: N/A**

Offense Code 5.17 Failure to Report	**Failing to inform the appropriate USSS official or supervisor, and the Security Clearance Division, in a timely manner, about a matter concerning the employee which the employee knew, or should have known, was required by USSS policy to be reported, including foreign contacts and foreign travel.** Refer to SCD-02(01) for additional information. Note that this offense does not include failure to report criminal or serious misconduct by the employee which is covered by Offense Code 5.18, Failure to Report – Criminal/Serious Misconduct. **Mitigated: N/A** **Penalty: Letter of Reprimand** **Aggravated: 1- 10 Days**
Offense Code 5.18 Failure to Report – Criminal/Serious Misconduct	**Failing to inform the appropriate USSS official or supervisor, in a timely manner, about any serious misconduct the employee committed; any arrest, summons, contact with law enforcement, or involvement in the court system by the employee; or any serious misconduct or criminal conduct committed by another employee of which the employee was aware and of which the employee is also aware was not otherwise reported.** Refer to SCD-02(01) for additional information. **Mitigated: Letter of Reprimand – 3 Days** **Penalty: 5 Days** **Aggravated: 7 -14 Days**
Offense Code 5.19 Insubordination	**After being given a legitimate order, made orally or in writing, by a supervisor or another person in authority, intentionally or willfully failing to comply with the order.** **Mitigated: 5 – 10 Days** **Penalty: 14 Days** **Aggravated: 21 Days – Removal**
Offense Code 5.20 Misuse of Weapon – Storage	**Inappropriate storage, care, or misplacement of a weapon, explosive, incendiary device, or ammunition.** This offense does not include the loss or theft of a firearm which is covered by Offense Code 3.4, Loss or Theft of Firearm. **Mitigated: Letter of Reprimand – 3 Days** **Penalty: 5 Days** **Aggravated: 7 Days – Removal**
Offense Code 5.21 Misuse of Weapon – Display	**Inappropriate handling, displaying, operating, brandishing, or otherwise displaying a weapon, explosive, or incendiary device in a manner inconsistent with the use and safety protocols and procedures established by the USSS and federal regulatory agencies.** **Mitigated: 1 – 5 Days** **Penalty: 7 Days** **Aggravated: 10 Days – Removal**

Offense Code 5.22 Misuse of Weapon – Negligent Discharge	**Causing the unintentional discharge of a weapon.** **Mitigated: Letter of Reprimand** **Penalty: 1 Day** **Aggravated: 3-14 Days**
Offense Code 5.23 Misuse of Weapon – Intentional Discharge	**Purposefully or willfully discharging a weapon in violation of the use of force policy.** **Mitigated: 10 - 21 Days** **Penalty: 30 Days** **Aggravated: 45 Days – Removal**
Offense Code 5.24 Reasonable Cause to Believe Crime Has Been Committed	**Engaging in conduct which provides reasonable cause to believe that a crime has been committed for which a term of imprisonment may result.** "Reasonable cause" includes but is not limited to a criminal indictment or the acceptance of a case for criminal prosecution. Note that this offense also raises security concerns and could result in a security clearance action. **Mitigated: N/A** **Penalty: Indefinite Suspension** **Aggravated: N/A**
Offense Code 5.25 Retaliation	**Taking, or threatening to take, an adverse employment action against an employee who made, or was believed to have made, a protected disclosure, or who engaged, or who was believed to have engaged in a protected activity.** See, e.g., Whistleblower Protection Act; Whistleblower Protection Enhancement Act of 2012; Civil Rights Act of 1964; and any other anti-retaliation provisions of federal law. **Mitigated: 10 – 21 Days** **Penalty: 30 Days** **Aggravated: 45 Days – Removal**
Offense Code 5.26 Security Violation (Second Offense)	**Failing to safeguard or control access to non-public USSS space, to sensitive or classified material, or to the equipment or location where such material is inputted, maintained, collected, stored, or preserved after having received a prior security violation memorandum.** This does not apply to items covered in Offense Code 1.4, Improper Handling of Document(s) or Property in the Care, Custody, or Control of the Government. Note that this offense also raises security concerns and could result in a security clearance action. **Mitigated: Letter of Reprimand** **Penalty: 1 Day** **Aggravated: 3 – 14 Days**

Offense Code 5.27 Sexual Misconduct - Consensual	**Engaging in sexual, intimate, or romantic activity in an inappropriate location (such as government spaces, government vehicles), or while on duty.** **Mitigated: 5-10 Days** **Penalty: 14 Days** **Aggravated: 21 Days – Removal**
Offense Code 5.28 Sexual Harassment	**Making unwelcome or unwanted sexual advances, requesting sexual favors, or engaging in other verbal or physical conduct of a sexual nature.** Unwelcome conduct of a sexual nature by a supervisor or coworker can constitute sexual harassment. See the Civil Rights Act of 1964, Title VII, §703, for additional information. **Mitigated: 10 – 21 Days** **Penalty: 30 Days** **Aggravated: 45 – Removal**
Offense Code 5.29 Solicitation or Payment for Sexual Services	**Solicitation of a prostitute or the exchange of money or items of value for sexual services regardless of whether the payment is made or negotiated prior to the act.** The fact that prostitution is legal in a particular location does not prevent the Agency from taking a disciplinary action under this Offense Code. The fact that an employee did not intend to pay for sexual services at the time they were rendered does not prevent the Agency from taking a disciplinary action under this Offense Code. Note this conduct may also raise security concerns and could result in a security clearance action. **Mitigated: 14 - 30 Days** **Penalty: 45 Days** **Aggravated: Removal**
Offense Code 5.30 Striking	**Engaging or encouraging a strike, work stoppage/slowdown or sick out. See 5 U.S.C. § 7311.** **Mitigated: N/A** **Penalty: Removal** **Aggravated: N/A**
Offense Code 5.31 Unprofessional Conduct – Off Duty	**Engaging in conduct, while off duty, which dishonors, disgraces or discredits the USSS; seriously calls into question the judgment or character of the employee; or compromises the standing of the employee among his peers or his community.** This applies to misconduct not otherwise specifically delineated in any other Offense Code. **Mitigated: Letter of Reprimand - 3 Days** **Penalty: 5 Days** **Aggravated: 7 Days- Removal**

Offense Code 5.32 Unprofessional Conduct – On Duty	**Engaging in conduct, while on duty or while in a travel status, which dishonors, disgraces, or discredits the USSS; seriously calls into question the judgment or character of the employee; or compromises the standing of the employee among his peers or his community.** This applies to misconduct not otherwise specifically delineated in any other Offense Code. **Mitigated: 1 – 5 Days** **Penalty: 7 Days** **Aggravated: 10 Days– Removal**
Offense Code 5.33 Unauthorized Recording	**Unauthorized recording or monitoring of telephone calls, meetings, conversations, emails, and things of a similar nature.** This offense does not include instances where such conduct could be considered a criminal violation covered by Offense Code 4.11 Other Felonies or 4.12 Other Misdemeanors. **Mitigated: 3 – 7 Days** **Penalty: 10 Days** **Aggravated: 14 Days – Removal**
Offense Code 5.34 Unavailability for Unscheduled Duty	**Unable to perform unscheduled duty for an extended period of time due to physical or health reasons, or failure to perform unscheduled duty (availability or work) as assigned or reported.** See 5 C.F.R. § 550.184. This does not apply to falsification or inaccurate reporting of LEAP hours which is covered by Offense Code 2.2 False/Misleading Information – Fiscal Matter(s). This Offense only applied to employees who receive Law Enforcement Availability Pay (LEAP). **Mitigated: N/A** **Penalty: Cancellation of LEAP** **Aggravated: N/A**
Offense Code 5.35 Violation of Miscellaneous Rules/Regulations	**Engaging in an activity or conduct in violation of, or failing to enforce or comply with a USSS, DHS, Office of Personnel Management, or other federal administrative or operational guideline or policy not specifically delineated in any other Offense Code.** **Mitigated: Letter of Reprimand - 3 Days** **Penalty: 5 Days** **Aggravated: 7 – 30 Days**

Appendix B:
United States Secret Service Table of Penalties
(Penalty Guidelines – Applicable to USSS's Internal Disciplinary Process)

Penalty Guidelines – Applicable to USSS's Internal Disciplinary Process

- The listed penalties apply to all USSS personnel, regardless of position or title, except that federal law prohibits an agency from taking a suspension action of less than 15 days against a Senior Executive Service (SES) employee. 5 C.F.R. §752.601. In keeping with that requirement, the Introduction to the Table of Penalties provides that if a non-SES employee would have received a 3 day suspension, the Deciding Official may impose on an SES employee a letter of reprimand or a minimum 15 day suspension, based on the Deciding Official weighing of the facts and circumstances of the case against the heightened behavioral and managerial expectations associated with SES personnel.
- See the Offense Codes for a description of the behavior or actions that define the offenses.

1. MISSION RELATED MISCONDUCT

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 1.1	Activities that Jeopardize the USSS Mission	5 – 10 days (minimal financial impact)	14 days	21 days – Removal (personal injury or property damage; significant financial impact)
Penalty Guideline 1.2	Asset/Cooperating Witness (CW)/ Informant/ Source – Failure to Report Criminal Activity or Improper Intervention on Behalf of	1 – 5 days (No personal gain; good faith attempt to help source)	7 days	10 days – Removal (Compromise case or other cases; seriousness of criminal activity; financial benefit to employee; non-disclosure to AUSA)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 1.3	Asset/CW/Informant/ Source – Improper Relationship	3 – 7 days (No personal gain; good faith attempt to help source; Lack of initial knowledge the individual was a source)	10 days	14 days – Removal (Financial benefit to employee; Non-disclosure to AUSA)
Penalty Guideline 1.4	Improper Handling of Document(s) or Property in the Care, Custody, or Control of the Government	Letter of Reprimand – 3 days (Others contributed to improper handling; inadvertent; exigent circumstances)	5 days	7 – 30 days (Significant loss of document(s)/property; intentional; compromise of case or mission)
Penalty Guideline 1.5	Leaving Post Without Proper Relief	Letter of Reprimand – 3 days (exigent circumstances)	5 days	7 – 30 days (intentional disregard for safety of protectee or mission; failure to seek relief)
Penalty Guideline 1.6	Misconduct Related to Judicial Proceedings	3 – 7 days (Acted in good faith; inadvertent; no personal gain)	10 days	14 Days – Removal (Judicial criticism; significant impact on case; intentional)
Penalty Guideline 1.7	Misconduct Related to Investigative or Protective Activities	3 – 7 days (Acted in good faith inadvertent; no personal gain)	10 days	14 – 30 days (Judicial criticism; significant impact on case; intentional; damage to persons or property)
Penalty Guideline 1.8	Negligence in Performance of Official Duties	Letter of Reprimand – 3 days (minimal impact on mission; exigent circumstances)	5 days	7 – 21 days (disruption of the mission)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 1.9	Suspect/Criminal Element – Improper Relationship	5 – 10 days (lack of initial knowledge the individual's criminal activity)	14 days	21 days - Removal (investigation or prosecution impacted; future or past cases impacted of USSS or another LE agency)
Penalty Guideline 1.10	Violation of Operational Guidelines and Policies, Other	Letter of Reprimand – 3 days (unintentional)	5 days	7 – 30 days (Jeopardizing safety of others; the mission; a prosecution or investigation)

2. INTEGRITY/ETHICAL MISCONDUCT

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 2.1	False/Misleading Information – Employment/Security Document(s)	5 – 10 days (Minor issues that were immaterial to a hiring/security decision; failure to report mental health treatment)	14 days	21 days – Removal (Drugs, criminal activity, foreign contacts; or otherwise material to hiring/security decision)
Penalty Guideline 2.2	False/Misleading Information – Fiscal Matter(s)	5 – 10 days (Minor issues; little benefit to employee)	14 days	21 days – Removal (Serious T&A abuse; significant benefit to employee; involving others; NOTE: voucher fraud warrants Removal)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 2.3	False/Misleading Information – Investigative Activity	5 – 10 days (Unintentional; minor issues; no material effect on agency/mission)	14 days	21 days – Removal (Intentional; significant issues; material impact on investigation/case; Jeopardizing safety of others; causing use of additional resources Intentional)
Penalty Guideline 2.4	False/Misleading Information – Other Official Matter(s)	5 – 10 days (Unintentional no material effect on agency/mission)	14 days	21 days – Removal (Intentional and particularly material; released to another government agency or Congress)
Penalty Guideline 2.5	Lack of Candor/Lying – No Oath	1 – 5 days (Relatively insignificant matters)	7 days	10 days – Removal (Jeopardizing safety of others; causing use of additional resources Intentional and particularly material; released to another government agency or Congress)
Penalty Guideline 2.6	Lack of Candor/Lying – Under Oath	60 – 120 days (No impact on the safety of others; no additional resources used; no impact on mission)	Removal	N/A
Penalty Guideline 2.7	Misuse of Position	Letter of Reprimand – 3 days (Doing so to prevent harm to another or to ensure safety of public/others; minor issue; minimal benefit)	5 days	7 – 30 days (Uncooperative; confrontational; display of weapon; safety hazard; security issue; financial gain; threatening or aggressive behavior)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 2.8	Failure to Cooperate in an Administrative Matter	60 – 120 days (Eventually cooperated and there was no impact on the safety of others; no additional resources used; no impact on mission)	Removal	N/A
Penalty Guideline 2.9	Obstruction of an Administrative Matter	3 – 7 days (unintentional)	10 days	14 days - Removal (Threatening or aggressive behavior; intimidating a witness)
Penalty Guideline 2.10	Prohibited Personnel Practices	Letter of Reprimand – 1 day (unintentional; no personal gain)	3 days	5 days – Removal (interfering with promotions or hiring)
Penalty Guideline 2.11	Violation of Ethical Guidelines	Letter of Reprimand (No personal gain; good faith attempt to assist another)	5 days	10 days – Removal (Financial gain; duration; direct/obvious conflict; impact on agency/mission)

3. PROPERTY/RELATED MISCONDUCT

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 3.1	Destruction or Improper Disposal of Government Property	Letter of Reprimand - 3 days (Minimal, insignificant value of property)	5 days	7 – 14 days (Significant value of property; personal gain; weapon)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 3.2	Loss of Government Property or Document(s) of a Sensitive/Valuable Nature	Letter of Reprimand - 3 days (Minimal, insignificant value; minimal impact on agency/mission; prompt reporting)	5 days	7 – 14 days (Significant value of property; compromise investigation; repeated loss; failure to promptly report)
Penalty Guideline 3.3	Loss of Classified Information	3 – 7 days (Minimal impact on agency/mission; prompt reporting)	10 days	14 days – Removal (Significant impact on agency/mission; failure to promptly report)
Penalty Guideline 3.4	Loss of Firearm	3 – 7 days (prompt reporting; exigent circumstances)	10 days	14 – 30 days
Penalty Guideline 3.5	Misuse of USSS Database(s)/Unauthorized Access	Letter of Reprimand - 3 days (Non-sensitive information; NOTE: no mitigation for NCIC, TECS or other LEO database with criminal penalties for misuse)	5 days	7 days – Removal (Duration; frequency; type of information obtained/accessed; personal gain/use)
Penalty Guideline 3.6	Misuse of Government Computer(s)	Letter of Reprimand – 1 day (Minimal use/duration)	3 days	5 – 14 days (Duration; frequency; type of information obtained/accessed)
Penalty Guideline 3.7	Misuse of Government Computer(s) – Inappropriate Material	Letter of Reprimand – 3 days	5 days	7 days – Removal (Frequency; numerous recipients; sent outside the Agency; repeated misuse)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 3.8	Misuse of Secure Communications Systems	3 – 7 days (No impact on agency mission)	10 days	14 days – Removal (Frequency)
Penalty Guideline 3.9	Misuse of Government Charge Card – Personal Use	21 – 45 days (Expeditious self-reporting of unintentional or emergency use; minimal dollar amount charged)	Removal	N/A
Penalty Guideline 3.10	Misuse of Government Vehicle, Non-Title 31	Letter of Reprimand – 3 days (minimal use and duration)	5 days	7 – 30 days (Frequency; duration; accident; injury/harm to persons/property; citation/arrest/other violation of law, rule or regulation)
Penalty Guideline 3.11	Misuse of Government Vehicle, Title 31	N/A	30 Days	45 days – Removal (Frequency; duration; accident; injury/harm to persons/property; citation/arrest/other violation of law, rule or regulation)
Penalty Guideline 3.12	Misuse of Government Property, Other	N/A	Letter of Reprimand	1 – 10 days (Frequency; duration; high value amount)

4. ILLEGAL/CRIMINAL CONDUCT

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 4.1	Assault	1 – 5 days (Provocation; defense of self or others)	7 days	10 days – Removal (Arrest/indictment/ Conviction; Extent of injuries; Alcohol-related; on-duty; criminal charges filed)
Penalty Guideline 4.2	Battery	5 -10 Days (Provocation; no physical injuries; defense of self or others)	14 Days	21 days – Removal (Child abuse; extent of injuries; alcohol-related; domestic violence – no conviction; on duty; Arrest/indictment/ conviction)
Penalty Guideline 4.3	Counterfeit Related Offenses	21 – 45 days (non-LEO)	Removal LEO	N/A
Penalty Guideline 4.4	Domestic Violence Law Enforcement Officers Domestic Violence Non-Law Enforcement Personnel	 21 – 45 days (no physical injuries, self-defense, provocation) 21 – 45 days (no physical injuries, self-defense, provocation)	 Removal Removal	 N/A N/A
Penalty Guideline 4.5	Drugs – Use or Possession	21 – 45 days (Minimal occurrence in distant past)	Removal	N/A

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 4.6	DUI/DWI – Government Vehicle	30 – 40 days (first DUI/DWI; no personal injury or property damage)	45 days	Removal (Accident, injury, death; Arrest/indictment/ Conviction) NOTE: second occurrence may result in Removal)
Penalty Guideline 4.7	DUI/DWI – Privately Owned Vehicle, Law Enforcement Officer	5 – 10 days (first DUI/DWI; no personal injury or property damage)	14 days	21 days – Removal (Accident, injury, death; Arrest/indictment/ Conviction) NOTE: third occurrence may result in Removal
Penalty Guideline 4.8	DUI/DWI – Privately Owned Vehicle, Non-Law Enforcement Personnel	1 – 5 days (first DUI/DWI; no personal injury or property damage)	7 days	10 days – Removal (Accident, injury, death; repeated occurrence; Arrest/indictment/ conviction)
Penalty Guideline 4.9	Fraud/Theft	21 – 45 days (minimal value; off duty)	Removal	N/A
Penalty Guideline 4.10	Indecent/Lascivious Acts	10 – 21 days (off-duty; private location)	30 days	45 days – Removal (on duty; public location; complaints; child victim; arrest/indictment/ conviction)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 4.11	Other Felonies	10 – 21 days	30 days	45 days – Removal (Arrest/indictment/ conviction; injury/harm to persons/property; child victim)
Penalty Guideline 4.12	Other Misdemeanors	1 – 5 days	7 days	10 days – Removal (Arrest/indictment; conviction; injury/harm to persons/property; child victim)
Penalty Guideline 4.13	Unauthorized Disclosure – Classified/Law-Enforcement Sensitive/Grand Jury Information	3 – 7 days (Unintentional; minimal impact on agency/mission)	10 days	14 days – Removal (Compromise of case; jeopardizes safety of others; sensitivity of information; security issues; intentional; personal gain)
Penalty Guideline 4.14	Unauthorized Disclosure - Sensitive Information	1 – 5 days (Unintentional; minimal impact on agency/mission)	7 days	10 days – Removal (Compromise of case; jeopardizes safety of others; sensitivity of information; security issues; intentional; personal gain)

5. GENERAL MISCONDUCT

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 5.1	AWOL	Letter of Reprimand – 1 day (exigent circumstances; limited time period – less than a full day; timely self- reporting)	3 days	5 days – Removal (Repeated occurrences; AWOL for a full work day or more)
Penalty Guideline 5.2	Alcohol/Substance Abuse – Under the Influence While on Duty	5 – 10 days (called into duty unscheduled and limited prior consumption)	14 days	21 days – Removal (Weapons involved; supervisory position; brought alcohol into workplace; extent of intoxication; injury/harm to persons/property; disruption of the workplace)
Penalty Guideline 5.3	Alcohol/Substance Abuse – Consumption During Abstinence Period or at Prohibited Locations	1 – 5 days (inadvertence; consumption in close proximity to abstinence period)	7 days	10 days – Removal (engaging in in appropriate behavior; level of intoxication; supervisory position)
Penalty Guideline 5.4	Bias-Motivated Groups or Activities	21 – 45 days (minimal participation; distant past)	Removal	N/A
Penalty Guideline 5.5	Bias-Motivated Conduct or Behavior	Letter of Reprimand – 3 days (unintentional)	5 days	7 days – Removal (frequency; public nature; pervasiveness; previously warned; severity)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 5.6	Dereliction of Supervisory Responsibility	Letter of Reprimand – 3 days (minimal impact on agency mission; no harm to persons or property; inadvertent)	5 days	7 – 14 days (Jeopardizes safety of others; injury/harm to persons/property; impact on agency/mission)
Penalty Guideline 5.7	Disclosure of Information and Documents	1 – 5 days (minimal impact on agency mission; no harm to persons or property; inadvertent)	7 days	10 days – Removal (Jeopardizes safety of others; injury/harm to persons/property; impact on agency/mission; personal gain)
Penalty Guideline 5.8	Discrimination/ Harassment	10 – 21 days (minimal involvement; limited duration; not severe or pervasive)	30 days	45 days – Removal (Supervisory position; pervasiveness; duration; frequency; severity; multiple victims; previously warned)
Penalty Guideline 5.9	Discourteous Conduct	Letter of Reprimand – 1 day (unintentional; private setting)	3 days	5 days – Removal (Supervisory position; pervasiveness; duration; frequency; severity; multiple victims; previously warned; public setting)
Penalty Guideline 5.10	Disruptive Behavior	Letter of Reprimand – 3 days (unintentional; private setting)	5 days	7 days – Removal (On duty; in uniform; Supervisory position; duration; frequency; severity; previously warned; public setting)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 5.11	Failure to Follow Appearance Policy	Letter of Reprimand – 1 day (inadvertent)	3 days	5 days – Removal (Frequency; Willfulness; previously warned)
Penalty Guideline 5.12	Failure to Follow Instructions	Letter of Reprimand – 1 day (unintentional; lack of understanding)	3 days	5 – 7 days (Willful; intentional; repeated behavior; instructed several times or instructions clarified)
Penalty Guideline 5.13	Failure to Follow Leave Policies	Letter of Reprimand – 1 day (unintentional)	3 days	5 days – Removal (Repeated)
Penalty Guideline 5.14	Failure to Honor Just Debts/Regulatory Obligations	3 – 7 days (Took steps to resolve matter prior to discovery; minimal debt and prompt payment plan initiated)	10 days	14 days – Removal (Amount of debt; violation of court order; pattern; duration; frequency; NOTE: repeated or serious failure to pay federal, state, or local taxes could result in Removal)
Penalty Guideline 5.15	Failure to Maintain Top Secret Security Clearance – Final Revocation	N/A	Removal	N/A
Penalty Guideline 5.16	Failure to Maintain Top Secret Security Clearance – Revocation or Suspension	Approved Leave Status (mental health issue)	Indefinite Suspension (criminal or other serious violation alleged; Notice of Determination Issued)	N/A

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 5.17	Failure to Report	N/A	Letter of Reprimand	1 – 10 days (willful; Significant security issues; impact on agency/mission)
Penalty Guideline 5.18	Failure to Report – Criminal/Serious Misconduct	Letter of Reprimand – 3 days (inadvertent)	5 days	7 – 14 days (Willful; Seriousness of incident; significant security issues; impact on agency/mission; continuing)
Penalty Guideline 5.19	Insubordination	5 – 10 days (Reasonable belief order was unlawful or in violation of rule, regulation or policy)	14 days	21 days – Removal (Jeopardize safety to others; injury/harm to persons/property; impact on agency/mission; compromise of investigation)
Penalty Guideline 5.20	Misuse of Weapon - Storage	Letter of Reprimand – 3 days (prompt reporting; exigent circumstances)	5 days	7 days – Removal (Repeated; other violation of law, rule or regulation involved; failure to promptly report; personal injury or property damage; level of safety risk)
Penalty Guideline 5.21	Misuse of Weapon - Display	1 – 5 days (exigent circumstances)	7 days	10 days – Removal (Intentional; level of safety risk; used to intimidate or threaten; altered weapon rendering more unsafe)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 5.22	Misuse of Weapon – Negligent Discharge	Letter of Reprimand	1 day	3 – 14 days (Injury/harm to persons/property; violation of weapons law, regulation or policy)
Penalty Guideline 5.23	Misuse of Weapon – Intentional Discharge	10 – 21 days (Doing so to prevent harm to another or to ensure safety of public/others- no injury to persons or property)	30 days	45 days – Removal (Injury/harm to persons/property; violation of weapons law or regulation)
Penalty Guideline 5.24	Reason to Believe a Crime Has Been Committed	N/A	Indefinite Suspension	N/A
Penalty Guideline 5.25	Retaliation	10 – 21 days (No tangible employment action taken; minimal involvement; no adverse finding against the agency)	30 days	45 days – Removal Liability imputed to the agency; EEOC/Court finding of retaliation; multiple victims;
Penalty Guideline 5.26	Security Violation (Second Offense)	Letter of Reprimand (Minimal impact on agency/mission; insignificant matter; expeditious self-reporting; unintentional)	1 day	3 – 14 days (Compromise of case; impact on agency/mission; frequency; duration; severity; injury/harm to persons/property; jeopardize the safety of others; intentional)
Penalty Guideline 5.27	Sexual Misconduct - Consensual	5 – 10 days (Minimal impact on agency/mission; insignificant matter)	14 days	21 days – Removal (Pervasiveness; impact on agency/mission; public nature)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
Penalty Guideline 5.28	Sexual Harassment	10 – 21 days (initially consensual; unintentional; minimal involvement; limited duration; not severe or pervasive)	30 days	45 days – Removal (Pervasiveness; impact on agency/mission; impact on victim; EEOC or Court finding against the Agency)
Penalty Guideline 5.29	Solicitation	14 – 30 days (Non-law enforcement personnel; legal; off-duty)	45 days	Removal (Law enforcement officer; illegal; on-duty; on mission related travel)
Penalty Guideline 5.30	Striking	N/A	Removal	N/A
Penalty Guideline 5.31	Unprofessional Conduct – Off Duty	Letter of Reprimand – 3 days (Minor incident; private setting; minimal mission/agency impact)	5 days	7 days – Removal (public nature; seriousness of the incident; impact on agency mission)
Penalty Guideline 5.32	Unprofessional Conduct – On Duty	1 – 5 days (Minor incident; private setting; minimal mission/agency impact)	7 days	10 days – Removal (public nature; seriousness of the incident; impact on agency mission)
Penalty Guideline 5.33	Unauthorized Recording	3 – 7 days (unintentional)	10 days	14 days – Removal (prior warning)
Penalty Guideline 5.34	Unavailability for Unscheduled Duty	N/A	Cancellation of LEAP	N/A
Penalty Guideline 5.35	Violation of Miscellaneous Rules/Regulations	Letter of Reprimand - 3 days (Minor incident; minimal mission/agency impact)	5 days	7 – 30 days (seriousness of the incident; impact on agency mission; prior warning)

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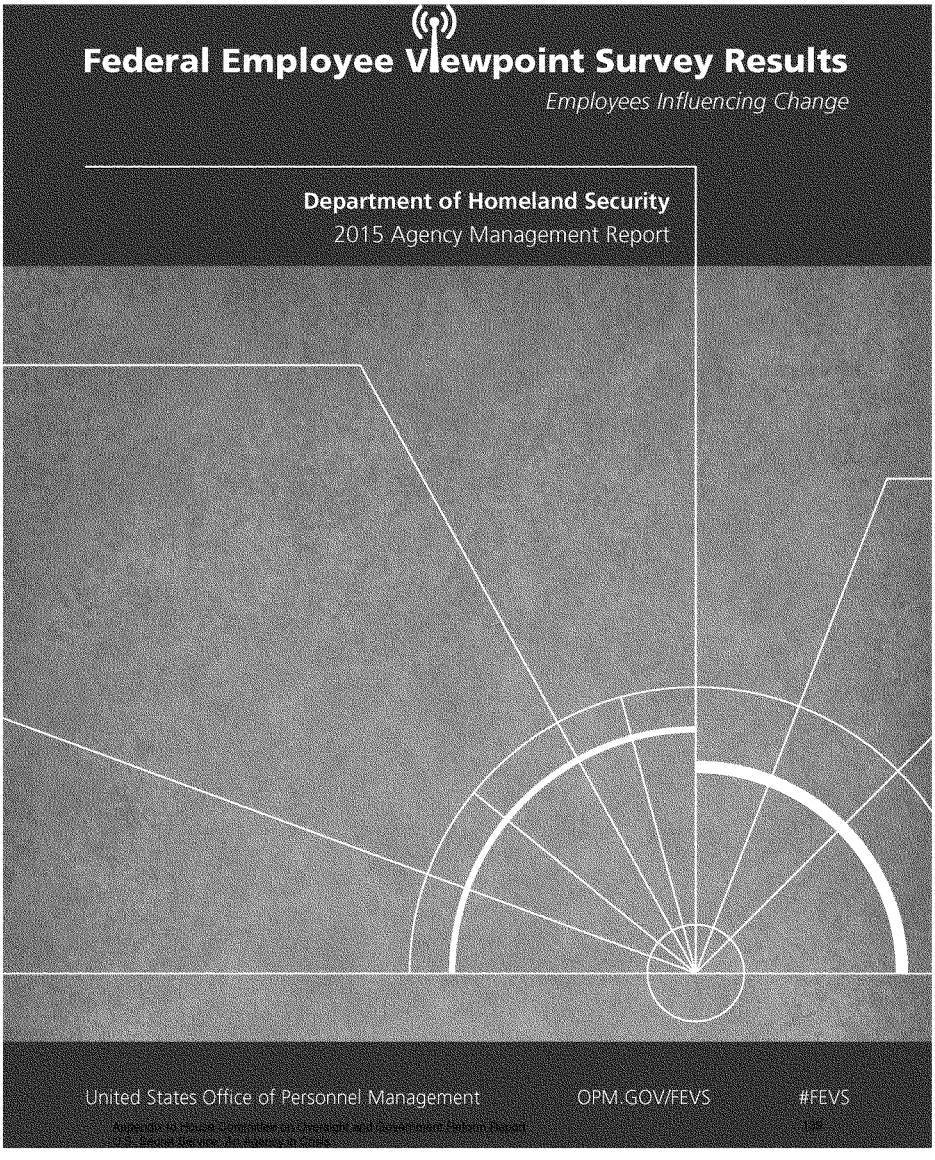
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Department of Homeland Security
2015 Agency Management Report
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About This Report

The 2015 Federal Employee Viewpoint Survey (FEVS) provides employees with the opportunity to influence change in their agencies by submitting feedback about their work environment, leadership and many other aspects of the organization. The FEVS also provides agency leaders with unique insight into workforce issues and trends, and helps them to identify problem areas as well as maintain positive aspects of the agency.

The 2015 Agency Management Report (AMR) was designed to help agency leaders identify these issues and take action to improve them, and it also highlights agency successes that should be acknowledged. Please feel free to share these successes and areas for improvement with your employees.

When reviewing your results, please keep the guidelines below in mind. These guidelines were created to organize your survey results in a way that is easier to digest and interpret.

Understanding Your Results

Percent Positive
The sum of two positive categories (e.g., Strongly Agree/Agree)

Percent Negative
The sum of two negative categories (e.g., Strongly Disagree/Disagree)

Percent Neutral
The neutral category (e.g., Neither Agree nor Disagree)

Identifying Strengths, Challenges and Neutral Findings

65 percent positive or higher is considered a strength

35 percent negative or higher is considered a challenge

30 percent neutral or higher suggests uncertainty, presenting an opportunity for communication between managers and staff

Identifying Increases and Decreases

Movement up or down since the previous year is another important piece of information to consider when examining your results. Any increase or decrease in results can be important; however larger increases or decreases (generally 3 or more percentage points) may be a result of significant changes taking place within the agency and should be examined. Increases indicate positive change that should continue to be reinforced. Decreases, especially in areas considered mission critical, may call for appropriate action to prevent further decline.



A Brief Guide to Using Your Agency Management Report

This section provides suggestions on how to use your FEVS results and includes examples for taking action to help your agency meet its strategic human capital management goals.

Getting Started

Agencies receive many FEVS reports each year, so it can be confusing to know where to start. One suggested starting point is to adopt a strategy based in an action planning framework. This means looking for improvements you have made in previous years while also examining areas of decline. To help you get started, several steps are outlined below, including references to sections of the Agency Management Report (AMR) that you may find useful in helping you to focus on the most critical issues.

Step 1: Use Your AMR to Identify Areas for Improvement

Your AMR provides the tools that can be useful in analyzing your results to find issues most critical to your agency. One way to identify issues is to compare your agency's 2015 results to last year. The Decision Aid - Decreases section provides a quick way to view all of your results that have decreased since 2014. There are many ways to look at your results, and the following sections of the AMR can be valuable resources in illustrating the state of your agency:

Respondent Overview

The Respondent Overview provides a quick snapshot of some interesting demographic results from the respondent population. It offers valuable insight into the makeup of who is responding in your agency and can help inform and guide your recruiting and retention efforts. For example, this section allows you to better understand the ratio of seasoned employees who may be preparing for retirement to newer employees. It is important to keep in mind that this is a survey respondent overview, and these percentages may not match up exactly to your agency's total population characteristics.

Top 10 Positive and Negative Items

Not only does this section display a brief overview of noteworthy results (for use in leadership briefings, agency communications, etc.), it also allows you to quickly determine if there are any underlying themes in the way employees responded to certain items. For example, your agency may want to prioritize issues around communication if multiple survey items related to this subject reside in the Top 10 Negative Items list.

Indices

The Engagement Index, Global Satisfaction Index, and New IQ provide agencies with consistent metrics for measuring progress toward objectives. Benchmarks are included to provide insight into how your agency compares to others, and to encourage information sharing between agencies. For example, some of the top ranking agencies in the Engagement Index may have suggestions on things that have and have not worked to engage their employees. This year, each index also includes a display of trends for each agency component, going as far back as 2012 when available.

Decision Aid

This section is useful in helping you easily identify the most critical issues in your agency as well as recognize where your agency has improved since 2014. The Decision Aid is divided into three sections to help you focus your attention on improvements and declines in your results since last year:

Increases: Contains all items that increased since 2014

Decreases: Contains all items that decreased since 2014

No Change: Contains all items that did not change since 2014

Appendix A and Appendix B

The appendices give you an opportunity to more thoroughly understand your workforce by displaying item-level results. Appendix A shows how well your agency scored relative to others in the government. Scanning the graphs can indicate how your agency is generally performing as well as help you identify particularly strong or weak areas. Appendix B shows a full breakdown of the Work/Life Program results as well as demographic items to provide a more in-depth summary than in the Respondent Overview and Work/Life sections.

Step 2: Develop Your Goals for Improvement

To develop your goals for improvement, you should consider issues that are most critical to your agency and how these issues relate to your strategic goals. It is also important to focus on issues that will provide both short-term, visible, measurable results, and those that will require long-term perspective.

Step 3: Identify Your FEVS Team

This is a crucial step, as your team can make or break your efforts to improve areas of concern and keep strengths strong. It is important that each member of your team is actively engaged in the process and supports its goals. Identifying your team is not just limited to personnel selection. It also includes identifying and pulling together your available resources while being aware of staff interests, capabilities, and agency budget and resources.

Step 4: Develop Your Plan for Action

Once your team has identified its goals, you should develop a list of actions that must be taken to reach these goals. You might also consider soliciting employee input on your plan. Assign staff responsibilities for each action and keep in mind timeframes. Tasks should include start dates, end dates, and measurable milestones. Make sure you get approval for the actions you must take to achieve your agency goals. Remember that leadership buy-in, engagement, and communication is critical to your success.

Step 5: Implement Your Plan

There are many ways to publicize and communicate your intentions to employees, such as all-hands meetings, announcements, intranet/web updates, and social media, to name a few. After your plan is communicated and you have leadership support, you are ready to launch the plan. Communicating early and often ensures staff and leadership are well-informed.

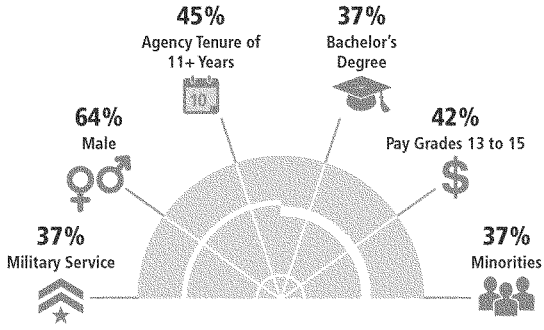
Step 6: Monitor and Evaluate the Results

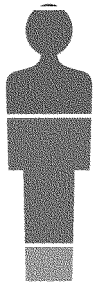
In addition to measuring your progress along the way and evaluating the success of your plan, it is important that you communicate progress toward goals and final outcomes. Communicating during the entire process provides transparency which can add to staff engagement.

Respondent Overview

The Unique Characteristics of Department of Homeland Security Respondents

The figures below provide a snapshot of your survey participants. Except for military status and race, the most frequently selected response choice for each demographic item is highlighted in the first figure. The second figure displays the total FEVS respondent breakdown by generation. Please be aware that these results are based on survey respondents, which may differ from the total employee population.





Generations

1%	Traditionalists	(born 1945 or earlier)
39%	Baby Boomers	(born 1946--1964)
47%	Generation X	(born 1965--1980)
13%	Generation Y	(born 1981 or later)

Note: The sum of percentages may not add to 100 due to rounding.

DHS Response Rate

47% (43,090 out of 91,425 employees responded)

Field Period: April 27, 2015 – June, 5, 2015
Overall 2014 response rate: **46%**

Component Response Rates

79%	Domestic Nuclear Detection Office (DNDO)
62%	Citizenship and Immigration Services (CIS)
61%	Under Secretary for Management (MGMT)
59%	Science and Technology Directorate (OUSS&T)
58%	Office of the Secretary (OS)
57%	Office of the Inspector General (OIG)
57%	Federal Law Enforcement Training Center (FLETC)
55%	The National Protection & Programs Directorate (NPPD)
53%	Federal Emergency Management Agency (FEMA)
52%	Immigration and Customs Enforcement (ICE)
51%	Under Secretary for Intelligence and Analysis & Chief Intelligence Officer (IA)
49%	United States Coast Guard (USCG)
43%	Transportation Security Administration (TSA)
42%	U.S. Secret Service (USSS)
41%	U.S. Customs and Border Protection (CBP)

Agency results have a margin of error of +/- 1%

Please refer to Appendix B for the full list of demographic item results.

Top 10 Positive & Negative Items

The figures below highlight the top 10 positive and negative results from the survey to help you quickly identify the most positive and most negative aspects of the organizational environment. Use this snapshot as a quick reference or overview of your FEVS results. For more in-depth analysis, use this section in conjunction with the Decision Aid to help you narrow down the most important areas to work on improving and/or maintaining in the coming year. The text box at the bottom of this page also contains some tips for taking action to improve negative items.

Highest Percent Positive Items

93%	When needed I am willing to put in the extra effort to get a job done. (Q. 7)
85%	I am constantly looking for ways to do my job better. (Q. 8)
85%	The work I do is important. (Q. 13)
77%	My supervisor treats me with respect. (Q. 49)
76%	I like the kind of work I do. (Q. 5)
74%	In the last six months, my supervisor has talked with me about my performance. (Q. 50)
73%	I know what is expected of me on the job. (Q. 6)
73%	How would you rate the overall quality of work done by your work unit? (Q. 28)
72%	I know how my work relates to the agency's goals and priorities. (Q. 12)
70%	My supervisor listens to what I have to say. (Q. 48)

Highest Percent Negative Items

65%	Pay raises depend on how well employees perform their jobs. (Q. 33)
58%	In my work unit, steps are taken to deal with a poor performer who cannot or will not improve. (Q. 23)
57%	Promotions in my work unit are based on merit. (Q. 22)
54%	In my organization, senior leaders generate high levels of motivation and commitment in the workforce. (Q. 53)
53%	In my work unit, differences in performance are recognized in a meaningful way. (Q. 24)
51%	Creativity and innovation are rewarded. (Q. 32)
50%	How satisfied are you with your opportunity to get a better job in your organization? (Q. 67)
49%	Awards in my work unit depend on how well employees perform their jobs. (Q. 25)
48%	I have sufficient resources (for example, people, materials, budget) to get my job done. (Q. 9)
47%	Employees have a feeling of personal empowerment with respect to work processes. (Q. 30)

Tips for Taking Action

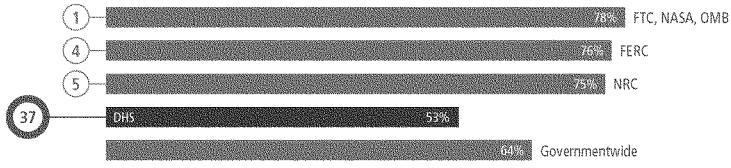
It can be difficult to know where to start when looking at items with high percent negative ratings. A helpful suggestion is to group items together with common themes and determine if there is a larger category you can target for improvement. For example, if you notice there are several high percent negative items related to communication with supervisors, understanding of job expectations, and fairness of performance appraisals, then it may be a good idea to target the performance management process as an area for improvement in your agency.

Engagement Index

Because the FEVS is an assessment of organizational climate, the Engagement Index does not directly evaluate an employee's level of engagement. Therefore, instead of measuring "states" of engagement such as focused attention and dedication to completing assignments, this index concentrates on factors that lead to an engaged workforce (e.g., supporting employee development, communicating agency goals).

Below, you can see where your agency's Engagement Index score ranks (out of 37 departments/large agencies, where Army, Army Corps of Engineers, Air Force, Navy, Marine Corps, and Other Defense agencies/activities are rolled into Department of Defense) and how it compares to the governmentwide average. The names of the highest-ranked agencies are listed to facilitate the sharing of information, such as best practices. The U.S. Office of Personnel Management (OPM) has also created the Unlock Talent website (https://www.unlocktalent.gov) to share resources and help with interagency communication.

Engagement Benchmarks



This table displays the Engagement Index score for each component in your agency as well as the scores for the three engagement factors, which can facilitate information-sharing within your agency.

Engagement Component Scores

	Leaders Lead	Supervisors	Intrinsic Work Experiences	2015 Engagement Index
Department of Homeland Security	**38**	**65**	**57**	**53**
Domestic Nuclear Detection Office (DNDO)	70	85	79	78
United States Coast Guard (USCG)	59	75	72	69
Citizenship and Immigration Services (CIS)	56	75	72	68
Office of the Secretary (OS)	52	73	66	64
Federal Law Enforcement Training Center (FLETC)	48	70	71	63

Leaders Lead: Employees' perceptions of leadership's integrity as well as leadership behaviors such as communication and workforce motivation. (Q. 53, 54, 56, 60, and 61)
Supervisors: Interpersonal relationship between worker and supervisor, including trust, respect, and support. (Q. 47, 48, 49, 51, and 52)
Intrinsic Work Experiences: Employees' feelings of motivation and competency relating to their role in the workplace. (Q. 3, 4, 6, 11, and 12)

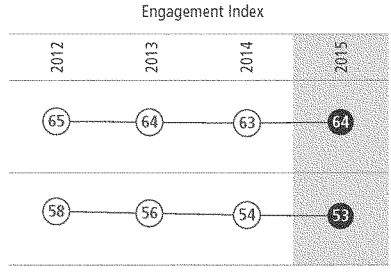
Engagement Index (continued)

	Leaders Lead	Supervisors	Intrinsic Work Experiences	2015 Engagement Index
Department of Homeland Security	**38**	**65**	**57**	**53**
Office of the Inspector General (OIG)	52	70	68	63
Under Secretary for Management (MGMT)	45	70	64	60
Science and Technology Directorate (OUSS&T)	41	68	65	58
Federal Emergency Management Agency (FEMA)	41	66	62	56
Under Sec Intel Analysis & Chief Intel Ofcr (IA)	42	59	60	53
Natl Protection & Programs Directorate (NPPD)	37	66	56	53
Transportation Security Administration (TSA)	37	64	58	53
U.S. Secret Service (USSS)	29	65	53	49
U.S. Customs and Border Protection (CBP)	33	60	53	49
Immigration and Customs Enforcement (ICE)	31	64	48	48

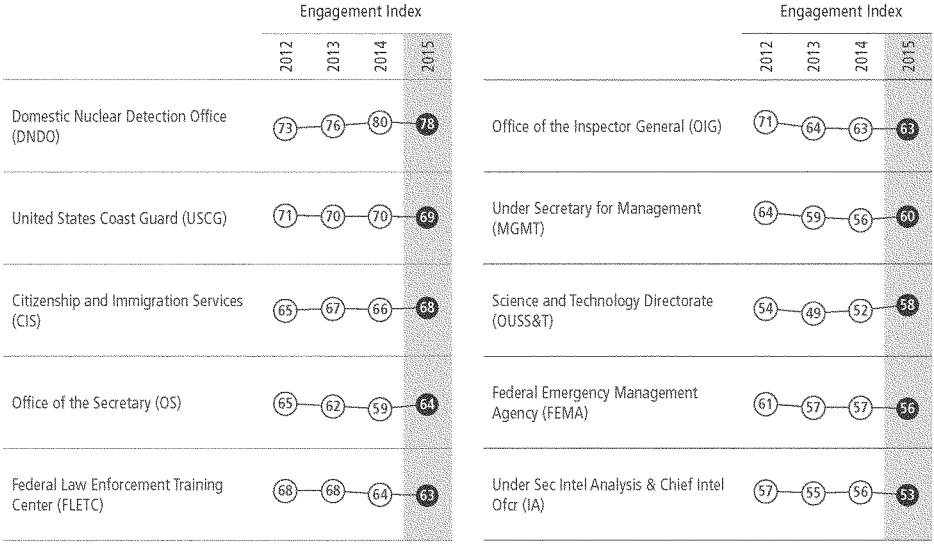
Engagement Index (continued)

To provide more information on employee engagement at lower levels, the table below includes engagement trends back to 2012 (if available) for your components, as well as the overall agency and governmentwide trends for comparison. Please note that depending on organizational structure in previous administrations not all components may trend back to 2012.

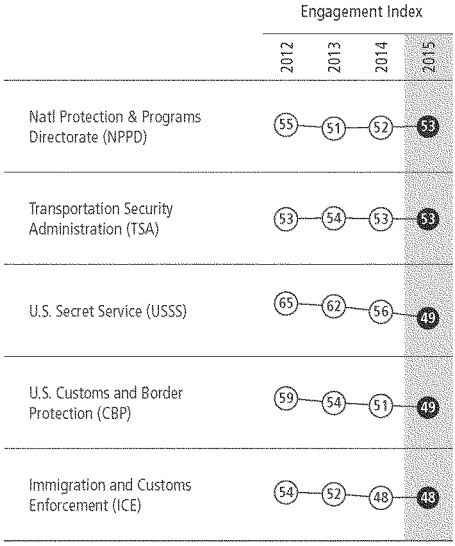
Engagement Trends



Engagement Component Trends



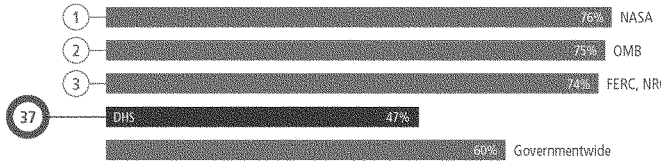
Engagement Index (continued)



Global Satisfaction Index

The Global Satisfaction Index is a combination of employees' satisfaction with their jobs, their pay, and their organization, plus their willingness to recommend their organization as a good place to work. The Global Satisfaction Index score for your agency, the highest scoring agencies, and the governmentwide average are displayed below, along with your agency ranking (out of 37 departments/large agencies, where Army, Army Corps of Engineers, Air Force, Navy, Marine Corps, and Other Defense agencies/activities are rolled into Department of Defense).

Global Satisfaction Benchmarks



This table shows the Global Satisfaction Index score for each component in your agency as well as the scores for all four satisfaction factors.

Global Satisfaction Component Scores

	Job Satisfaction	Pay Satisfaction	Organization Satisfaction	Recommend Organization	2015 Global Satisfaction Index
Department of Homeland Security	**52**	**50**	**39**	**46**	**47**
Domestic Nuclear Detection Office (DNDO)	68	63	69	77	69
Citizenship and Immigration Services (CIS)	71	71	64	70	69
Federal Law Enforcement Training Center (FLETC)	69	77	60	65	68
United States Coast Guard (USCG)	69	58	66	72	66
Office of the Inspector General (OIG)	60	65	52	52	57
Office of the Secretary (OS)	56	66	49	48	55
Federal Emergency Management Agency (FEMA)	55	61	43	44	51

Job Satisfaction: Considering everything, how satisfied are you with your job? (Q. 69)
Pay Satisfaction: Considering everything, how satisfied are you with your pay? (Q. 70)
Organization Satisfaction: Considering everything, how satisfied are you with your organization? (Q. 71)
Recommend Organization: I recommend my organization as a good place to work. (Q. 40)

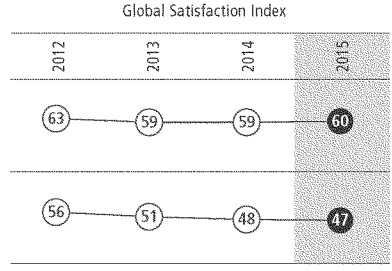
Global Satisfaction Index (continued)

	Job Satisfaction	Pay Satisfaction	Organization Satisfaction	Recommend Organization	2015 Global Satisfaction Index
Department of Homeland Security	**52**	**50**	**39**	**46**	**47**
Under Secretary for Management (MGMT)	54	60	46	43	**50**
Natl Protection & Programs Directorate (NPPD)	52	59	38	41	**48**
U.S. Customs and Border Protection (CBP)	50	57	36	45	**47**
Science and Technology Directorate (OUSS&T)	55	58	36	36	**46**
Under Sec Intel Analysis & Chief Intel Ofcr (IA)	42	61	34	27	**41**
Immigration and Customs Enforcement (ICE)	44	55	29	35	**41**
U.S. Secret Service (USSS)	43	56	29	35	**41**
Transportation Security Administration (TSA)	50	30	37	42	**40**

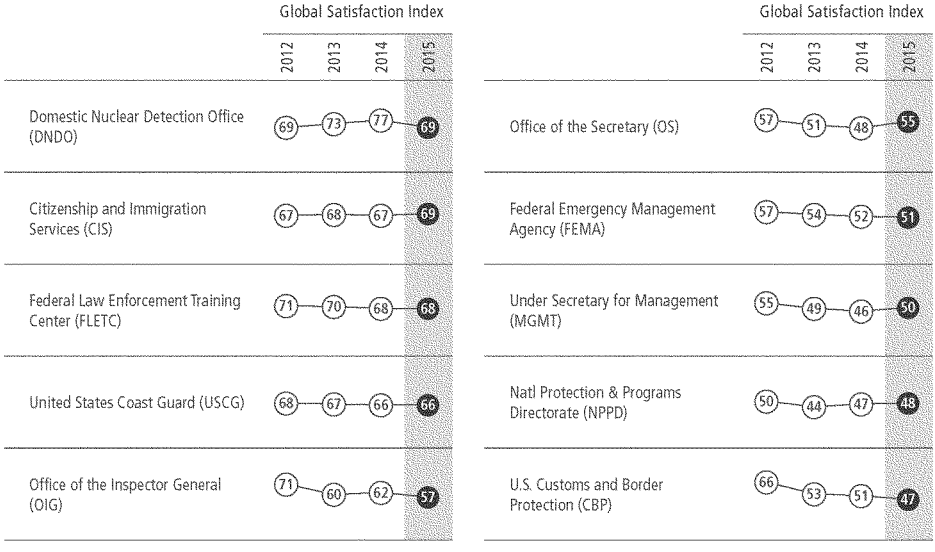
Global Satisfaction Index (continued)

To provide more information on global satisfaction at lower levels, the table below includes trends back to 2012 (if available) for your components, as well as the overall agency and governmentwide trends for comparison. Please note that depending on organizational structure in previous administrations not all components may trend back to 2012.

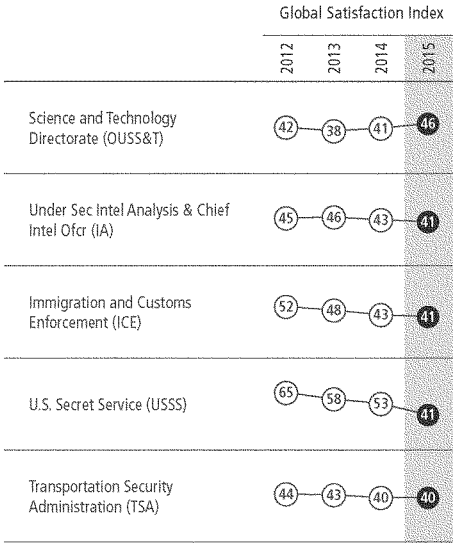
Global Satisfaction Trends



Global Satisfaction Component Trends



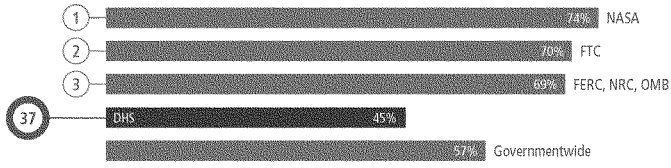
Global Satisfaction Index (continued)



The New IQ Index

The New IQ stands for the New Inclusion Quotient. The New IQ is based on the concept that individual behaviors repeated over time will create habits necessary for inclusiveness. It consists of 20 questions that relate to inclusive work environments. These 20 questions are grouped into five Habits of Inclusion: Fair, Open, Cooperative, Supportive, and Empowering. The New IQ Index score for your agency, the highest scoring agencies, and the governmentwide average are displayed below, along with your agency ranking (out of 37 departments/large agencies, where Army, Army Corps of Engineers, Air Force, Navy, Marine Corps, and Other Defense agencies/ activities are rolled into Department of Defense).

New IQ Benchmarks



This table shows the New IQ Index score for each component in your agency as well as the scores for all five habits of inclusion.

New IQ Component Scores

	Fair	Open	Cooperative	Supportive	Empowering	2015 New IQ Index
Department of Homeland Security	**32**	**45**	**37**	**69**	**43**	**45**
Domestic Nuclear Detection Office (DNDO)	64	71	67	86	75	73
United States Coast Guard (USCG)	49	61	57	79	61	61
Citizenship and Immigration Services (CIS)	44	59	54	79	59	59
Office of the Secretary (OS)	42	57	56	77	55	57
Federal Law Enforcement Training Center (FLETC)	42	57	48	77	59	56
Office of the Inspector General (OIG)	40	53	52	72	52	54

Fair: Are all employees treated equally? (Q. 23, 24, 25, 37, and 38)
Open: Does management support diversity in all ways? (Q. 32, 34, 45, and 55)
Cooperative: Does management encourage communication and collaboration? (Q. 58 and 59)
Supportive: Do supervisors value employees? (Q. 42, 46, 48, 49, and 50)
Empowering: Do employees have the resources and support needed to excel? (Q. 2, 3, 11, and 30)

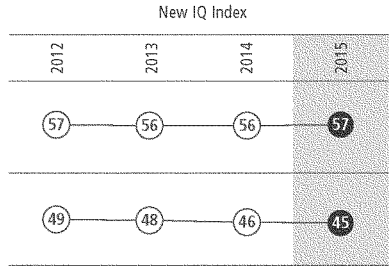
The New IQ Index (continued)

	Fair	Open	Cooperative	Supportive	Empowering	2015 New IQ Index
Department of Homeland Security	**32**	**45**	**37**	**69**	**43**	**45**
Under Secretary for Management (MGMT)	38	52	46	74	52	53
Science and Technology Directorate (OUSS&T)	38	50	44	76	48	51
Federal Emergency Management Agency (FEMA)	36	46	43	71	48	49
Under Sec Intel Analysis & Chief Intel Ofcr (IA)	30	52	49	70	41	48
Natl Protection & Programs Directorate (NPPD)	33	45	38	72	42	46
Transportation Security Administration (TSA)	31	45	37	69	43	45
Immigration and Customs Enforcement (ICE)	28	39	31	70	36	41
U.S. Customs and Border Protection (CBP)	29	42	33	63	38	41
U.S. Secret Service (USSS)	28	41	30	67	35	40

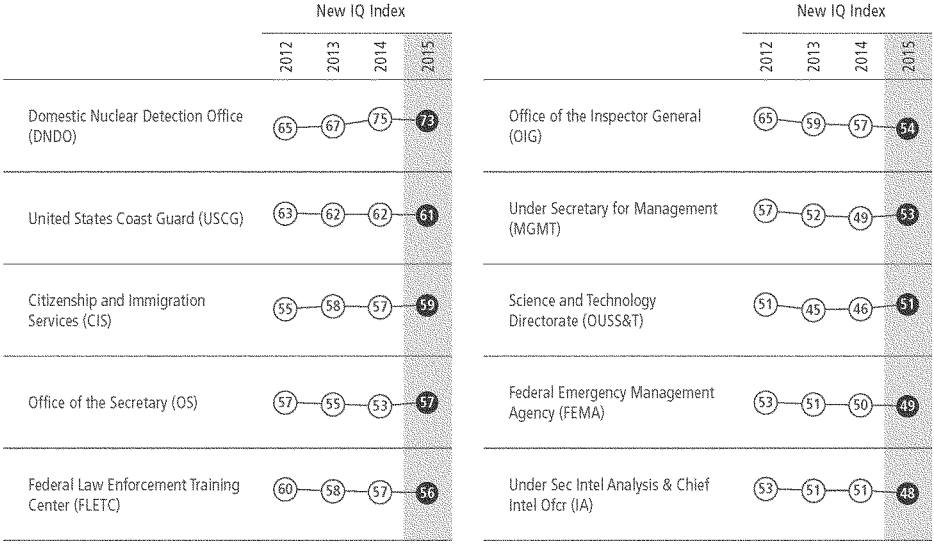
The New IQ Index (continued)

To provide more information on the New IQ at lower levels, the table below includes trends back to 2012 (if available) for your components, as well as the overall agency and governmentwide trends for comparison. Please note that depending on organizational structure in previous administrations not all components may trend back to 2012.

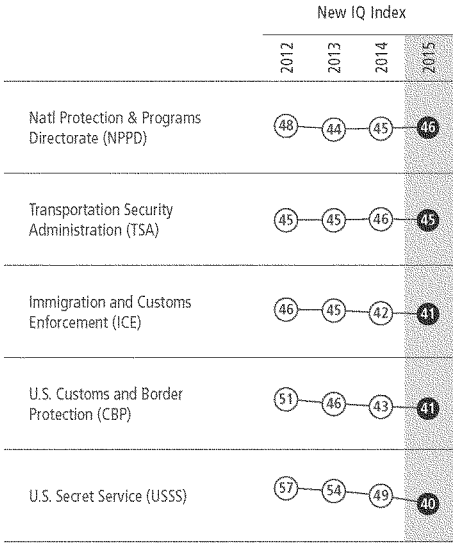
New IQ Trends



New IQ Component Trends



The New IQ Index (continued)



Decision Aid: Increases

Identifying Increases Since 2014

The items in this section are sorted by greatest to smallest increase in percent positive ratings. The items are sorted to allow you to quickly and easily identify where your agency has made the greatest improvements since last year.

Using the Legend Icons

The legend icons provide context for interpreting these results. While these items have improved, some may still be considered challenges (35% or more negative) or others may have reached the 65% or more positive mark and become new strengths this year. The legend icons help to highlight areas in need of continued focus and areas that have been successfully improved and should be celebrated.

3 Items Increased Since 2014

Strength — These items are 65 percent positive or higher

Caution — These items are 30 percent neutral or higher

Challenge — These items are 35 percent negative or higher

New Strength — These items became a new strength in 2015

	2014 Positive	2015 Positive	2015 Neutral	2015 Negative	Increase Since 2014
My supervisor listens to what I have to say. (Q. 48)	69	70	14	16	+1
I have trust and confidence in my supervisor. (Q. 51)	59	60	19	22	+1
Awards in my work unit depend on how well employees perform their jobs. (Q. 25)	28	29	22	49	+1

Decision Aid: Decreases

Identifying Decreases Since 2014

The items in this section are sorted by greatest to smallest decrease in percent positive ratings. The items are sorted to allow you to quickly and easily identify where results have dropped since last year.

Using the Legend Icons

The legend icons provide context for interpreting these results. When identifying the most critical decreases to focus on, it is important to check if these decreases are also identified as challenges (35% or more negative) or if they were previously identified as strengths that have fallen below the 65% or more positive threshold.

49 Items Decreased Since 2014

Strength
These items are 65 percent positive or higher

Caution
These items are 30 percent neutral or higher

Challenge
These items are 35 percent negative or higher

Past Strength
These items are no longer a strength in 2015

	2014 Positive	2015 Positive	2015 Neutral	2015 Negative	Decrease Since 2014
My agency is successful at accomplishing its mission. (Q. 39)	63	60	21	19	-3
My organization has prepared employees for potential security threats. (Q. 36)	66	63	17	20	-3
I believe the results of this survey will be used to make my agency a better place to work. (Q. 41)	35	32	23	45	-3
Considering everything, how satisfied are you with your organization? (Q. 71)	42	39	23	38	-3
I know how my work relates to the agency's goals and priorities. (Q. 12)	75	72	13	15	-3
In my work unit, steps are taken to deal with a poor performer who cannot or will not improve. (Q. 23)	23	20	22	58	-3
In my most recent performance appraisal, I understood what I had to do to be rated at different performance levels (for example, Fully Successful, Outstanding). (Q. 19)	63	61	16	23	-2
My performance appraisal is a fair reflection of my performance. (Q. 15)	60	58	16	25	-2
Employees are protected from health and safety hazards on the job. (Q. 35)	61	59	18	23	-2
I recommend my organization as a good place to work. (Q. 40)	48	46	24	30	-2

Decision Aid: Decreases (continued)

	2014 Positive	2015 Positive	2015 Neutral	2015 Negative	Decrease Since 2014
My organization's senior leaders maintain high standards of honesty and integrity. (Q. 54)	39	37	24	39	-2
I am held accountable for achieving results. (Q. 16)	72	70	17	13	-2
Arbitrary action, personal favoritism and coercion for partisan political purposes are not tolerated. (Q. 37)	36	34	23	43	-2
Managers review and evaluate the organization's progress toward meeting its goals and objectives. (Q. 57)	44	42	27	31	-2
Physical conditions (for example, noise level, temperature, lighting, cleanliness in the workplace) allow employees to perform their jobs well. (Q. 14)	59	57	16	27	-2
Policies and programs promote diversity in the workplace (for example, recruiting minorities and women, training in awareness of diversity issues, mentoring). (Q. 34)	48	46	31	23	-2
Prohibited Personnel Practices are not tolerated. (Q. 38)	57	55	23	22	-2
Senior leaders demonstrate support for Work/Life programs. (Q. 62)	39	37	28	34	-2
I know what is expected of me on the job. (Q. 6)	75	73	13	14	-2
I can disclose a suspected violation of any law, rule or regulation without fear of reprisal. (Q. 17)	52	50	20	30	-2
My work gives me a feeling of personal accomplishment. (Q. 4)	58	56	17	27	-2
Managers communicate the goals and priorities of the organization. (Q. 56)	46	44	22	34	-2
I have enough information to do my job well. (Q. 2)	61	59	18	23	-2
The workforce has the job-relevant knowledge and skills necessary to accomplish organizational goals. (Q. 29)	63	61	19	20	-2
Employees have a feeling of personal empowerment with respect to work processes. (Q. 30)	30	29	25	47	-1
Supervisors work well with employees of different backgrounds. (Q. 55)	56	55	24	21	-1
In the last six months, my supervisor has talked with me about my performance. (Q. 50)	75	74	11	15	-1
Considering everything, how satisfied are you with your pay? (Q. 70)	51	50	16	34	-1
Employees are recognized for providing high quality products and services. (Q. 31)	32	31	23	46	-1
Managers support collaboration across work units to accomplish work objectives. (Q. 59)	40	39	25	36	-1
The skill level in my work unit has improved in the past year. (Q. 27)	45	44	31	25	-1

Decision Aid: Decreases (continued)

	2014 Positive	2015 Positive	2015 Neutral	2015 Negative	Decrease Since 2014
The work I do is important. (Q. 13)	86	85	8	7	-1
I am constantly looking for ways to do my job better. (Q. 8)	86	85	11	4	-1
Managers promote communication among different work units (for example, about projects, goals, needed resources). (Q. 58)	37	36	23	41	-1
My supervisor is committed to a workforce representative of all segments of society. (Q. 45)	58	57	27	16	-1
Employees in my work unit share job knowledge with each other. (Q. 26)	69	68	16	17	-1
When needed I am willing to put in the extra effort to get a job done. (Q. 7)	94	93	4	3	-1
How would you rate the overall quality of work done by your work unit? (Q. 28)	74	73	21	7	-1
Considering everything, how satisfied are you with your job? (Q. 69)	53	52	21	27	-1
Discussions with my supervisor about my performance are worthwhile. (Q. 44)	55	54	21	25	-1
I feel encouraged to come up with new and better ways of doing things. (Q. 3)	40	39	19	42	-1
I like the kind of work I do. (Q. 5)	77	76	14	10	-1
My supervisor supports my need to balance work and other life issues. (Q. 42)	68	67	14	19	-1
My work unit is able to recruit people with the right skills. (Q. 21)	31	30	27	43	-1
In my organization, senior leaders generate high levels of motivation and commitment in the workforce. (Q. 53)	26	25	20	54	-1
In my work unit, differences in performance are recognized in a meaningful way. (Q. 24)	24	23	24	53	-1
Promotions in my work unit are based on merit. (Q. 22)	21	20	23	57	-1
I am given a real opportunity to improve my skills in my organization. (Q. 1)	47	46	19	35	-1
How satisfied are you with the recognition you receive for doing a good job? (Q. 65)	35	34	24	42	-1

Decision Aid: No Change

Identifying Items That Have Not Changed Since 2014

Your percent positive results for these items have not changed since last year. These are items that your agency is maintaining, which can be either a positive, neutral, or negative finding. For example, an item with low percent positive results over several years is a strong indication of a need for focused action. You may also want to consider changing or updating your approach to addressing these issues if the item has been the focus of attention in the past. On the other hand, a trend of stable, high percent positive ratings is a finding that should be celebrated. Look at these items individually to determine whether there may be areas of concern for your agency.

Using the Legend Icons

The legend icons provide context for interpreting these results. While these items have not increased or decreased, they still may be causes for celebration or concern depending on the percent positive, negative, and neutral ratings.

19 Items Did Not Change Since 2014

Strength — These items are 65 percent positive or higher

Caution — These items are 30 percent neutral or higher

Challenge — These items are 35 percent negative or higher

	2014 Positive	2015 Positive	2015 Neutral	2015 Negative	Change Since 2014
I have sufficient resources (for example, people, materials, budget) to get my job done. (Q. 9)	37	37	15	48	0
My workload is reasonable. (Q. 10)	55	55	17	28	0
My talents are used well in the workplace. (Q. 11)	43	43	18	39	0
My training needs are assessed. (Q. 18)	42	42	24	34	0
The people I work with cooperate to get the job done. (Q. 20)	66	66	16	19	0
Creativity and innovation are rewarded. (Q. 32)	24	24	25	51	0
Pay raises depend on how well employees perform their jobs. (Q. 33)	14	14	21	65	0
My supervisor provides me with opportunities to demonstrate my leadership skills. (Q. 43)	57	57	19	24	0
My supervisor provides me with constructive suggestions to improve my job performance. (Q. 46)	55	55	21	25	0

Decision Aid: No Change (continued)

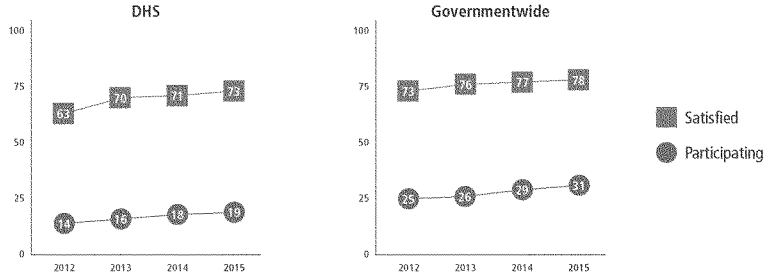
	2014 Positive	2015 Positive	2015 Neutral	2015 Negative	Change Since 2014
Supervisors in my work unit support employee development. (Q. 47)	53	53	22	26	0
My supervisor treats me with respect. (Q. 49)	77	77	12	11	0
Overall, how good a job do you feel is being done by your immediate supervisor? (Q. 52)	63	63	21	16	0
Overall, how good a job do you feel is being done by the manager directly above your immediate supervisor? (Q. 60)	45	45	27	29	0
I have a high level of respect for my organization's senior leaders. (Q. 61)	38	38	24	38	0
How satisfied are you with your involvement in decisions that affect your work? (Q. 63)	37	37	25	38	0
How satisfied are you with the information you receive from management on what's going on in your organization? (Q. 64)	34	34	24	42	0
How satisfied are you with the policies and practices of your senior leaders? (Q. 66)	28	28	27	45	0
How satisfied are you with your opportunity to get a better job in your organization? (Q. 67)	25	25	25	50	0
How satisfied are you with the training you receive for your present job? (Q. 68)	44	44	23	33	0

Work/Life Programs

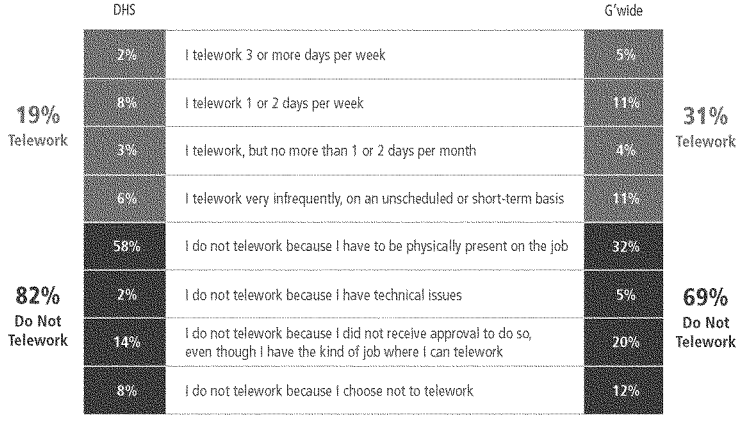
Employee Ratings of Workplace Flexibilities

Work/Life Programs are critical to ensuring employees can effectively balance the demands of the workplace with responsibilities in their personal lives. In addition to being an important recruitment and retention tool, effective work/life programs decrease the burden on employees and help them to focus on the important work they do. Your agency's work/life program participation and satisfaction results are displayed in the following figures.

Telework Trends



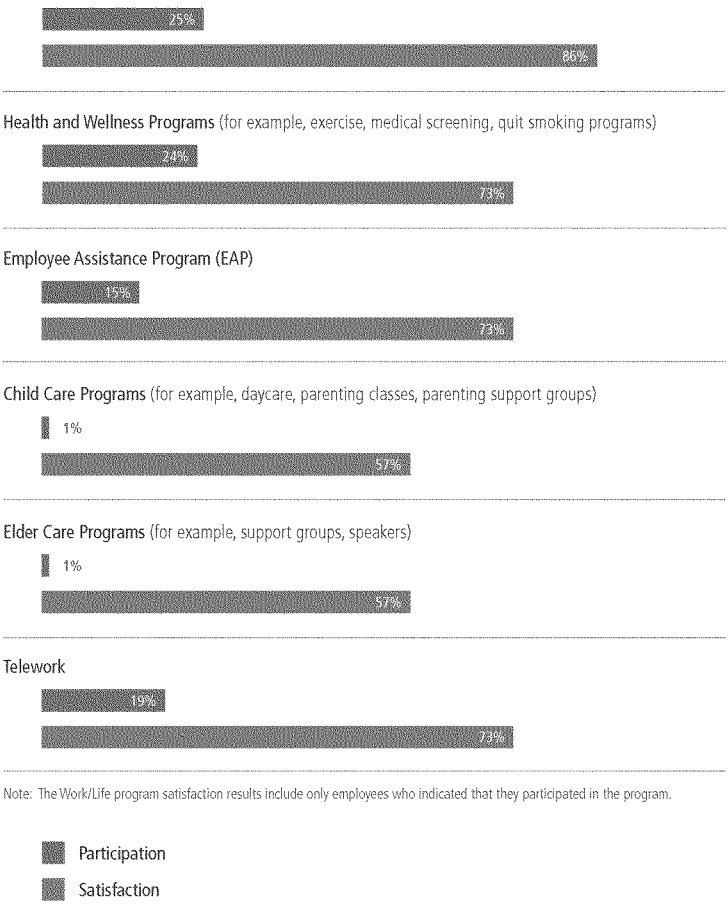
Telework Status



Note: The sum of percentages may not add to 100 due to rounding.

Work/Life Programs (continued)

Work/Life Program Participation and Satisfaction



Note: The Work/Life program satisfaction results include only employees who indicated that they participated in the program.

Special Topic: Engagement

With the continued emphasis on employee engagement across the Federal Government, this section provides a more in-depth analysis of the conditions that lead to engagement. The Engagement Index is broken down by three demographic categories: generations, agency tenure, and the five most common occupational series in your agency in 2015. This year, trend results back to 2012 are also included. This section will help you determine if parts of your workforce are lacking the conditions needed for engagement, which can help guide attention to specific groups. For example, if newer employees have lower scores on the Engagement Index, you might consider the possibility that this group does not know what is expected of it on the job (Q. 6).

Generations

Note: The method of calculating generations was changed in 2015 and applied to previous years, which accounts for any discrepancies between previous results and those displayed here.

	Engagement Index			
	2012	2013	2014	2015
Traditionalists	60%	59%	57%	60%
Baby Boomers	58%	57%	56%	56%
Generation X	58%	55%	53%	52%
Generation Y	58%	56%	52%	51%

Agency Tenure

	Engagement Index			
	2012	2013	2014	2015
Less than 4 years	64%	63%	61%	61%
4 to 10 years	55%	53%	51%	51%
11 or more years	60%	56%	54%	53%

Occupational Series

	Engagement Index			
	2012	2013	2014	2015
Gen Inspect, Invest, Enfrcmnt, Compli Ser	58%	57%	53%	53%
Compliance Inspection & Support	51%	53%	51%	51%
Customs & Border Protection	50%	50%	46%	46%
Misc Administration & Prgm	65%	63%	63%	63%
Mgmt & Prgrm Analysis	63%	60%	61%	62%

Appendix A: Item Results and Benchmarks

For each item, your agency's percent positive response is shown on a 0 to 100 scale, with the triangular arrow indicating where your agency falls. The gray bars represent the range of scores for the 37 departments and large agencies surveyed, where Army, Army Corps of Engineers, Air Force, Navy, Marine Corps, and Other Defense agencies/activities are rolled into Department of Defense.

To understand how well your agency performed compared to others, focus on the location of the triangle within the gray bar. If the triangle is toward the right side of the bar, then your agency was above average on that item. If it is at the right edge of the bar, then you had the highest percent positive response for that item. Additionally, you can numerically compare your percent positive to the governmentwide average listed to the right of each item.

	0 Low DHS High 100	2015 G'wide
My Work Experience		
‡1. I am given a real opportunity to improve my skills in my organization.	46%	61%
2. I have enough information to do my job well.	59%	70%
3. I feel encouraged to come up with new and better ways of doing things.	39%	56%
‡4. My work gives me a feeling of personal accomplishment.	56%	70%
5. I like the kind of work I do.	76%	83%
6. I know what is expected of me on the job.	73%	79%
7. When needed I am willing to put in the extra effort to get a job done.	93%	96%
8. I am constantly looking for ways to do my job better.	85%	90%
9. I have sufficient resources (for example, people, materials, budget) to get my job done.	37%	46%
‡10. My workload is reasonable.	55%	57%
‡11. My talents are used well in the workplace.	43%	58%
‡12. I know how my work relates to the agency's goals and priorities.	72%	82%

Note: Items included on the Annual Employee Survey are noted by a double dagger (‡).

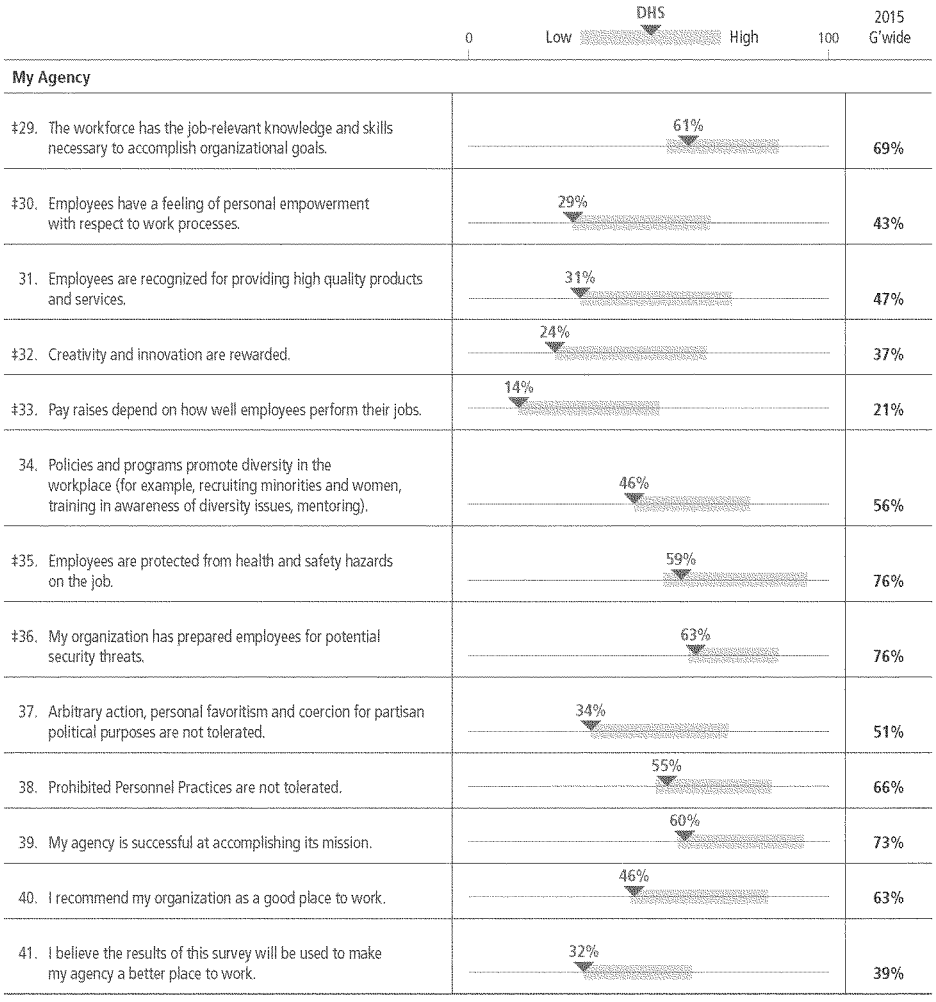
Appendix A: Item Results and Benchmarks (continued)



	2015 G'wide
‡13. The work I do is important.	90%
‡14. Physical conditions (for example, noise level, temperature, lighting, cleanliness in the workplace) allow employees to perform their jobs well.	66%
‡15. My performance appraisal is a fair reflection of my performance.	69%
16. I am held accountable for achieving results.	81%
17. I can disclose a suspected violation of any law, rule or regulation without fear of reprisal.	61%
‡18. My training needs are assessed.	52%
‡19. In my most recent performance appraisal, I understood what I had to do to be rated at different performance levels (for example, Fully Successful, Outstanding).	68%
My Work Unit	
‡20. The people I work with cooperate to get the job done.	73%
‡21. My work unit is able to recruit people with the right skills.	42%
‡22. Promotions in my work unit are based on merit.	33%
‡23. In my work unit, steps are taken to deal with a poor performer who cannot or will not improve.	28%
‡24. In my work unit, differences in performance are recognized in a meaningful way.	33%
25. Awards in my work unit depend on how well employees perform their jobs.	40%
26. Employees in my work unit share job knowledge with each other.	73%
27. The skill level in my work unit has improved in the past year.	53%
28. How would you rate the overall quality of work done by your work unit?	82%

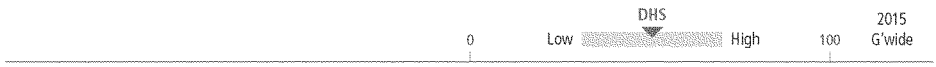
Note: Items included on the Annual Employee Survey are noted by a double dagger (‡).

Appendix A: Item Results and Benchmarks (continued)



Note: Items included on the Annual Employee Survey are noted by a double dagger (‡).

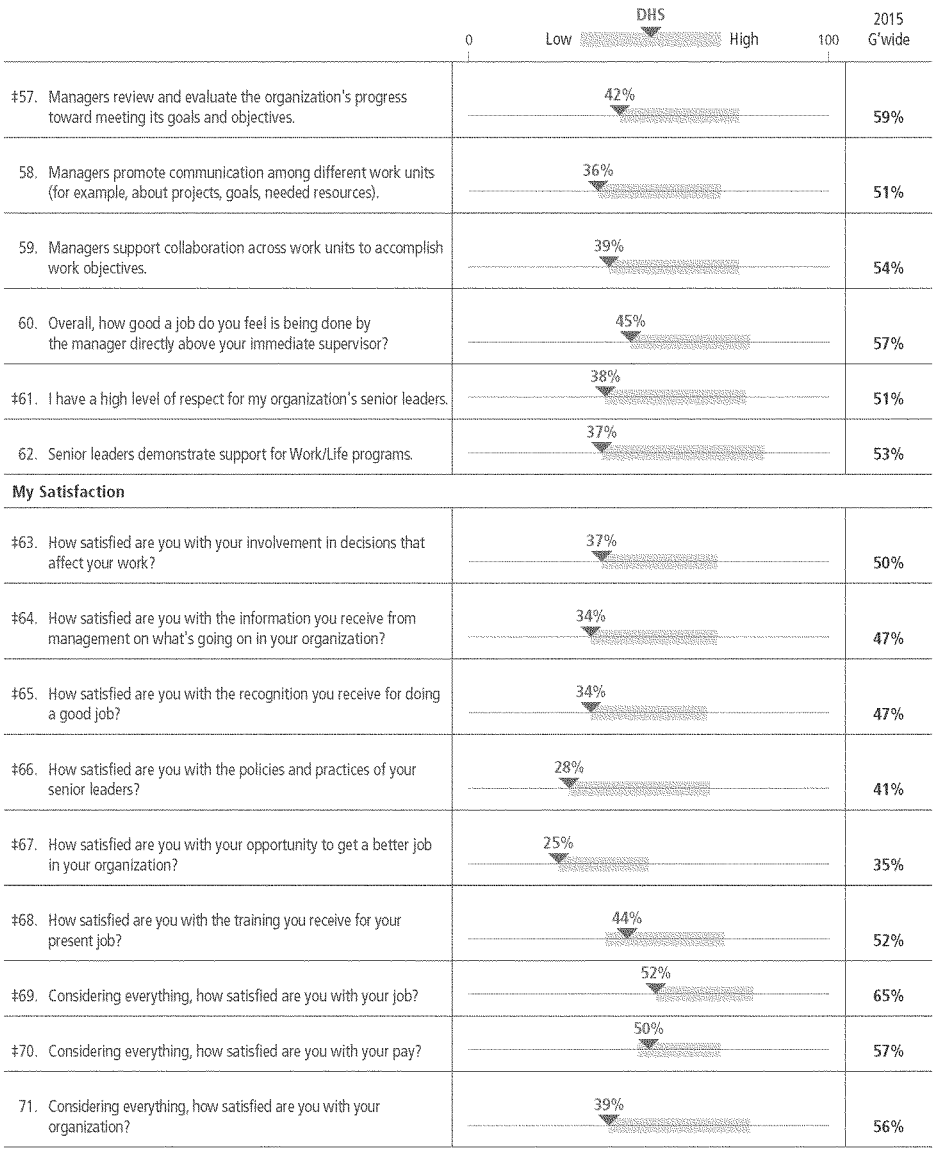
Appendix A: Item Results and Benchmarks (continued)



	DHS	2015 G'wide
My Supervisor		
‡42. My supervisor supports my need to balance work and other life issues.	67%	78%
43. My supervisor provides me with opportunities to demonstrate my leadership skills.	57%	65%
‡44. Discussions with my supervisor about my performance are worthwhile.	54%	63%
45. My supervisor is committed to a workforce representative of all segments of society.	57%	67%
46. My supervisor provides me with constructive suggestions to improve my job performance.	55%	61%
‡47. Supervisors in my work unit support employee development.	53%	64%
48. My supervisor listens to what I have to say.	70%	76%
49. My supervisor treats me with respect.	77%	81%
50. In the last six months, my supervisor has talked with me about my performance.	74%	77%
‡51. I have trust and confidence in my supervisor.	60%	67%
‡52. Overall, how good a job do you feel is being done by your immediate supervisor?	63%	70%
Leadership		
‡53. In my organization, senior leaders generate high levels of motivation and commitment in the workforce.	25%	39%
54. My organization's senior leaders maintain high standards of honesty and integrity.	37%	50%
‡55. Supervisors work well with employees of different backgrounds.	55%	63%
‡56. Managers communicate the goals and priorities of the organization.	44%	59%

Note: Items included on the Annual Employee Survey are noted by a double dagger (‡).

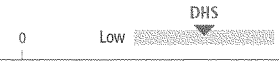
Appendix A: Item Results and Benchmarks (continued)



	DHS (0 Low – High 100)	2015 G'wide
‡57. Managers review and evaluate the organization's progress toward meeting its goals and objectives.	42%	59%
58. Managers promote communication among different work units (for example, about projects, goals, needed resources).	36%	51%
59. Managers support collaboration across work units to accomplish work objectives.	39%	54%
60. Overall, how good a job do you feel is being done by the manager directly above your immediate supervisor?	45%	57%
‡61. I have a high level of respect for my organization's senior leaders.	38%	51%
62. Senior leaders demonstrate support for Work/Life programs.	37%	53%
My Satisfaction		
‡63. How satisfied are you with your involvement in decisions that affect your work?	37%	50%
‡64. How satisfied are you with the information you receive from management on what's going on in your organization?	34%	47%
‡65. How satisfied are you with the recognition you receive for doing a good job?	34%	47%
‡66. How satisfied are you with the policies and practices of your senior leaders?	28%	41%
‡67. How satisfied are you with your opportunity to get a better job in your organization?	25%	35%
‡68. How satisfied are you with the training you receive for your present job?	44%	52%
‡69. Considering everything, how satisfied are you with your job?	52%	65%
‡70. Considering everything, how satisfied are you with your pay?	50%	57%
71. Considering everything, how satisfied are you with your organization?	39%	56%

Note: Items included on the Annual Employee Survey are noted by a double dagger (‡).

Appendix A: Item Results and Benchmarks (continued)



Work/Life Programs

72. Have you been notified that you are eligible to telework? (See Appendix B)

73. Please select the response below that best describes your current teleworking situation. (See Work/Life section)

74 - 78. Do you participate in the following Work/Life programs? (See Work/Life section and Appendix B)

79 - 84. How satisfied are you with the following Work/Life programs?*

79. Telework	73%	78%
80. Alternative Work Schedules (AWS)	86%	89%
81. Health and Wellness Programs (for example, exercise, medical screening, quit smoking programs)	73%	80%
82. Employee Assistance Program (EAP)	73%	75%
83. Child Care Programs (for example, daycare, parenting classes, parenting support groups)	57%	72%
84. Elder Care Programs (for example, support groups, speakers)	57%	66%

* The Work/Life program satisfaction results include only employees who indicated that they participated in the program.



Appendix B: Work/Life Programs & Demographic Results

Appendix B displays more detailed Work/Life Program results for your agency. It also includes the demographic characteristics of your agency's survey respondents. Use the Work/Life results to gain an understanding of how your Work/Life Programs are utilized and rated. The demographic results can be useful in planning, recruiting, and training activities in your agency.

	2015 Percentages
Work/Life Programs	
Have you been notified that you are eligible to telework?	
Yes, I was notified that I was eligible to telework	23
Yes, I was notified that I was not eligible to telework	22
No, I was not notified of my telework eligibility	42
Not sure if I was notified of my telework eligibility	13
Do you participate in the following Work/Life programs? Alternative Work Schedules (AWS)	
Yes	25
No	43
Not Available to Me	32
Do you participate in the following Work/Life programs? Health and Wellness Programs (for example, exercise, medical screening, quit smoking programs)	
Yes	24
No	60
Not Available to Me	16
Do you participate in the following Work/Life programs? Employee Assistance Program (EAP)	
Yes	15
No	81
Not Available to Me	4
Do you participate in the following Work/Life programs? Child Care Programs (for example, daycare, parenting classes, parenting support groups)	
Yes	1
No	74
Not Available to Me	25
Do you participate in the following Work/Life programs? Elder Care Programs (for example, support groups, speakers)	
Yes	1
No	75
Not Available to Me	23

Appendix B: Work/Life Programs & Demographic Results (continued)

	2015 Percentages
Demographic Results	
Where do you work?	
Headquarters	25
Field	75
What is your supervisory status?	
Non-Supervisor	64
Team Leader	13
Supervisor	15
Manager	7
Senior Leader	2
Are you:	
Male	64
Female	36
Are you Hispanic or Latino?	
Yes	16
No	84
Are you:	
American Indian or Alaska Native	1
Asian	4
Black or African American	13
Native Hawaiian or Other Pacific Islander	1
White	77
Two or more races (not Hispanic or Latino)	4
What is the highest degree or level of education you have completed?	
Less than High School	<1
High School Diploma/GED or equivalent	6
Trade or Technical Certificate	2
Some College (no degree)	22
Associate's Degree (e.g., AA, AS)	9
Bachelor's Degree (e.g., BA, BS)	37
Master's Degree (e.g., MA, MS, MBA)	18
Doctoral/Professional Degree (e.g., Ph.D., MD, JD)	5

Note: Demographic results are unweighted.

Appendix B: Work/Life Programs & Demographic Results (continued)

	2015 Percentages
What is your pay category/grade?	
Federal Wage System	3
GS 1-6	2
GS 7-12	38
GS 13-15	42
Senior Executive Service	1
Senior Level (SL) or Scientific or Professional (ST)	<1
Other	13
How long have you been with the Federal Government (excluding military service)?	
Less than 1 year	1
1 to 3 years	7
4 to 5 years	10
6 to 10 years	26
11 to 14 years	22
15 to 20 years	15
More than 20 years	19
How long have you been with your current agency (for example, Department of Justice, Environmental Protection Agency)?	
Less than 1 year	2
1 to 3 years	11
4 to 5 years	12
6 to 10 years	30
11 to 20 years	34
More than 20 years	11
Are you considering leaving your organization within the next year, and if so, why?	
No	60
Yes, to retire	5
Yes, to take another job within the Federal Government	25
Yes, to take another job outside the Federal Government	4
Yes, other	6
I am planning to retire:	
Within one year	3
Between one and three years	8
Between three and five years	10
Five or more years	78

Note: Demographic results are unweighted.

Appendix B: Work/Life Programs & Demographic Results (continued)

	2015 Percentages
Do you consider yourself to be one or more of the following?	
Heterosexual or Straight	84
Gay, Lesbian, Bisexual or Transgender	3
I Prefer Not to Say	13
What is your US military service status?	
No Prior Military Service	63
Currently in National Guard or Reserves	2
Retired	13
Separated or Discharged	22
Are you an individual with a disability?	
Yes	12
No	88
What is your age group?	
25 and under	1
26-29	4
30-39	22
40-49	32
50-59	30
60 or older	11

Note: Demographic results are unweighted.

United States
Office of Personnel Management
Planning and Policy Analysis

1900 E Street, NW
Washington, DC 20415

www.opm.gov/FEVS



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MEMORANDUM OF UNDERSTANDING
BETWEEN
THE UNITED STATES SECRET SERVICE
AND THE OFFICE OF THE INSPECTOR GENERAL
DEPARTMENT OF HOMELAND SECURITY

The United States Secret Service (USSS), an organizational component of the Department of Homeland Security (DHS), operates within the Department under the authority and responsibilities enumerated in Title VIII, Subtitle C of the Homeland Security Act of 2002, as amended (the Act), and includes those responsibilities described generally in Section 1512 of the Act, as well as in various delegations of authority issued by the Secretary of DHS (the Secretary). The agency's dual statutory missions of protection and criminal investigations are more fully enumerated at Title 18, United States Codes, Section 3056 (Section 3056), and Title 3, United States Code, Section 202 (Section 202), and various other statutes.

The Office of the Inspector General (OIG), an organizational component of DHS, operates within the Department under the authority and responsibilities enumerated in Title VIII, Subtitle B of the Act, as amended, and the Inspector General Act of 1978, as amended, and includes authority and responsibility acquired pursuant to Section 1512 of the Act.

To prevent duplication of effort and ensure the most effective, efficient and appropriate use of resources, the Secret Service and the OIG enter into this Memorandum of Understanding.

The categories of misconduct listed below shall be referred to the OIG. Such referrals shall be transmitted by the USSS Office of Inspection immediately upon the receipt of adequate information or allegations by the USSS Office of Inspection to reasonably conclude that misconduct may have occurred, and no investigation shall be conducted by the USSS Office of Inspection prior to the referral. In cases involving exigent circumstances, if the OIG decides to investigate the allegation but is unable to do so immediately, the USSS Office of Inspection will conduct the investigation until the OIG is able to take it over. In cases not involving exigent circumstances, the OIG will determine within one business day of the referral whether to investigate the allegation itself or to refer the matter back to the USSS Office of Inspection for investigation. If no determination is communicated to the USSS Office of Inspection within one business day of the referral, the USSS Office of Inspection may initiate the investigation. The acceptance of a referral by the OIG reflects a determination that available investigative resources will be able to conclude the referred investigation within a reasonable time. This will afford the agency a reasonable opportunity to act expeditiously, if necessary, regarding the allegations.

- All allegations of criminal misconduct against a USSS employee;
- All allegations of misconduct against employees at the GS-15, GM-15 level or higher, or against employees in the USSS Office of Inspection;
- All allegations regarding misuse or improper discharge of a firearm (other than accidental discharge during training, qualifying or practice);

All allegations of fraud by contractors, grantees or other individuals or entities receiving Department funds or otherwise engaged in the operation of Department programs or operations.

In addition, the IG will investigate allegations against individuals or entities who do not fit into the categories identified above if the allegations reflect systemic violations, such as abuses of civil rights, civil liberties, or racial and ethnic profiling; serious management problems within the Department, or otherwise represent a serious danger to public health and safety.

With regard to categories of misconduct not specified above, the USSS Office of Inspection should initiate investigation upon receipt of the allegation, and shall notify within five business days the OIG's Office of Investigations of such allegation. The OIG shall notify the USSS Office of Inspection if the OIG intends to assume control or become involved in an investigation, but absent such notification, the USSS Office of Inspection shall maintain full responsibility for these investigations.

Pursuant to Section 811(a) of the Act, OIG audits, investigations, and subpoenas which, in the Secretary's judgment, constitute a serious threat to the protection of any person or property afforded protection pursuant to Section 3056 or Section 202, or any provision of the Presidential Protection Assistance Act of 1976, may be prohibited. Accordingly, to assure proper and timely responses to OIG requests for information or records, all OIG plans for audits involving the Secret Service shall be communicated via entrance letter by the OIG either directly to the USSS Office of Inspection or to the Office of the Deputy Director; any OIG investigation shall be communicated orally or via e-mail to the same entities. Any Secret Service Headquarters' concern under section 811(a) regarding the scope or direction of a planned audit or investigation will be raised and resolved expeditiously with OIG officials, or immediately communicated to the Secretary in the absence of resolution.

The USSS Office of Inspection shall provide a monthly report to the OIG on all open investigations. In addition, the USSS Office of Inspection, upon request, shall provide the OIG with a complete copy of the Report of Investigation, including all exhibits, at the completion of the investigation. Similarly, the OIG shall provide the USSS Office of Inspection, upon request, with a complete copy of any Report of Investigation relating to the Secret Service, including all exhibits, at the completion of the investigation. The OIG shall have the right to request more frequent or detailed reports on any investigations and to reassert at any time exclusive authority or other involvement over any matter within its jurisdiction.

This MOU shall be effective upon the signature of both parties and shall remain in effect until revoked by one party upon thirty day's written notice to the other.

W. Ralph Basham
Director of the United States Secret Service
Dated: 12/5/03

Acting Inspector General
Dated: 12/8/03

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Department of Homeland Security
Management Directive System
MD Number: 0810.1
Issue Date: 6/10/2004

THE OFFICE OF INSPECTOR GENERAL

I. Purpose

This directive established Department of Homeland Security (DHS) policy regarding the Office of Inspector General (OIG). Any prior Management Directive and any instruction or agreement of any kind issued by or entered into by any DHS official or Component that is inconsistent in any respect with this directive is hereby superseded to the extent it is inconsistent with this directive.

II. Scope

This directive applies to all DHS organizational elements (OEs), including all employees, contractors, and grantees.

III. Authorities

A. The Inspector General Act of 1978, as amended

B. The Homeland Security Act of 2002, as amended, codified in Title 6, US Code

IV. Definitions

A. ***OE Offices*** – As used in this Management Directive, the term OE offices include all Organizational Elements offices of internal affairs, inspections, audits or Professional Responsibility. This term also includes the DHS Office of Security.

B. ***DHS Organizational Element*** – As used in this directive, the term DHS Organizational Element (OE) shall have the meaning given to the term DHS Organizational Element in DHS MD 0010.1, Management Directives System and DHS Announcements. This includes Elements such as the Bureau of Customs and Border Protection, the United States Coast Guard, the Federal Emergency Management Agency, etc. It also includes entities that report to DHS Organizational Elements, such as National Laboratories.

V. Responsibilities

A. ***The Heads of DHS Organizational Elements*** shall:

1. Promptly advise the OIG of allegations of misconduct in accordance with the procedures described in Appendix A, and when they become aware of any audit, inspection or investigative work being performed or contemplated within their offices by or on behalf of an OIG from outside DHS, the General Accounting Office, or any other law enforcement authority, unless restricted by law;

2. Ensure that, upon request, OIG personnel are provided with adequate and appropriate office space, equipment, computer support services, temporary clerical support and other services to effectively accomplish their mission;

3. Provide prompt access for auditors, inspectors, investigators, and other personnel authorized by the OIG to any files, records, reports, or other information that may be requested either orally or in writing;

4. Assure the widest possible dissemination of this directive within their OEs. They may issue further instructions as necessary to implement this policy. Any such further instructions shall not conflict with this MD and shall be provided to the OIG immediately upon issuance;

5. Assist in arranging private interviews by auditors, inspectors, investigators, and other officers authorized by the OIG with staff members and other appropriate persons;

6. Advise the OIG when providing classified or sensitive information to the OIG to ensure proper handling.

B. ***DHS employees*** shall report suspicions of violations of law or regulation to the DHS Office of Inspector General or the appropriate OE offices, and will likewise:

1. Cooperate fully by disclosing complete and accurate information pertaining to matters under investigation or review;

2. Inform the investigating entity of any other areas or activities they believe require special attention;

3. Not conceal information or obstruct audits, inspections, investigations, or other official inquiries;

4. Be subject to criminal prosecution and disciplinary action, up to and including removal, for knowingly and willfully furnishing false or misleading information to investigating officials; and

5. Be subject to disciplinary action for refusing to provide documents or information or to answer questions posed by investigating officials or to provide a signed sworn statement if requested by the OIG, unless questioned as the subject of an investigation that can lead to criminal prosecution.

VI. Policy and Procedures

A. The OIG, while organizationally a Component of the DHS, operates independent of the DHS and all offices within it. The OIG reports to the Secretary. Under circumstances specified by statute, the Secretary, upon written notification to the OIG which then must be transmitted to Congress, can circumscribe the OIG's access to certain types of sensitive information and exercise of audit, investigative, or other authority. The DHS Inspector General is the head of the OIG.

The OIG is authorized, among other things, to:

1. Administer oaths;

2. Initiate, conduct, supervise and coordinate audits, investigations, inspections and other reviews relating to the programs and operations of the DHS;

3. Inform the Secretary, Deputy Secretary, and the Congress fully and currently about any problems and deficiencies relating to the administration of any DHS program or operation and the need for, and progress of, corrective action;

4. Review and comment on existing and proposed legislation and regulations relating to DHS programs, operations, and personnel;

5. Distribute final audit and inspection reports to appropriate authorizing and oversight committees of the Congress, to all headquarters and field officials responsible for taking corrective action on matters covered by the reports and to Secretarial officers, office heads, and other officials who have an official interest in the subject matter of the report;

6. Receive and investigate complaints or information from employees, contractors, and other individuals concerning the possible existence of criminal or other misconduct constituting a violation of law, rules, or regulations, a cause for suspension or debarment, mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety, and report expeditiously to the Attorney General whenever the Inspector General has reasonable grounds to believe there has been a violation of Federal criminal law;

7. Protect the identity of any complainant or anyone who provides information to the OIG, unless the OIG determines that disclosure of the identity during the course of the investigation is unavoidable.

Further, the OIG shall:

8. Follow up on report recommendations to ensure that corrective actions have been completed and are effective;

9. Prepare a semiannual report to the Secretary and the Congress, summarizing OIG audit and investigative activities within DHS. Section 5(a) of the Inspector General Act of 1978, as amended, requires this report.

B. Allegations received by the OIG or OE offices shall be retained or referred in accordance with Appendix A of this MD. The only exception to this requirement is that the OIG and the United States Secret Service will adhere to the terms of the Memorandum of Understanding entered into between those two entities on December 8, 2003, and as may be amended from time to time.

C. ***Standards***. Audits shall be conducted consistent with the standards issued by the Comptroller General of the United States. Inspections and investigations shall be conducted consistent with the quality standards issued by the President's Council on Integrity and Efficiency (PCIE).

D. ***Questions or Concerns***. Any questions or concerns regarding this directive should be addressed to the OIG.

APPENDIX A

MD 0810.1

The categories of misconduct identified below shall be referred to the OIG. Such referrals shall be transmitted by the OE offices immediately upon receipt of the allegation, and no investigation shall be conducted by the OE offices prior to referral unless failure to do so would pose an imminent threat to human life, health or safety, or result in the irretrievable loss or destruction of critical evidence or witness testimony. In such extraordinary situations, the OIG will be contacted as soon as practical, and all information and evidence collected by the OE office shall then be provided to the OIG as part of the OE referral to the OIG. The OIG will accept and retain all such allegations for investigation subsumed under this exigent circumstance exception.

- All allegations of criminal misconduct against a DHS employee;
- All allegations of misconduct against employees at the GS-15, GM-15 level or higher, or against employees in the OE offices;
- All allegations of serious, noncriminal misconduct against a law enforcement officer. "Serious, noncriminal misconduct" is conduct that, if proved, would constitute perjury or material dishonesty, warrant suspension as discipline for a first offense, or result in loss of law enforcement authority. For purposes of this directive, a "law enforcement officer" is defined as any individual who is authorized to carry a weapon, make arrests, or conduct searches;
- All instances regarding discharge of a firearm that results in death or personal injury or otherwise warrants referral to the Civil Rights Criminal Division of the Department of Justice;
- All allegations of fraud by contractors, grantees or other individuals or entities receiving DHS funds or otherwise engaged in the operation of DHS programs or operations;
- All allegations of visa fraud by DHS employees working in the visa issuance process.

In addition, the OIG will investigate allegations against individuals or entities that do not fit into the categories identified above if the allegations reflect systemic violations, such as abuses of civil rights, civil liberties, or racial and ethnic profiling, serious management problems within the department, or otherwise represent a serious danger to public health and safety.

APPENDIX A

With regard to categories not specified above, the OE offices will initiate the investigation upon receipt of the allegation, and shall notify within five business days the OIG's Office of Investigations of such allegations. The OIG shall notify the OE offices if the OIG intends to assume control over or become involved in such an investigation, but absent such notification, the OE office shall maintain full responsibility for these investigations.

Any allegations received by the OIG that do not come within the categories specified above, or that the OIG determines not to investigate, will be referred within five business days of receipt of the allegation by the OIG to the appropriate OE office along with any confidentiality protections deemed necessary by the OIG.

The OE offices shall provide monthly reports to the OIG on all open investigations. In addition, upon request, the OE offices shall provide the OIG with a complete copy of the Report of Investigation, including all exhibits, at the completion of the investigation. Similarly, the OIG shall provide the OE offices, upon request, with a complete copy of any Report of Investigation relating to its OE, including all exhibits, at the completion of the investigation. The OIG shall have the right to request more frequent or detailed reports on any investigations and to reassert at any time exclusive authority or other involvement over any matter within its jurisdiction.

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Employee Separation Survey Results

FY 2015 (October 1, 2014 - June 27, 2015)

Special Agents

Actual Separations through June 27, 2015

Total Separation:	154
Retirement:	58
*Non-Retirement:	96

*Non-Retirement Separations	
Transfer/Other Federal Agencies	66
Resignation	27
Other	3

The following information is based on Non-Retirement Separations Surveys: 73 completed

Length of Service	
1 year or less	4.1%
4 - 5 years	21.9%
6 - 10 years	39.7%
11 - 15 years	30.1%
16 - 20 years	4.1%

Age	
26 - 30	6.8%
31 - 35	28.8%
36 - 40	37.0%
41 - 45	23.3%
46 - 50	2.7%
51 - 55	1.4%

Grade	
7	1.4%
9	2.7%
12	1.4%
13	91.8%
14	2.7%

Specialized Training:

ECSAP	13
Polygraph	2

Do you believe the information you received prior to being hired accurately reflected your duties?

Yes 71.0% No 29.0%

Did you use the skills and abilities for which you were hired?

Yes 69.7% No 30.3%

Plans after leaving the Secret Service

*Federal Agency	72.9%
Private Sector	21.4%
Relocate	1.4%
State/Local Agency	1.4%
Police Department	1.4%
No current plans	1.4%

*Federal Agency	
Department of Defense	2
Navy	1
Department of Energy	1
Department of Health and Human Services	5
Department of Homeland Security	2
United States Immigration and Customs Enforcement	2
Office of Inspector General	3
Department of the Interior	2
Department of Justice	9
Bureau of Alcohol, Tobacco, Firearms and Explosives	3
Department of Labor	1
Department of the Treasury	3
Department of Veterans Affairs	4
Other	10
Total	48

Please indicate your assessment of the following aspects of your job:
Rated on a **scale of 1 - 6,** with 1 being poor and 6 being good.

	Average Rating
Relationship with Co-workers	5.6
Pay Grade	5.3
Salary	5.3
Benefits	5.0
Contribution to the Mission of the Secret Service	4.9
Communication with Immediate Supervisor	4.8
Physical conditions	4.8
Overall Satisfaction with Immediate Supervision	4.7
Duties/Responsibilities	4.6
Travel Opportunities	4.6
Connection to the Mission of the Secret Service	4.5
Current Duty Station/Office Location	4.3
Overtime Compensation	4.2
Professionalism of the Secret Service	4.2
Workload	3.9
Recognition Received	3.9
Prestige of the Secret Service	3.7
Office Policies	3.7
Office/Government Politics	3.5
Work Schedule/Hours	3.4
Rewards Based on Merit	3.3
Senior Leadership Commitment to the Mission	3.1
Training Opportunities	3.0

Rank the significance these factors could have had on your decision to stay with the Secret Service
Ranked on a scale of 1 - 6, with 1 being insignificant and 6 being significant.

	Average Rating
Reassignments/Transfers	5.1
Adequate numbers of persons to accomplish the work	5.1
Better communication between employees and management	4.6
Fair evaluation based solely on performance and not other factors	4.3
Management demonstrates an appreciation for the level of work accomplished	4.3
Flexible tour of duty/work hours	4.3
The effective discipline of employees with performance or conduct problems	4.3
Reassignment to different type of work or position	3.9
Realistic performance expectations	3.9
Less job stress	3.8
Less forced overtime	3.8
More promotion opportunities	3.7
Challenging work	3.5
Telework Program	3.5
Higher salary or grade	3.4
Assignment to a different supervisor	2.4

Employee Separation Survey Results
FY 2015 (October 1, 2014 - June 27, 2015)
Uniformed Division

Actual Separations through June 27, 2015

Total Separation:	75
Retirement:	27
*Non-Retirement:	48

*Non-Retirement Separations	
Transfer/Other Federal Agencies	19
Resignation	29
Other	0

The following information is based on Non-Retirement Separations Surveys: 42 completed

Length of Service	
1 year or less	19.0%
2 - 3 years	16.7%
4 - 5 years	38.1%
6 - 10 years	21.4%
11 - 15 years	4.8%

Age	
21 - 25	2.4%
26 - 30	66.7%
31 - 35	19.0%
36 - 40	11.9%

Rank	
Recruit (Training)	7.1%
Officer/Officer Tech	92.9%

Do you believe the information you received prior to being hired accurately reflected your duties?
Yes 56.1% No 43.9%

During the hiring process, did you speak to a UD Officer prior to your start date?
Yes 48.8% No 51.2%

Did you use the skills and abilities for which you were hired?
Yes 63.4% No 36.6%

Plans after leaving the Secret Service

*Federal Agency	43.9%
Private Sector	26.8%
Other	9.8%
Attend School	4.9%
State/Local Agency	2.4%
Police Department	9.8%
No current plans	2.4%

*Federal Agency	
Department of Defense	3
Department of Homeland Security	5
Bureau of Customs and Border Protection	1
Federal Law Enforcement Training Center	2
Department of Justice	1
Bureau of Alcohol, Tobacco, Firearms, and Explosives	1
Federal Bureau of Investigations	1
Department of the Treasury	1
Other	2
Total	17

Please indicate your assessment of the following aspects of your job:
Rated on a **scale of 1 - 6,** with 1 being poor and 6 being good.

	Average Rating
Duties/Responsibilities	4.3
Travel Opportunities	4.7
Relationshi with Co-workers	5.3
Contribution to the Mission of the Secret Service	4.5
Connection to the Mission of the Secret Service	4.4
Workload	3.2
Work Schedule/Hours	2.5
Current Duty Station/Office Location	3.6
Physical conditions	3.6
Professionalism of the Secret Service	3.7
Prestige of the Secret Service	3.8
Recognition Received	3.2
Rewards Based on Merit	3.0
Overall Satisfaction with Immediate Supervision	4.4
Communication with Immediate Supervisor	4.6
Senior Leadership Commitment to the Mission	2.8
Training Opportunities	2.7
Office Policies	3.1
Office/Government Politics	3.0
Pay Grade	3.9
Salary	3.9
Overtime Compensation	4.7
Benefits	4.6

Rank the significance these factors could have had on your decision to stay with the Secret Service
Ranked on a scale of 1 - 6, with 1 being insignificant and 6 being significant.

	Average Rating
Adequate numbers of persons to accomplish the work	5.4
Less forced overtime	5.0
Reassignment to different type of work or position	4.9
Management demonstrates an appreciation for the level of work accomplished	4.8
Better communication between employees and management	4.7
Higher salary or grade	4.4
Flexible tour of duty/work hours	4.4
Fair evaluation based solely on performance and not other factors	4.4
The effective discipline of employees with performance or conduct problems	4.2
Challenging work	4.2
Less job stress	4.1
Realistic performance expectations	3.8
Wanted to become a Special Agent	3.8
More promotion opportunities	3.7
Telework Program	2.9
Assignment to a different supervisor	2.9

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Human Capital Plan (FY 2014-FY 2018)

United States Secret Service

Fiscal Year 2014 Report to Congress

June 24, 2014

Homeland Security

Message from the Director

June 24, 2014

I am pleased to present the following report, "Human Capital Plan," for Fiscal Years 2014 through 2018, prepared by the United States Secret Service. This responds to a requirement set forth in House Report 113-91 that accompanies the *Fiscal Year* (FY) *2014 Department of Homeland Security* (DHS) *Appropriations Act* (P.L. 113-76).

Pursuant to congressional guidelines, this report is being provided to the following Members of Congress:

The Honorable John R. Carter
Chairman, House Appropriations Subcommittee on Homeland Security

The Honorable David E. Price
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Mary L. Landrieu
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable Daniel Coats
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries related to this report may be directed to Acting Chief Financial Officer Chip Fulghum at (202) 447-5751.

Sincerely yours,

Julia A. Pierson
Director
U.S. Secret Service

Executive Summary

The United States Secret Service (Secret Service) is one of the oldest federal law enforcement agencies in the country and ranks among the most elite in the world. Through its highly trained and dedicated workforce comprised of special agents, Uniformed Division (UD) officers, and Administrative, Technical, and Professional (APT) staff, the Secret Service delivers mission success. The Secret Service continuously assesses and realigns this workforce to meet operational priorities in the areas of protection, protective intelligence, and criminal investigations. This investment in human capital is significant, as it represents 70 percent of the organization's budget.

Our century and a half of experience has taught us that the security threats facing our Nation's leaders, financial systems, and critical infrastructure will continue to evolve. Our mission and responsibilities to the President of the United States, to the Department of Homeland Security, and to the public demand that we anticipate threats and deploy a highly skilled workforce to proactively address them.

In our effort to address this ever-changing threat environment, the Secret Service has conducted a review of recent trends impacting its workforce. From FY 2011 through FY 2013, the Secret Service experienced a reduction in overall staffing levels from 7,024 to 6,480 positions. This decline resulted from the Secret Service limiting all hiring to address budgetary payroll erosion and the anticipated impacts of Federal budget constraints.

While staffing levels have declined in recent years, the organization's work requirements have not. The Secret Service has adjusted to reduced staffing levels by prioritizing activities and shifting resources to address critical protection needs. All employee categories have been impacted: UD officers are experiencing leave restrictions and the elimination of training; special agents are experiencing greater travel demands; and APT personnel are experiencing increases in workload.

The Human Capital Plan contained in the following pages sets out the agency's efforts to address increasing work requirements and emerging threats while maintaining current resource levels. The objective in FY 2014 – 2015 is to stop and reverse attrition experienced since FY 2013. The objective in FY 2016 – FY 2018 is to maintain the level of effort required in a constantly evolving threat environment with current resources due to the uncertainty of the future fiscal situation.

The staffing adjustment necessary to continue to meet mission requirements while functioning at the FY 2013 level will impact employee mission readiness. Every employee, at every grade level and in every job series, contributes to the Secret Service's integrated mission. Restricting the agency's ability to recruit, train, deploy and retain a diverse and committed workforce will be felt throughout the organization. This Human Capital Plan provides the foundation of our efforts to appropriately support our integrated mission in the face of resource constraints.

Human Capital Plan (FY 2014 – FY 2018)
United States Secret Service
Fiscal Year 2014 Report to Congress

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I. Legislative Language

This Human Capital Plan (FY 2014 – FY 2018) is submitted in response to a requirement set forth in House report 113-91 that accompanies the *Fiscal Year* (FY) *2014 Department of Homeland Security* (DHS) *Appropriations Act* (P.L. 113-76).

"[The] Committee directs the Secret Service to provide a strategic human capital plan not later than 60 days after the date of enactment of this Act for fiscal years 2014 through 2018, which addresses how mission requirements will be met with current resources and delineates between protective and investigative missions."

II. Background

Historical Secret Service Staffing Levels and Impacts

Period of FY 2007 through FY 2011

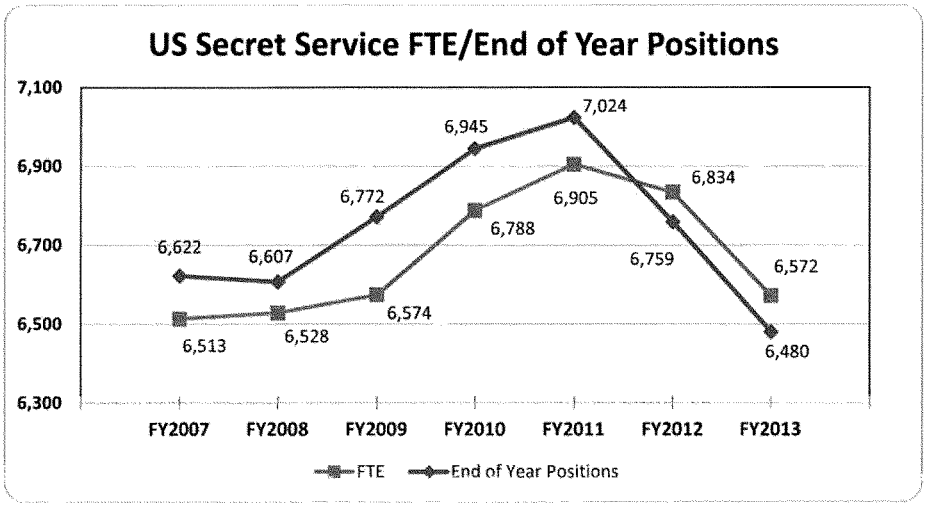
From FY 2007 through FY 2011, the Secret Service experienced an increase in protective mission requirements comparable to the current operational demands. These increases began in FY 2007 with a detail assigned to then-Senator Obama, the need to establish a post-presidency protective detail for then-President George W. Bush, and the expanded resource needs associated with President Obama's and Vice President Biden's immediate families. Additionally, the evolving threat environment required the expansion of capabilities in protective intelligence, counter surveillance, counter assault, and other specialized protective programs. To address these needs, Secret Service staffing levels grew from 6,513 FTE (6,622 positions) in FY 2007 to 6,905 FTE (7,024 positions) in FY 2011.

Period of FY 2012 through FY 2013

As the Secret Service entered FY 2012, the budget environment became increasingly complex. The organization was facing a constrained fiscal environment and identified a staffing affordability issue. Over many years, the Secret Service funded payroll costs at the expense of critical non-pay investments such as operational travel, mission readiness training, and integrated information technology stabilization and modernization.

Notably, the costs associated with nearly identical FTE levels in FY 2009 and FY 2013 increased by almost $120 million. Much of this cost increase is attributed to a maturing, more experienced workforce during a time of very limited hiring. FTE cost drivers from FY 2009 thru FY 2013 included increases to employee basic salaries resulting from within-grade step increases, career ladder promotions, premium pay, personnel benefits including health insurance and FERS contributions, and the costs associated with Uniformed Division modernization. Due to this payroll erosion and the budget constraints of sequestration, the Secret Service was forced to shed FTE to achieve affordable levels while maintaining its protective mission requirements. The Secret Service has instituted processes to avoid this issue in the future.

Since the end of FY 2011, the total number of the Secret Service employees has declined by approximately 333 FTE (550 positions). The Secret Service has 211 fewer special agents, 98 fewer UD officers and 235 fewer support personnel. As the following chart highlights, the current staffing levels have steadily declined since the peak achieved in FY 2011.



III. Human Capital Plan FY 2014 – FY 2018

As part of its comprehensive workforce plan to address retirement rates, attrition rates, and mission requirements, the Secret Service has identified strategic hiring and deployment objectives to meet current and future staffing requirements. The Secret Service has developed a workforce plan to align staffing resources with its mission requirements – both in the near-term (FY 2014 and FY 2015) and for the longer term (FY 2016-FY 2018).

With the funding provided in the FY 2014 Omnibus Appropriations bill and in the FY 2015 President's budget request, there is increased budget certainty over the next 18 months that allows the Secret Service to renew its hiring efforts in FY 2014 and FY 2015. To address Congressional concerns, the Secret Service will hire to replace attrition. Achieving an FTE target of 6,572 (FY 2015 President's Budget) requires hiring on average four to five special agent classes, three to four UD classes, and 110 APT personnel annually to replace the average projected attrition per year of 120 special agents, 75 UD, and 110 APT personnel.

Attrition Replacement Hiring Requirements (Positions)

	Special Agents	Uniformed Officers	APT	Total
Attrition Replacement Hiring *Average projected per year Attrition*	120	75	110	305

The Secret Service must hire above the attrition rate to achieve the FY 2013 staffing level of 6,572 FTE (FY 2015 President's Budget) because end of fiscal year position count associated with this level of FTE was 6,480. Given that new special agent and UD officers require seven months of specialized law enforcement training prior to beginning their assignments, the benefit of many of these additional hires from FY 2014 through FY 2015 will not be fully realized until mid FY 2015 to early FY 2016. Therefore, the Secret Service will continue to experience the impact felt in FY 2012 - FY 2013 with reduced staffing levels until the new hires are fully trained and deployed. In other words, while the Secret Service expenditures will reflect increases in FTE achieved for the year due to salaries paid to employees in training, these employees will not begin addressing mission requirements until they are placed in their assignments.

From FY 2016 – FY 2018, the Secret Service will continue to hire to address attrition and maintain FY 2013 staffing levels. Maintaining staffing at the FY 2013 level from FY 2016 – FY 2018 creates significant mission impacts as level of effort must keep pace with evolving threats but do so at end of year position levels similar to those experienced in FY 2007. The variable nature of protection and investigation demands means that a staffing tipping point is hard to determine, but assessing the impacts of the current workloads on staff demonstrates that the Secret Service will have to continue to make adjustments in favor of the Secret Service's protective demands. In order to meet the protective demand, the investigative output would decrease. In order to manage surges in the protection workload, leave restrictions would have to be put in place for all employees and training restricted. Both protective and investigative productivity would decline due to employee burnout and a smaller pool of APT personnel providing support to operations.

The proposed five-year workforce staffing plan for FY 2014 – FY 2018 and its impact on the Secret Service are reviewed in more detail below.

Period of FY 2014

The Secret Service typically loses approximately 300 positions annually to attrition, both as retirements and non-retirement separations. Currently, 10.6 percent of the special agents and 15.4 percent of the UD workforce are eligible to retire. Over the next five years, these numbers are expected to increase to approximately 31.2 percent of the special agent workforce and 23.2 percent of the UD workforce. Beyond special agents and UD officers, the percent of Secret Service's APT workforce that can retire is expected to increase from 17 percent to nearly 33 percent the next five years.

Apart from retirements, the Secret Service is also experiencing employees separating from the agency to pursue other career opportunities. Taking into account the voluntary separation and the projected retirement rate, approximately 3.4 percent of the special agent workforce, 5.3 percent of the UD workforce, and 6.0 percent of APT personnel will separate from the Secret Service over the next five years. This is assuming that overall annual attrition at the Secret Service remains constant at approximately 300 positions per year.

Starting in FY 2014, the Secret Service will hire at a level that begins addressing attrition experienced in FY 2013 and anticipated attrition in FY 2014. The Secret Service has established

a hiring goal of four special agent classes (96 special agents), six UD classes (144 UD officers) and 110 APT personnel in FY 2014 to address attrition. Of the total 350 positions, 153 positions are attributed to the $25.6 million in additional resources provided in the FY 2014 Omnibus Appropriations bill that addresses the Secret Service's current rate of attrition.

PPA	$	Positions
Protection of Persons and Facilities	$ 13.6 M	72 (24 SA/ 48 UD)
Domestic Field Operations	$ 8.6 M	54 (24 SA/30 APT)
Headquarters, Management, and Administration	$ 3.4 M	27 (27 APT)
Total	$ 25.6 M	153 (48 SA/48 UD/57 APT)

Critical Uniformed Division Staffing

The UD is particularly vulnerable to personnel fluctuations. Given both the fixed and variable nature of their work requirements, very few options exist to compensate for a shortage of officers. The fixed portion of the work requirement is the standard posts established to protect the White House Complex, Vice President's Residence and Foreign Missions in the Washington metropolitan area. The variable nature of the mission involves specialized support for explosive detection, emergency response, counter sniper, and magnetometer operations required when protectees travel within Washington, DC, throughout the United States, and overseas.

A recent staffing analysis identified a very strong correlation between overtime and the travel requirements necessary to fulfill the variable portion of UD work requirements. At the current staffing level, any variable requirements result either in overtime expenditures, to staff the travel itself or to backfill the fixed post requirements.

While the average projected attrition per year for special agents is 120 and for UD is 75, the Secret Service is transferring part of the attrition replacement effort of special agents to UD to address the current UD staffing shortfall. The planned attrition replacement hiring in FY 2014 is 96 special agents and 144 Uniformed Division officers.

Counter Surveillance and Critical Systems Program

In FY 2014, the Secret Service formalized a Counter Surveillance Division (CSD) and grew the Critical Systems Protection Program (CSP). CSD required 66 permanent special agents to directly support counter surveillance activities in the Washington, D.C. area. The Secret Service utilizes counter surveillance as a component of its layered security plan to detect, identify, and mitigate potential threat actors prior to initiation of an actual attack. This program is critical to supporting the White House Complex and the frequent Presidential visits throughout the area.

An additional 24 permanent special agents were reassigned to fulfill needs within the Critical Systems Protection Program (CSP). CSP's mission is to identify and mitigate risk associated with information systems as they affect persons and venues protected by the Secret Service or the implementation of a Secret Service-led security plan. These CSP agents deploy a range of advanced technologies to monitor and counter threats that exist in cyberspace that seek to access and/or manipulate secure networks at the White House Complex, the Executive Offices of the President and at sites visited by the President and Vice President.

Hiring for attrition replacement in FY 2014 helps rebalance the number of special agents in the field since 90 special agents were shifted from the field and re-assigned to CSD or CSP.

Specifically, agents hired in 2014 under attrition replacement will be assigned to various field offices.

Period of FY 2015

In FY 2015, the Secret Service will continue to hire for attrition replacement and rebalance its workforce to address priority needs. The FY 2015 hiring will also begin to address the backfill of special agents needed to replace the senior agents who will be moved to staff the former President Obama Protective Detail (OPD). The FY 2015 President's Budget accommodates necessary personnel cost inflation estimates and funds Secret Service activities at a sustainable level that matches inflation-adjusted averages for travel, procurement of equipment and other critical non-pay investments. The Secret Service has established a hiring goal of seven special agent classes (168 special agents), eight Uniformed Division classes (192 Uniformed Division officers) and 148 APT personnel in FY 2015 to meet both attrition replacement and to reach the budgeted staffing level. To meet and maintain the FTE level in the FY 2015 budget, the Secret Service must hire at a rate above the annual attrition replacement level of 305 positions. The level of hiring above attrition replacement will strategically address gaps in the special agent, UD, and APT workforce and support the partial start-up staffing requirements of a post-presidency protective detail for President Obama at the end of his term in office as depicted in the chart below.

FY2015 Hiring Initiative (Positions)

	Special Agents	Uniformed Officers	APT	Total	Funding Source
Annual Attrition Replacement Hiring	87	75	110[ii]	272[iii]	Current USSS Budget
Restoration Hiring to meet Budget Cap		117[i]	38	155	
Sub-total	87	192	148	427	
New Hiring					FY15 President's Budget
Former President Detail (OPD)	81			81	
Sub-total	81			81	
FY2015 Total	**168**	**192**	**148**	**508**	

Notes: [i]UD restoration hiring includes replacing 34 officers lost due to internal transfers.
[ii]APT attrition hiring does not include replacing 16 students currently onboard.
[iii]Annual Attrition Replacement Hiring is 272 instead of 305 due to strategic priority hiring of UD officers.

Critical Uniformed Division Staffing

Due to declining staff levels, UD officers lost an average of 3.25 of their 8 days off per month, and training hours were reduced by 88 percent starting in FY 2013. Similar to FY 2014, a

majority of the planned hiring in FY 2015 is concentrated in addressing the current UD staffing shortfall. The proposed hiring over FY 2014 and FY 2015 for UD will provide a more sustainable staffing level to relieve some leave restrictions and reduce overtime. It is important to note that due to the length of training required, the effect of these hires will not be felt until FY 2015 and FY 2016.

Targeted Priority Administrative, Professional, and Technical Staff Hiring

During FY 2015, the Secret Service plans to hire an additional 38 APT employees above attrition replacement hiring (110 positions) for restoration. While targeted priority APT hiring would include some administrative support personnel, most of the hiring is focused on positions that take part in mission activities or directly support command and control capabilities.

Former President Obama Detail (OPD)

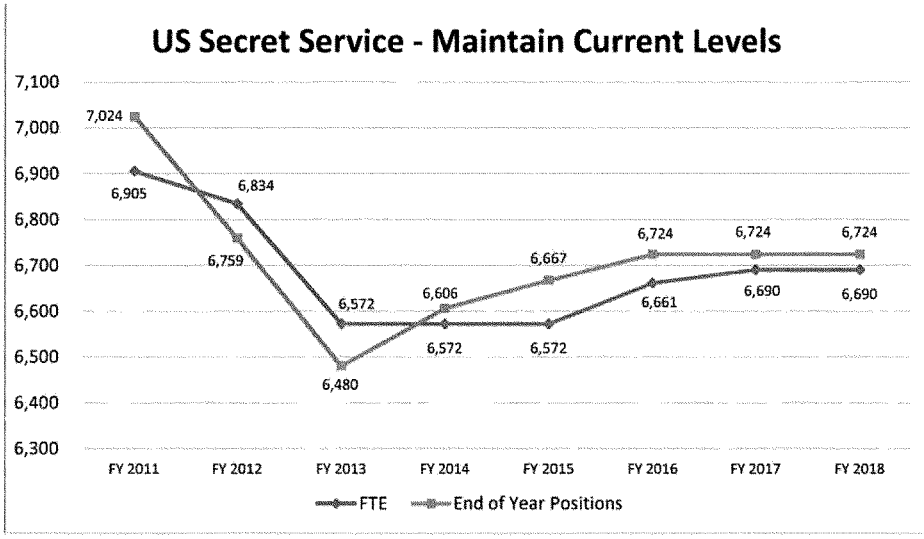
The Secret Service is required (18 U.S.C. § 3056(a) (3)) to provide protection to all former Presidents and their spouses for life, unless that protection is declined. Consequently, the Secret Service anticipates establishing a post-presidency protective detail for President Obama at the end of his term in office. The Obama Protective Division (OPD) must be fully staffed, trained and positioned by January 20, 2017. The OPD will be responsible for the protection of the former First Lady and at least one minor child as set forth in 18 U.S.C. § 3056(a) (3) and (4).

The OPD will require 108 special agent personnel to staff the permanent detail, conduct protective advances, analyze protective intelligence, coordinate security plans with law enforcement counterparts, and provide other protective support. In addition, 30 APT personnel will be required to provide residence security, as well as administrative and technical support to the protective division. To fully staff this new protective division, new special agents must be recruited and trained so that they can be assigned to field offices while agents that are more senior move to OPD. To meet the necessary timeline, the Secret Service must begin the hiring of these new special agents in the fourth quarter of FY 2015. These individuals will be trained and deployed by the fourth quarter of FY 2016, which coincides with the high operational requirements of the nominating conventions and the final months of the 2016 Presidential Campaign.

The FY 2015 President's Budget covers the partial start-up staffing requirements of OPD beginning in the fourth quarter of FY 2015 with funding ($4.0 million) to hire 81 special agents. The FY 2015 funding only supports salary and training costs for these personnel, with the costs to equip and outfit these personnel and hire the remaining personnel (57 positions) deferred until FY 2016.

Period of FY 2016 - FY 2018

As outlined in the previous section, the FY 2015 President's Budget covers the partial start-up staffing requirements of the post-presidency protective detail for President Obama (OPD) beginning in the fourth quarter of FY 2015 by supporting the hiring of 81 special agents. It is anticipated that the remaining staff requirements will be covered in FY 2016. This staff increase brings the Secret Service's staffing level to 6,690 FTE (6,724 positions) by FY 2017 as shown in the chart below.



In addition to establishing OPD, the Secret Service must also prepare to meet the operational demands of the upcoming 2016 Presidential Campaign. To manage mission requirements with current resources, the Secret Service may need to temporarily shift resources from field offices at a higher rate than usual, continue to partially restrict training and leave for UD, and continue to require special agents and UD to cover the work shortage from a decreased APT level. The mission impacts from maintaining the FTE target of 6,690 are discussed below.

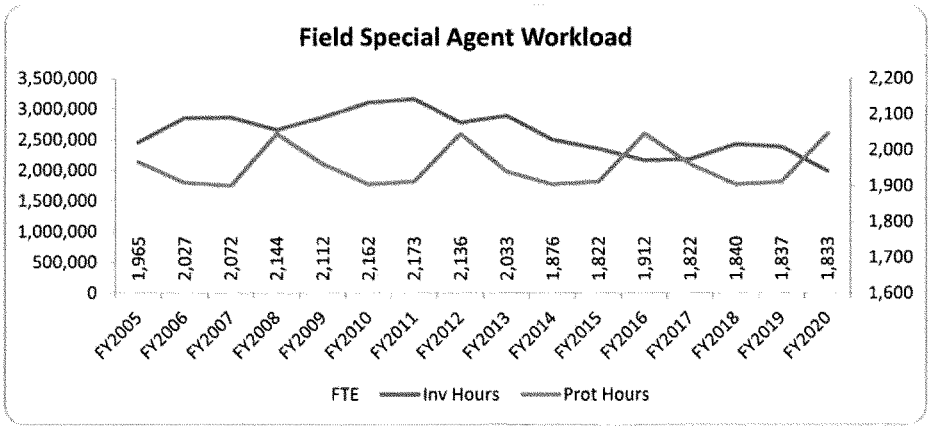
Impact on the Secret Service's Protection Mission

Maintaining the FTE target of 6,690 will be done at the expense of mission readiness by decreasing training and restricting leave. Leave and training restrictions are driven by mission activities, so certain restrictions are standard practice. For example, there are leave restrictions during the summer and from August through September for the United Nations General Assembly. As UD staffing levels declined from 1,396 FTE (1,420 positions) in FY 2011 to 1,343 FTE (1,322 positions) by end of FY 2013, the Secret Service began utilizing various methods to cover required assignments, while trying to control overtime expenditures. These methods included the elimination of training, the imposition of more leave restrictions, and the shifting of officers from other programs to cover critical posts. While these practices have mitigated some overtime costs, they are unsustainable long-term and negatively impact operations. The UD hiring planned for FY 2014 and FY 2015 will provide a more sustainable staffing level of 1,457.

Impact on the Secret Service's Investigative Mission

Special agents assigned to full-time protective details spend all of their time on protection, while special agents assigned to the field spend part of their time on protection and part of their time on investigations. In maintaining the FTE target of 6,690, any surge in protection demand would require the number of special agents on permanent protective details or in permanent protective functions to increase. To ensure that protection requirements are fully staffed at all times, the Secret Service would absorb attrition vacancies in field offices to cover protection assignments. This decrease in staffing would continue to impact investigations.

It is important to reiterate that, in addition to the investigative mission, the protective mission also suffers if staffing levels fall because field agents are forced to work more overtime and travel more to make up for the loss in staffing. This level of activity increases fatigue and reduce the amount of time available to develop and sustain long-term investigations. This decrease in investigative output occurs at a time when the Secret Service is experiencing an increase in the level of complexity of cyber data breach and financial crime investigations. The chart below depicts the degradation of investigative output across full campaign cycles because field agents must meet protective requirements regardless of a reduced staffing level.



Significant decreases in critical investigative functions can be expected if field levels are allowed to continue to drop as field resources shift to cover emerging protective threats. The projected average yearly output in hours from FY2014-FY2018 compared with the previous five years, during which time field office staffing reached their peak levels, would decrease 21.7 percent. A loss in investigative capacity would affect the amount of U.S. counterfeit currency seized, the amount of fraud loss prevented, the number of counterfeit arrests worldwide, and other activities the Secret Service performs to identify, locate, and apprehend criminal organizations and individuals targeting the Nation's critical financial infrastructure and payment systems. This decline in investigative output comes at a time when criminal investigations are becoming more complex and transnational in nature.

Impact on the Secret Service's Special Agent Population

Special agents support both the protective and investigative mission as they advance through the phases of their career. They begin their careers in Secret Service field offices as Phase 1 agents,

where they receive significant on-the-job training. Ideally, over the course of six to nine years, special agents develop skills by participating in assignments of increasing complexity and responsibility in the areas of investigation, protective intelligence, and protective mission support. After they have developed significant expertise in the areas of advance planning, site security, protective intelligence investigations and specialized technology, they are eligible to enter Phase 2 of their careers, which are permanent protective assignments.

As Phase 2 special agents, all of their work is protection related. They experience significant travel in support of the mission, maintain a very high pace of activity and stress, and are subject to ever-changing work schedules. After four to five years in their Phase 2 assignments, special agents then enter Phase 3 of their career with an assignment to Headquarters, the James J. Rowley Training Center, or a field office. For the remainder of their career, they work in a variety of operational assignments across the organization, with some special agents advancing to supervisory and executive ranks.

The limited hiring of special agents means that fewer will be properly prepared for protective assignments in future years. As a result, the Secret Service will be forced to staff assignments with employees who have gained less operational experience than is preferred. By FY 2018, over 50 percent of those special agents who will be transferred to a permanent protection detail will have four or fewer years of experience if the current trends continue.

The rate at which Phase 1 special agents are re-assigned to a Phase 2 protection assignment is driven by mission activities. With protection demands growing as the complexity of threats evolve, that rate at which Phase 1 special agents are re-assigned to a Phase 2 protection assignment might outpace the rate of attrition replacement given that new special agents require seven months of specialized law enforcement training prior to beginning their assignments. This shift would affect the field office Phase 1 special agent staffing levels, and the Secret Service might have to use a combination of Phase 1 and Phase 3 special agents to staff permanent protection assignments. If Phase 3 special agents are re-assigned to a Phase 2 protection assignment, they are moving backwards in terms of career progression. Potential attrition among Phase 3 special agents may rise as opportunities for career progression diminish, special agents experience burnout from the repeated high pace of protection assignments, and opportunities to enter the Secret Service SES program become more competitive.

Impact on Administrative, Professional, and Technical Personnel

The final major employee category in the Secret Service is APT. This category of Secret Service employee has declined by 183 FTE (235 positions) since FY 2011. It is important to note that the majority of APT personnel perform duties that directly support operational mission. Three out of four APT positions are law enforcement support positions (e.g., weapon carrying special officers, physical security specialists and protective support technicians) or critical operational support (e.g., protective intelligence research specialists, investigative research specialists, and communication and information technology specialists).

A lack of APT personnel amounts to about 83 thousand work hours annually that is unavailable. To absorb this decreased support, the Secret Service has shifted resources from critical front line operations to cover requirements, preventing the organization from deploying personnel with significant subject matter expertise in protective technology and critical command and control capabilities.

V. Conclusion

As an employer, the Secret Service operates in a challenging environment. Executing the Secret Service's mission requires significant human capital resources, with employee costs representing approximately 70 percent of the agency's budget. Demographic patterns and increasing operational demands in a constrained budget environment necessitate an effective and comprehensive human capital strategy.

To address the declining Secret Service staffing levels and sustain the investigative and protective workloads, additional staffing is necessary to replace normal attrition. For the near-term (FY 2014 and FY 2015), the Secret Service has developed a workforce plan to address attrition replacements with current resources. Maintaining staffing levels at 6,690 FTE, however, will present gaps in mission execution. For the longer term (FY 2016-FY 2018), the Secret Service plans to maintain the current level of effort in an uncontrolled threat environment, but there may be impacts on the Secret Service's integrated mission. The Secret Service will continue to evaluate its programmatic and associated staffing requirements. Any revised staffing requirements will be identified in future budget submissions.

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Separations by SA and UD FY2005-2015 by Quarter

	SA					SA Total	UD					UD Total	Grand Total
	RETIREMENT	RESIGNATION	TRANSFER	TERMINATION	OTHER SEPARATION		RETIREMENT	RESIGNATION	TRANSFER	TERMINATION	OTHER SEPARATION		
FY2005	56	41	47	3	1	148	32	70	14		1	117	265
Qtr1	11	12	21		1	45	3	22	5		1	31	76
Qtr2	20	9	8	3		40	17	9	5			31	71
Qtr3	15	6	9			30	9	12	2			23	53
Qtr4	10	14	9			33	3	27	2			32	65
FY2006	51	41	46	1	1	140	19	84	24		3	130	270
Qtr1	7	10	9			26	2	15	2		1	20	46
Qtr2	20	11	11	1		43	9	15	3			27	70
Qtr3	12	9	11			32	2	28	4		1	35	67
Qtr4	12	11	15		1	39	6	26	15		1	48	87
FY2007	43	43	75	1		162	16	80	23	2		121	283
Qtr1	6	3	13			22	3	20	4			27	49
Qtr2	14	9	17			40	7	20	6	1		34	74
Qtr3	12	11	22	1		46	3	22	4			29	75
Qtr4	11	20	23			54	3	18	9	1		31	85
FY2008	37	29	79		3	148	8	96	26	2	2	134	282
Qtr1	8	8	9			25	2	25	5	2	1	35	60
Qtr2	6	5	23		1	35	5	27	8		1	41	76
Qtr3	11	7	19		1	38	1	23	5			29	67
Qtr4	12	9	28		1	50		21	8			29	79
FY2009	24	19	78	1		122	10	53	28	1	2	94	216
Qtr1	7	6	13			26	3	17	4		1	25	51
Qtr2	6	6	20	1		33	3	15	6			24	57
Qtr3	7	2	30			39		7	6			13	52
Qtr4	4	5	15			24	4	14	12	1	1	32	56
FY2010	24	24	71	3	1	123	18	81	29			128	251
Qtr1	4	4	16	1		25	6	28	5			39	64
Qtr2	8	3	11	1	1	24	4	8	11			23	47
Qtr3	7	7	15			29	2	22	7			31	60
Qtr4	5	10	29	1		45	6	23	6			35	80
FY2011	47	28	44	1		120	13	37	18	1		69	189
Qtr1	13	4	12			29	6	10	8			24	53
Qtr2	13	6	13	1		33	3	11	6	1		21	54
Qtr3	11	11	8			30	3	8	4			15	45
Qtr4	10	7	11			28	1	8				9	37
FY2012	40	20	38	1	1	100	21	23	8	3	1	56	156
Qtr1	11	2	12			25	9	10		1		20	45
Qtr2	4	4	11			19	2	2	3			7	26
Qtr3	13	6	8		1	28	6	6	1	1	1	15	43
Qtr4	12	8	7	1		28	4	5	4	1		14	42
FY2013	63	39	26	2	3	133	31	42	3	1		77	210
Qtr1	15	10	8		2	35	10	6	1			17	52
Qtr2	13	4	3			20	5	4				9	29
Qtr3	15	7	6	2		30	9	16	2	1		28	58
Qtr4	20	18	9		1	48	7	16				23	71
FY2014	58	36	45	1	1	141	29	35	14		1	79	220
Qtr1	11	8	3	1		23	3	6	1			10	33
Qtr2	18	10	10			38	6	6	2			14	52
Qtr3	13	9	11		1	34	9	16	7			32	66
Qtr4	16	9	21			46	11	7	4		1	23	69
FY2015	63	28	77	2	1	171	31	31	24			86	257
Qtr1	24	5	21	1	1	52	10	6	9			25	77
Qtr2	17	8	18	1		44	13	12	3			29	73
Qtr3	21	15	27			63	8	12	7			27	90
Qtr4	1		11			12			5			5	17
Grand Total	506	348	626	16	12	1,508	228	632	211	10	10	1,091	2,599

Footnote:
FY15 data occur through July 25, 2015
Other Separation: defined as separation due to death
Workforce Planning Division
August 12, 2015

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2015 Federal Employee Viewpoint Survey

DHS Overview Information

Homeland Security

September 29, 2015

DHS 2015 Survey Results

- Over 43,000 employees responded to the 2015 Federal Employee Viewpoint Survey, which was conducted between April 27 through June 5
- DHS employee engagement index score decreased 1%; government-wide results up 1%
- USCIS, S&T, MGMT, NPPD, and Office of the Secretary matched or exceeded the government-wide engagement increase
- USCG, USCIS, and DNDO are above the government-wide employee engagement indices
- It appears that TSA and ICE have stabilized
- Survey results reveal that an overwhelming majority or DHS employees recognize their work is important (85%) and are willing to put in extra effort to get a job done (93%)

2015 DHS Component Engagement Score Summary

2015 DHS HCAAF/Engagement Score Comparison Color codes indicate score range across indices and components *Lower scores appear in red* *Higher scores appear in green*	Leadership and Knowledge Management	Results-Oriented Performance Culture	Talent Management	Job Satisfaction		Employee Engagement
Citizenship and Immigration Services	63	55	61	70		68
Customs and Border Protection	43	38	41	53		49
Federal Emergency Management Agency	50	46	47	59		56
Federal Law Enforcement Training Center	58	55	55	70		63
Immigration and Customs Enforcement	41	40	38	49		48
Management Directorate	53	49	53	59		60
National Protection and Programs Directorate	47	45	46	55		53
Office of the Inspector General	60	53	52	64		63
Office of the Secretary	57	53	54	61		64
Science and Technology	52	49	54	59		58
Transportation Security Administration	47	39	49	51		53
Under Secretary for Intelligence and Analysis	47	42	47	54		53
United States Coast Guard	64	57	56	66		69
United States Secret Service	40	40	36	53		49
Government-wide	59	52	57	64		64
DHS	47	41	46	54		53

2015-2014 DHS Component Engagement Difference Score Summary

2015-2014 DHS Component HCAFF Difference Score Summary	Leadership and Knowledge Management	Results-Oriented Performance Culture	Talent Management	Job Satisfaction		Employee Engagement
Citizenship and Immigration Services	1	2	3	3		2
Customs and Border Protection	-2	-2	-1	-3		-2
Federal Emergency Management Agency	-2	-1	-1	0		-1
Federal Law Enforcement Training Center	-2	1	-1	1		-1
Immigration and Customs Enforcement	-1	0	0	0		0
Management Directorate	3	3	5	4		4
National Protection and Programs Directorate	0	2	2	0		1
Office of the Inspector General	-1	-3	-2	-3		0
Office of the Secretary	4	4	4	3		5
Science and Technology	3	3	3	6		6
Transportation Security Administration	0	-1	1	-1		0
Under Secretary for Intelligence and Analysis	2	6	5	3		3
United States Coast Guard	-1	1	0	1		-1
United States Secret Service	-10	-7	-9	-7		-7
Government-wide	1	1	2	1		1
DHS	-1	-2	0	-1		-1

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MEMORANDUM May 4 , 2015

To: [redacted]

From: [redacted]

Subject: **Federal Law Enforcement of Selected Financial and Computer Crimes**

This memorandum responds to your request for the statutory authority of specified federal law enforcement entities over selected crimes of a financial or computer nature. We identified these statutes in LexisNexis's U.S. Code Service database, but limited our searches to Titles 11 (Bankruptcy), 12 (Banks and Banking), 15 (Commerce and Trade), 18 (Crimes and Criminal Procedure), 28 (Judiciary and Judicial Procedure), and 31 (Money and Finance). Please note that some statutes appear in more than one Table. Also please note that we did not include any statutes involving the Securities Exchange or the Internal Revenue Service.

Table 1 lists statutes regarding the Secret Service or Department of Homeland Security, selected by searching variations of *text(Secret Service)* or *text((homeland security) w/20 investigat!)*.

Table 2 lists statutes regarding the FBI or Attorney General, selected by searching variations of *text(federal bureau of investigation or FBI)* or *text((attorney general) w/20 investigat!)*.

Table 3 lists statutes regarding the Secretary or Department of the Treasury, selected by searching variations of *text((secretary w/3 treasury) w/20 investigat!)*, or *text(("Office of Terrorism and Financial Intelligence") or (Financial Crimes Enforcement Network) or fincen)*.

Table 4 lists statutes regarding Treasury and its component agencies; the Secret Service or Homeland Security; and the FBI, Attorney General, or Department of Justice. They were selected by searching variations of *text((secretary) w/p (secret service) w/p ("attorney general" or "federal bureau of investigation" or fbi))*, or *text((treasury) and (secret service) and ("attorney general" or "federal bureau of investigation" or fbi))* or *text((secretary w/3 "homeland security") and (secretary w/3 treasury) and ("attorney general" or fbi or "federal bureau of investigation"))*, or *text((treasury) and ("homeland security") and ("attorney general" or "federal bureau of investigation" or fbi))*, or *text((treasury) and ("homeland security") and (justice))*.

For additional information on investigative authorities of various federal agencies by statute, see the *United States Attorneys' Manual, Statutes Assigned by Citation* available online at

http://www.justice.gov/usam/usam-9-4000-statutes-assigned-citation. Moreover, please be aware that published and/or internal regulations may convey additional or greater authority than statutory results stipulate. Finally, although we made every attempt to be comprehensive, some relevant statutes may not have come up in our searches.

Information in this memorandum is of general interest to Congress. As such, this information may be provided to other congressional requesters, and may be published in CRS products for general distribution to Congress at a later date. In any case, your confidentiality as a requester would be preserved.

Table 1. Secret Service or Department of Homeland Security

12 U.S.C. § 3414 (2015).	**Title 12, Banks and Banking. Ch. 35, Right to Financial Privacy.** **§ 3414. Special procedures.** (a) Access to financial records for certain intelligence and protective purposes. (1) Nothing in this title [12 USCS §§ 3401 et seq.] (except sections 1115, 1117, 1118, and 1121 [12 USCS §§ 3415, 3417, 3418, and 3421]) shall apply to the production and disclosure of financial records pursuant to requests from-- (A) a Government authority authorized to conduct foreign counter- or foreign positive-intelligence activities for purposes of conducting such activities; **(B) the Secret Service for the purpose of conducting its protective functions (18 U.S.C. 3056; 18 U.S.C. 3056A, Public Law 90-331, as amended);** or (C) a Government authority authorized to conduct investigations of, or intelligence or counterintelligence analyses related to, international terrorism for the purpose of conducting such investigations or analyses. (2) In the instances specified in paragraph (1), the Government authority shall submit to the financial institution the certificate required in section 1103(b) [12 USCS § 3403(b)] signed by a supervisory official of a rank designated by the head of the Government authority. (3) (A) If the Government authority described in paragraph (1) or the Secret Service, as the case may be, certifies that otherwise there may result a danger to the national security of the United States, interference with a criminal, counterterrorism, or counterintelligence investigation, interference with diplomatic relations, or danger to the life or physical safety of any person, no financial institution, or officer, employee, or agent of such institution, shall disclose to any person (other than those to whom such disclosure is necessary to comply with the request or an attorney to obtain legal advice or legal assistance with respect to the request) that the Government authority or the Secret Service has sought or obtained access to a customer's financial records. (B) The request shall notify the person or entity to whom the request is directed of the nondisclosure requirement under subparagraph (A). (C) Any recipient disclosing to those persons necessary to comply with the request or to an attorney to obtain legal advice or legal assistance with respect to the request shall inform such persons of any applicable nondisclosure requirement. Any person who receives a disclosure under this subsection shall be subject to the same prohibitions on disclosure under subparagraph (A). (D) At the request of the authorized Government authority or the Secret Service, any person making or intending to make a disclosure under this section shall identify to the requesting official of the authorized Government authority or the Secret Service the person to whom such disclosure will be made or to whom such disclosure was made prior to the request, except that nothing in this section shall require a person to inform the requesting official of the authorized Government authority or the Secret Service of the identity of an attorney to whom disclosure was made or will be made to obtain legal advice or legal assistance with respect to the request for financial records under this subsection. (4) The Government authority specified in paragraph (1) shall compile an annual tabulation of the occasions in which this section was used. (5) (A) Financial institutions, and officers, employees, and agents thereof, shall comply with a request for a customer's or entity's financial records made pursuant to this subsection by the Federal Bureau of Investigation when the Director of the Federal Bureau of Investigation (or the Director's designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director) certifies in writing to the financial institution that such records are sought for foreign counter intelligence [counterintelligence] purposes to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States. (B) The Federal Bureau of Investigation may disseminate information obtained pursuant to this paragraph only as provided in guidelines approved by the Attorney General for foreign intelligence collection and foreign counterintelligence investigations conducted by the Federal Bureau of Investigation, and, with respect to dissemination to an agency of the United States, only if such information is clearly relevant to the authorized responsibilities of such agency. (C) On the dates provided in section 507 of the National Security Act of 1947 [50 USCS § 415b], the Attorney General shall fully inform the congressional intelligence committees (as defined in section 3 of that Act (50 U.S.C. 401a)) concerning all requests made pursuant to this paragraph.

	(D) Prohibition of certain disclosure. (i) If the Director of the Federal Bureau of Investigation, or his designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, certifies that otherwise there may result a danger to the national security of the United States, interference with a criminal, counterterrorism, or counterintelligence investigation, interference with diplomatic relations, or danger to the life or physical safety of any person, no financial institution, or officer, employee, or agent of such institution, shall disclose to any person (other than those to whom such disclosure is necessary to comply with the request or an attorney to obtain legal advice or legal assistance with respect to the request) that the Federal Bureau of Investigation has sought or obtained access to a customer's or entity's financial records under subparagraph (A). (ii) The request shall notify the person or entity to whom the request is directed of the nondisclosure requirement under clause (i). (iii) Any recipient disclosing to those persons necessary to comply with the request or to an attorney to obtain legal advice or legal assistance with respect to the request shall inform such persons of any applicable nondisclosure requirement. Any person who receives a disclosure under this subsection shall be subject to the same prohibitions on disclosure under clause (i). (iv) At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under this section shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request, except that nothing in this section shall require a person to inform the Director or such designee of the identity of an attorney to whom disclosure was made or will be made to obtain legal advice or legal assistance with respect to the request for financial records under subparagraph (A).
15 U.S.C. § 1116 (2015).	**Title 15, Commerce and Trade. Ch. 22, Trademarks.** **§ 1116. Injunctive relief.** (d) Civil actions arising out of use of counterfeit marks. (9) The court shall order that service of a copy of the order under this subsection shall be made by a Federal law enforcement officer (such as a United States marshal or an officer or agent of the United States Customs Service, **Secret Service,** Federal Bureau of Investigation, or Post Office) or may be made by a State or local law enforcement officer, who, upon making service, shall carry out the seizure under the order.
18 U.S.C. § 514 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 25, Counterfeiting and Forgery.** **§ 514. Fictitious obligations.** a) Whoever, with the intent to defraud-- (1) draws, prints, processes, produces, publishes, or otherwise makes, or attempts or causes the same, within the United States; (2) passes, utters, presents, offers, brokers, issues, sells, or attempts or causes the same, or with like intent possesses, within the United States; or (3) utilizes interstate or foreign commerce, including the use of the mails or wire, radio, or other electronic communication, to transmit, transport, ship, move, transfer, or attempts or causes the same, to, from, or through the United States, any false or fictitious instrument, document, or other item appearing, representing, purporting, or contriving through scheme or artifice, to be an actual security or other financial instrument issued under the authority of the United States, a foreign government, a State or other political subdivision of the United States, or an organization, shall be guilty of a class B felony. **(c) The United States Secret Service, in addition to any other agency having such authority, shall have authority to investigate offenses under this section.**
18 U.S.C. § 1029 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 47, Fraud and False Statements.** **§ 1029. Fraud and related activity in connection with access devices.**

	(a) Whoever-- (1) knowingly and with intent to defraud produces, uses, or traffics in one or more counterfeit access devices; (2) knowingly and with intent to defraud traffics in or uses one or more unauthorized access devises during any one-year period, and by such conduct obtains anything of value aggregating $ 1,000 or more during that period; (3) knowingly and with intent to defraud possesses fifteen or more devices which are counterfeit or unauthorized access devices; (4) knowingly, and with intent to defraud, produces, traffics in, has control or custody of, or possesses device-making equipment; (5) knowingly and with intent to defraud effects transactions, with 1 or more access devices issued to another person or persons, to receive payment or any other thing of value during any 1-year period the aggregate value of which is equal to or greater than $ 1,000; (6) without the authorization of the issuer of the access device, knowingly and with intent to defraud solicits a person for the purpose of-- (A) offering an access device; or (B) selling information regarding or an application to obtain an access device; (7) knowingly and with intent to defraud uses, produces, traffics in, has control or custody of, or possesses a telecommunications instrument that has been modified or altered to obtain unauthorized use of telecommunications services; (8) knowingly and with intent to defraud uses, produces, traffics in, has control or custody of, or possesses a scanning receiver; (9) knowingly uses, produces, traffics in, has control or custody of, or possesses hardware or software, knowing it has been configured to insert or modify telecommunication identifying information associated with or contained in a telecommunications instrument so that such instrument may be used to obtain telecommunications service without authorization; or (10) without the authorization of the credit card system member or its agent, knowingly and with intent to defraud causes or arranges for another person to present to the member or its agent, for payment, 1 or more evidences or records of transactions made by an access device; shall, if the offense affects interstate or foreign commerce, be punished as provided in subsection (c) of this section. **(d) The United States Secret Service shall, in addition to any other agency having such authority, have the authority to investigate offenses under this section. Such authority of the United States Secret Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury and the Attorney General.**
18 U.S.C. § 1030 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 47, Fraud and False Statements.** **§ 1030. Fraud and related activity in connection with computers.** (a) Whoever-- (1) having knowingly accessed a computer without authorization or exceeding authorized access, and by means of such conduct having obtained information that has been determined by the United States Government pursuant to an Executive order or statute to require protection against unauthorized disclosure for reasons of national defense or foreign relations, or any restricted data, as defined in paragraph y.[(y)] of section 11 of the Atomic Energy Act of 1954 [42 USCS § 2014(y)], with reason to believe that such information so obtained could be used to the injury of the United States, or to the advantage of any foreign nation willfully communicates, delivers, transmits, or causes to be communicated, delivered, or transmitted, or attempts to communicate, deliver, transmit or cause to be communicated, delivered, or transmitted the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it to the officer or employee of the United States entitled to receive it; (2) intentionally accesses a computer without authorization or exceeds authorized access, and thereby obtains-- (A) information contained in a financial record of a financial institution, or of a card issuer as defined in section 1602(n) of title 15, or contained in a file of a consumer reporting agency on a consumer, as such terms are defined in the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.); (B) information from any department or agency of the United States; or (C) information from any protected computer; (3) intentionally, without authorization to access any nonpublic computer of a department or agency of the

	United States, accesses such a computer of that department or agency that is exclusively for the use of the Government of the United States or, in the case of a computer not exclusively for such use, is used by or for the Government of the United States and such conduct affects that use by or for the Government of the United States; (4) knowingly and with intent to defraud, accesses a protected computer without authorization, or exceeds authorized access, and by means of such conduct furthers the intended fraud and obtains anything of value, unless the object of the fraud and the thing obtained consists only of the use of the computer and the value of such use is not more than **$ 5,000** in any 1-year period; (5) (A) knowingly causes the transmission of a program, information, code, or command, and as a result of such conduct, intentionally causes damage without authorization, to a protected computer; (B) intentionally accesses a protected computer without authorization, and as a result of such conduct, recklessly causes damage; or (C) intentionally accesses a protected computer without authorization, and as a result of such conduct, causes damage and loss.**[;]** (6) knowingly and with intent to defraud traffics (as defined in section **1029 [18 USCS § 1029]**) in any password or similar information through which a computer may be accessed without authorization, if-- (A) such trafficking affects interstate or foreign commerce; or (B) such computer is used by or for the Government of the United States; [or] (7) with intent to extort from any person any money or other thing of value, transmits in interstate or foreign commerce any communication containing any-- (A) threat to cause damage to a protected computer; (B) threat to obtain information from a protected computer without authorization or in excess of authorization or to impair the confidentiality of information obtained from a protected computer without authorization or by exceeding authorized access; or (C) demand or request for money or other thing of value in relation to damage to a protected computer, where such damage was caused to facilitate the extortion; shall be punished as provided in subsection (c) of this section. **(d) (1) The United States Secret Service shall, in addition to any other agency having such authority, have the authority to investigate offenses under this section.**
18 U.S.C. § 1956 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 95, Racketeering.** **§ 1956. Laundering of monetary instruments.** (a)(1) Whoever, knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity, conducts or attempts to conduct such a financial transaction which in fact involves the proceeds of specified unlawful activity-- (A) (i) with the intent to promote the carrying on of specified unlawful activity; or (ii) with intent to engage in conduct constituting a violation of section **7201** or **7206** of the Internal Revenue Code of **1986 [26 USCS § 7201or 7206]**; or (B) knowing that the transaction is designed in whole or in part-- (i) to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity; or (ii) to avoid a transaction reporting requirement under State or Federal law, shall be sentenced to a fine of not more than **$ 500,000** or twice the value of the property involved in the transaction, whichever is greater, or imprisonment for not more than twenty years, or both. For purposes of this paragraph, a financial transaction shall be considered to be one involving the proceeds of specified unlawful activity if it is part of a set of parallel or dependent transactions, any one of which involves the proceeds of specified unlawful activity, and all of which are part of a single plan or arrangement. (2) Whoever transports, transmits, or transfers, or attempts to transport, transmit, or transfer a monetary instrument or funds from a place in the United States to or through a place outside the United States or to a place in the United States from or through a place outside the United States-- (A) with the intent to promote the carrying on of specified unlawful activity; or (B) knowing that the monetary instrument or funds involved in the transportation represent the proceeds of some form of unlawful activity and knowing that such transportation, transmission, or transfer is designed in whole or in part-- (i) to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity; or (ii) to avoid a transaction reporting requirement under State or Federal law,

	shall be sentenced to a fine of not more than $ 500,000 or twice the value of the monetary instrument or funds involved in the transportation, transmission, or transfer, whichever is greater, or imprisonment for not more than twenty years, or both. For the purpose of the offense described in subparagraph (B), the defendant's knowledge may be established by proof that a law enforcement officer represented the matter specified in subparagraph (B) as true, and the defendant's subsequent statements or actions indicate that the defendant believed such representations to be true. (3) Whoever, with the intent-- (A) to promote the carrying on of specified unlawful activity; (B) to conceal or disguise the nature, location, source, ownership, or control of property believed to be the proceeds of specified unlawful activity; or (C) to avoid a transaction reporting requirement under State or Federal law, conducts or attempts to conduct a financial transaction involving property represented to be the proceeds of specified unlawful activity, or property used to conduct or facilitate specified unlawful activity, shall be fined under this title or imprisoned for not more than 20 years, or both. For purposes of this paragraph and paragraph (2), the term "represented" means any representation made by a law enforcement officer or by another person at the direction of, or with the approval of, a Federal official authorized to investigate or prosecute violations of this section. (e) **Violations of this section may be investigated** by such components of the Department of Justice as the Attorney General may direct, and by such components of the Department of the Treasury as the Secretary of the Treasury may direct, as appropriate, **and, with respect to offenses over which the Department of Homeland Security has jurisdiction, by such components of the Department of Homeland Security as the Secretary of Homeland Security may direct,** and, with respect to offenses over which the United States Postal Service has jurisdiction, by the Postal Service. Such authority of the Secretary of the Treasury, the Secretary of Homeland Security, and the Postal Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury, the Secretary of Homeland Security, the Postal Service, and the Attorney General. Violations of this section involving offenses described in paragraph (c)(7)(E) may be investigated by such components of the Department of Justice as the Attorney General may direct, and the National Enforcement Investigations Center of the Environmental Protection Agency.
18 U.S.C. § 3056 (2015).	**Title, 18, Crimes and Criminal Procedure. Part II, Criminal Procedure. Ch. 203, Arrest and Commitment.** **§ 3056. Powers, authorities, and duties of United States Secret Service.** **(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 [18 USCS § 508, 509, 510, 871, or 879] 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 [18 USCS § 213, 216, 433, 493, 657, 709, 1006, 1007, 1011, 1013, 1014, 1907, or 1909]; (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 identification 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.
18 U.S.C. § 3056A (2015).	**Title, 18, Crimes and Criminal Procedure. Part II, Criminal Procedure. Ch. 203, Arrest and Commitment.** **§ 3056A. Powers, authorities, and duties of United States Secret Service.** **(b) (1) Under the direction of the Director of the Secret Service, members of the United States Secret Service Uniformed Division are authorized to--** (A) carry firearms; (B) 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; and (C) perform such other functions and duties as are authorized by law. (2) Members of the United States Secret Service Uniformed Division shall possess privileges and powers similar to those of the members of the Metropolitan Police of the District of Columbia.

Source: LexisNexis U.S. Code Service database

Table 2. Federal Bureau of Investigation or Attorney General

12 U.S.C. § 3414 (2015).	**Title 12, Banks and Banking. Ch. 35, Right to Financial Privacy.** **§ 3414. Special procedures.** (a) Access to financial records for certain intelligence and protective purposes. (1) Nothing in this title [12 USCS §§ 3401 et seq.] (except sections 1115, 1117, 1118, and 1121 [12 USCS §§ 3415, 3417, 3418, and 3421]) shall apply to the production and disclosure of financial records pursuant to requests from-- (A) a Government authority authorized to conduct foreign counter- or foreign positive-intelligence activities for purposes of conducting such activities; (B) the Secret Service for the purpose of conducting its protective functions (18 U.S.C. 3056; 18 U.S.C. 3056A, Public Law 90-331, as amended); or (C) a Government authority authorized to conduct investigations of, or intelligence or counterintelligence analyses related to, international terrorism for the purpose of conducting such investigations or analyses. (2) In the instances specified in paragraph (1), the Government authority shall submit to the financial institution the certificate required in section 1103(b) [12 USCS § 3403(b)] signed by a supervisory official of a rank designated by the head of the Government authority. (3) (A) If the Government authority described in paragraph (1) or the Secret Service, as the case may be, certifies that otherwise there may result a danger to the national security of the United States, interference with a criminal, counterterrorism, or counterintelligence investigation, interference with diplomatic relations, or danger to the life or physical safety of any person, no financial institution, or officer, employee, or agent of such institution, shall disclose to any person (other than those to whom such disclosure is necessary to comply with the request or an attorney to obtain legal advice or legal assistance with respect to the request) that the Government authority or the Secret Service has sought or obtained access to a customer's financial records. (B) The request shall notify the person or entity to whom the request is directed of the nondisclosure requirement under subparagraph (A). (C) Any recipient disclosing to those persons necessary to comply with the request or to an attorney to obtain legal advice or legal assistance with respect to the request shall inform such persons of any applicable nondisclosure requirement. Any person who receives a disclosure under this subsection shall be subject to the same prohibitions on disclosure under subparagraph (A). (D) At the request of the authorized Government authority or the Secret Service, any person making or intending to make a disclosure under this section shall identify to the requesting official of the authorized Government authority or the Secret Service the person to whom such disclosure will be made or to whom such disclosure was made prior to the request, except that nothing in this section shall require a person to inform the requesting official of the authorized Government authority or the Secret Service of the identity of an attorney to whom disclosure was made or will be made to obtain legal advice or legal assistance with respect to the request for financial records under this subsection. (4) The Government authority specified in paragraph (1) shall compile an annual tabulation of the occasions in which this section was used. **(5) (A) Financial institutions, and officers, employees, and agents thereof, shall comply with a request for a customer's or entity's financial records made pursuant to this subsection by the Federal Bureau of Investigation when the Director of the Federal Bureau of Investigation (or the Director's designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director) certifies in writing to the financial institution that such records are sought for foreign counter intelligence [counterintelligence] purposes to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States.** **(B) The Federal Bureau of Investigation may disseminate information obtained pursuant to this paragraph only as provided in guidelines approved by the Attorney General for foreign intelligence collection and foreign counterintelligence investigations conducted by the Federal Bureau of Investigation, and, with respect to dissemination to an agency of the United States, only if such information is clearly relevant to the authorized responsibilities of such agency.** (C) On the dates provided in section 507 of the National Security Act of 1947 [50 USCS § 415b], the

	Attorney General shall fully inform the congressional intelligence committees (as defined in section 3 of that Act (50 U.S.C. 401a)) concerning all requests made pursuant to this paragraph. (D) Prohibition of certain disclosure. (i) If the Director of the Federal Bureau of Investigation, or his designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, certifies that otherwise there may result a danger to the national security of the United States, interference with a criminal, counterterrorism, or counterintelligence investigation, interference with diplomatic relations, or danger to the life or physical safety of any person, no financial institution, or officer, employee, or agent of such institution, shall disclose to any person (other than those to whom such disclosure is necessary to comply with the request or an attorney to obtain legal advice or legal assistance with respect to the request) that the Federal Bureau of Investigation has sought or obtained access to a customer's or entity's financial records under subparagraph (A). (ii) The request shall notify the person or entity to whom the request is directed of the nondisclosure requirement under clause (i). (iii) Any recipient disclosing to those persons necessary to comply with the request or to an attorney to obtain legal advice or legal assistance with respect to the request shall inform such persons of any applicable nondisclosure requirement. Any person who receives a disclosure under this subsection shall be subject to the same prohibitions on disclosure under clause (i). (iv) At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under this section shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request, except that nothing in this section shall require a person to inform the Director or such designee of the identity of an attorney to whom disclosure was made or will be made to obtain legal advice or legal assistance with respect to the request for financial records under subparagraph (A).
12 U.S.C. § 5234 (2015).	**Title 12, Banks and Banking. Ch. 52, Emergency Economic Stabilization Troubled Assets Relief Program.** **§ 5234. Cooperation with the FBI.** Any Federal financial regulatory agency shall cooperate with the **Federal Bureau of Investigation** and other law enforcement agencies investigating fraud, misrepresentation, and malfeasance with respect to development, advertising, and sale of financial products.
12 U.S.C. § 5562 (2015).	**Title 12, Banks and Banking. Ch. 53, Wall Street Reform and Consumer Protection Bureau of Consumer Financial Protection Enforcement Powers.** **§ 5562. Investigations and administrative discovery.** (a) Joint investigations. (1) In general. The Bureau or, where appropriate, a Bureau investigator, may engage in joint investigations and requests for information, as authorized under this title. (2) Fair lending. The authority under paragraph (1) includes matters relating to fair lending, and where appropriate, joint investigations with, and requests for information from, the Secretary of Housing and Urban Development, **the Attorney General of the United States,** or both.
12 U.S.C. § 5564 (2015).	**Title 12, Banks and Banking. Ch. 53, Wall Street Reform and Consumer Protection Bureau of Consumer Financial Protection Enforcement Powers.** **§ 5564. Litigation authority.** (d) Notice to the Attorney General. (1) In general. When commencing a civil action under Federal consumer financial law, or any rule thereunder, the Bureau shall notify the Attorney General and, with respect to a civil action against an insured depository institution or insured credit union, the appropriate prudential regulator. (2) Notice and coordination. (A) Notice of other actions. In addition to any notice required under paragraph (1), the Bureau shall notify the Attorney General concerning any action, suit, or proceeding to which the Bureau is a party, except an action, suit, or proceeding that involves the offering or provision of consumer financial products or

	services. (B) Coordination. **In order to avoid conflicts and promote consistency regarding litigation of matters under Federal law, the Attorney General and the Bureau shall consult regarding the coordination of investigations and proceedings,** including by negotiating an agreement for coordination by not later than 180 days after the designated transfer date. The agreement under this subparagraph shall include provisions to ensure that parallel investigations and proceedings involving the Federal consumer financial laws are conducted in a manner that avoids conflicts and does not impede the ability of the Attorney General to prosecute violations of Federal criminal laws. (C) Rule of construction. Nothing in this paragraph shall be construed to limit the authority of the Bureau under this title, including the authority to interpret Federal consumer financial law.
15 U.S.C. § 1116 (2015).	**Title 15, Commerce and Trade. Ch. 22, Trademarks.** **§ 1116. Injunctive relief.** (d) Civil actions arising out of use of counterfeit marks. (9) The court shall order that service of a copy of the order under this subsection shall be made by a Federal law enforcement officer (such as a United States marshal or an officer or agent of the United States Customs Service, Secret Service, **Federal Bureau of Investigation,** or Post Office) or may be made by a State or local law enforcement officer, who, upon making service, shall carry out the seizure under the order.
15 USCS § 1173 (2015).	**Title 15, Commerce and Trade. Ch. 24, Transportation of Gambling Devices.** **§ 1173. Registration of manufacturers and dealers.** (a) Activities requiring registration; contents of registration statement. (1) It shall be unlawful for any person engaged in the business of manufacturing gambling devices, if the activities of such business in any way affect interstate or foreign commerce, to manufacture any gambling device during any calendar year, unless, after November 30 of the preceding calendar year, and before the date on which such device is manufactured, such person has registered with the Attorney General under this subsection, regardless of whether such device ever enters interstate or foreign commerce. **(f) Authority of Federal Bureau of Investigation.** Agents of the Federal Bureau of Investigation shall; at any place designated pursuant to subsection (a)(4)(C) of this section by any person required to register by subsection (a) of this section, at all reasonable times, have access to and the right to copy any of the records required to be kept by this section, and, in case of refusal by any person registered under such subsection (a) to allow inspection and copying of such records, the United States district court for the district in which such place is located shall have jurisdiction to issue an order compelling production of such records for inspection or copying.
15 U.S.C. § 1681u (2015).	**Title 15, Commerce and Trade. Ch. 41, Consumer Credit Protection Credit Reporting Agencies.** **§ 1681u. Disclosures to FBI for counterintelligence purposes.** (a) Identity of financial institutions. Notwithstanding section 604 [15 USCS § 1681b] or any other provision of this title [15 USCS §§ 1681 et seq.], a consumer reporting agency shall furnish to the Federal Bureau of Investigation the names and addresses of all financial institutions (as that term is defined in section 1101 of the Right to Financial Privacy Act of 1978 [12 USCS § 3401]) at which a consumer maintains or has maintained an account, to the extent that information is in the files of the agency, when presented with a written request for that information, signed by the Director of the Federal Bureau of Investigation, or the Director's designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office designated by the Director, which certifies compliance with this section. The Director or the Director's designee may make such a certification only if the Director or the Director's designee has determined in writing, that such information is sought for the conduct of an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States. (b) Identifying information. Notwithstanding the provisions of section 604 [15 USCS § 1681b] or any other

	provision of this title [15 USCS §§ 1681et seq.], a consumer reporting agency shall furnish identifying information respecting a consumer, limited to name, address, former addresses, places of employment, or former places of employment, to the Federal Bureau of Investigation when presented with a written request, signed by the Director or the Director's designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office designated by the Director, which certifies compliance with this subsection. The Director or the Director's designee may make such a certification only if the Director or the Director's designee has determined in writing that such information is sought for the conduct of an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States. (c) Court order for disclosure of consumer reports. Notwithstanding section 604 [15 USCS § 1681b] or any other provision of this title [15 USCS §§ 1681 et seq.], if requested in writing by the Director of the Federal Bureau of Investigation, or a designee of the Director in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, a court may issue an order ex parte directing a consumer reporting agency to furnish a consumer report to the Federal Bureau of Investigation, upon a showing in camera that the consumer report is sought for the conduct of an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States. The terms of an order issued under this subsection shall not disclose that the order is issued for purposes of a counterintelligence investigation. (d) Confidentiality. (1) If the Director of the Federal Bureau of Investigation, or his designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, certifies that otherwise there may result a danger to the national security of the United States, interference with a criminal, counterterrorism, or counterintelligence investigation, interference with diplomatic relations, or danger to the life or physical safety of any person, no consumer reporting agency or officer, employee, or agent of a consumer reporting agency shall disclose to any person (other than those to whom such disclosure is necessary to comply with the request or an attorney to obtain legal advice or legal assistance with respect to the request) that the Federal Bureau of Investigation has sought or obtained the identity of financial institutions or a consumer report respecting any consumer under subsection (a), (b), or (c), and no consumer reporting agency or officer, employee, or agent of a consumer reporting agency shall include in any consumer report any information that would indicate that the Federal Bureau of Investigation has sought or obtained such information on a consumer report. (2) The request shall notify the person or entity to whom the request is directed of the nondisclosure requirement under paragraph (1). (3) Any recipient disclosing to those persons necessary to comply with the request or to an attorney to obtain legal advice or legal assistance with respect to the request shall inform such persons of any applicable nondisclosure requirement. Any person who receives a disclosure under this subsection shall be subject to the same prohibitions on disclosure under paragraph (1). (4) At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under this section shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request, except that nothing in this section shall require a person to inform the Director or such designee of the identity of an attorney to whom disclosure was made or will be made to obtain legal advice or legal assistance with respect to the request for the identity of financial institutions or a consumer report respecting any consumer under this section. (e) Payment of fees. The Federal Bureau of Investigation shall, subject to the availability of appropriations, pay to the consumer reporting agency assembling or providing report or information in accordance with procedures established under this section a fee for reimbursement for such costs as are reasonably necessary and which have been directly incurred in searching, reproducing, or transporting books, papers, records, or other data required or requested to be produced under this section. (f) Limit on dissemination. The Federal Bureau of Investigation may not disseminate information obtained pursuant to this section outside of the Federal Bureau of Investigation, except to other Federal agencies as may be necessary for the approval or conduct of a foreign counterintelligence investigation, or, where the information concerns a person subject to the Uniform Code of Military Justice, to appropriate investigative authorities within the military department concerned as may be necessary for the conduct of a joint foreign

	counterintelligence investigation. (g) Rules of construction. Nothing in this section shall be construed to prohibit information from being furnished by the Federal Bureau of Investigation pursuant to a subpoena or court order, in connection with a judicial or administrative proceeding to enforce the provisions of this Act. Nothing in this section shall be construed to authorize or permit the withholding of information from the Congress. (k) Good-faith exception. Notwithstanding any other provision of this title [15 USCS §§ 1681 et seq.], any consumer reporting agency or agent or employee thereof making disclosure of consumer reports or identifying information pursuant to this subsection in good-faith reliance upon a certification of the Federal Bureau of Investigation pursuant to provisions of this section shall not be liable to any person for such disclosure under this title, the constitution of any State, or any law or regulation of any State or any political subdivision of any State.
	Title 15, Commerce and Trade. Ch. 41, Consumer Credit Protection Credit Reporting Agencies. **§ 1681v. Disclosures to governmental agencies for counterterrorism purposes.** (a) Disclosure. Notwithstanding section 604 [15 USCS § 1681b] or any other provision of this title [15 USCS §§ 1681 et seq.], a consumer reporting agency shall furnish a consumer report of a consumer and all other information in a consumer's file to a government agency authorized to conduct investigations of, or intelligence or counterintelligence activities or analysis related to, international terrorism when presented with a written certification by such government agency that such information is necessary for the agency's conduct or such investigation, activity or analysis. **(d) Rule of construction. Nothing in section 626 [15 USCS § 1681u] shall be construed to limit the authority of the Director of the Federal Bureau of Investigation under this section.**
18 U.S.C. § 158 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 9, Bankruptcy.** **§ 158. Designation of United States attorneys and agents of the Federal Bureau of Investigation to address abusive reaffirmations of debt and materially fraudulent statements in bankruptcy schedules.** (a) In general. The Attorney General of the United States shall designate the individuals described in subsection (b) to have primary responsibility in carrying out enforcement activities in addressing violations of section 152 or 157 [18 USCS § 152 or 157] relating to abusive reaffirmations of debt. In addition to addressing the violations referred to in the preceding sentence, the individuals described under subsection (b) shall address violations of section 152 or 157 [18 USCS § 152 or 157] relating to materially fraudulent statements in bankruptcy schedules that are intentionally false or intentionally misleading. (b) United States attorneys and agents of the Federal Bureau of Investigation. The individuals referred to in subsection (a) are-- (1) the United States attorney for each judicial district of the United States; and (2) an agent of the Federal Bureau of Investigation for each field office of the Federal Bureau of Investigation. (c) Bankruptcy investigations. Each United States attorney designated under this section shall, in addition to any other responsibilities, have primary responsibility for carrying out the duties of a United States attorney under section 3057 [18 USCS § 3057]. (d) Bankruptcy procedures. The bankruptcy courts shall establish procedures for referring any case that may contain a materially fraudulent statement in a bankruptcy schedule to the individuals designated under this section.
18 U.S.C. § 1029 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 47, Fraud and False Statements.** **§ 1029. Fraud and related activity in connection with access devices.** (a) Whoever-- (1) knowingly and with intent to defraud produces, uses, or traffics in one or more counterfeit access

	devices; (2) knowingly and with intent to defraud traffics in or uses one or more unauthorized access devises during any one-year period, and by such conduct obtains anything of value aggregating $ 1,000 or more during that period; (3) knowingly and with intent to defraud possesses fifteen or more devices which are counterfeit or unauthorized access devices; (4) knowingly, and with intent to defraud, produces, traffics in, has control or custody of, or possesses device-making equipment; (5) knowingly and with intent to defraud effects transactions, with 1 or more access devices issued to another person or persons, to receive payment or any other thing of value during any 1-year period the aggregate value of which is equal to or greater than $ 1,000; (6) without the authorization of the issuer of the access device, knowingly and with intent to defraud solicits a person for the purpose of-- (A) offering an access device; or (B) selling information regarding or an application to obtain an access device; (7) knowingly and with intent to defraud uses, produces, traffics in, has control or custody of, or possesses a telecommunications instrument that has been modified or altered to obtain unauthorized use of telecommunications services; (8) knowingly and with intent to defraud uses, produces, traffics in, has control or custody of, or possesses a scanning receiver; (9) knowingly uses, produces, traffics in, has control or custody of, or possesses hardware or software, knowing it has been configured to insert or modify telecommunication identifying information associated with or contained in a telecommunications instrument so that such instrument may be used to obtain telecommunications service without authorization; or (10) without the authorization of the credit card system member or its agent, knowingly and with intent to defraud causes or arranges for another person to present to the member or its agent, for payment, 1 or more evidences or records of transactions made by an access device; shall, if the offense affects interstate or foreign commerce, be punished as provided in subsection (c) of this section. (d) The United States Secret Service shall, in addition to any other agency having such authority, have the authority to investigate offenses under this section. Such authority of the United States Secret Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury **and the Attorney General.**
18 U.S.C. § 1030 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 47, Fraud and False Statements.** **§ 1030. Fraud and related activity in connection with computers.** (a) Whoever-- (1) having knowingly accessed a computer without authorization or exceeding authorized access, and by means of such conduct having obtained information that has been determined by the United States Government pursuant to an Executive order or statute to require protection against unauthorized disclosure for reasons of national defense or foreign relations, or any restricted data, as defined in paragraph y.[(y)] of section 11 of the Atomic Energy Act of 1954 [42 USCS § 2014(y)], with reason to believe that such information so obtained could be used to the injury of the United States, or to the advantage of any foreign nation willfully communicates, delivers, transmits, or causes to be communicated, delivered, or transmitted, or attempts to communicate, deliver, transmit or cause to be communicated, delivered, or transmitted the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it to the officer or employee of the United States entitled to receive it; (2) intentionally accesses a computer without authorization or exceeds authorized access, and thereby obtains-- (A) information contained in a financial record of a financial institution, or of a card issuer as defined in section 1602(n) of title 15, or contained in a file of a consumer reporting agency on a consumer, as such terms are defined in the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.); (B) information from any department or agency of the United States; or (C) information from any protected computer; (3) intentionally, without authorization to access any nonpublic computer of a department or agency of the United States, accesses such a computer of that department or agency that is exclusively for the use of the Government of the United States or, in the case of a computer not exclusively for such use, is used by or for

	the Government of the United States and such conduct affects that use by or for the Government of the United States; (4) knowingly and with intent to defraud, accesses a protected computer without authorization, or exceeds authorized access, and by means of such conduct furthers the intended fraud and obtains anything of value, unless the object of the fraud and the thing obtained consists only of the use of the computer and the value of such use is not more than **$ 5,000** in any 1-year period; (5) (A) knowingly causes the transmission of a program, information, code, or command, and as a result of such conduct, intentionally causes damage without authorization, to a protected computer; (B) intentionally accesses a protected computer without authorization, and as a result of such conduct, recklessly causes damage; or (C) intentionally accesses a protected computer without authorization, and as a result of such conduct, causes damage and loss.**[;]** (6) knowingly and with intent to defraud traffics (as defined in section 1029 **[18 USCS § 1029]**) in any password or similar information through which a computer may be accessed without authorization, if-- (A) such trafficking affects interstate or foreign commerce; or (B) such computer is used by or for the Government of the United States; **[**or**]** (7) with intent to extort from any person any money or other thing of value, transmits in interstate or foreign commerce any communication containing any-- (A) threat to cause damage to a protected computer; (B) threat to obtain information from a protected computer without authorization or in excess of authorization or to impair the confidentiality of information obtained from a protected computer without authorization or by exceeding authorized access; or (C) demand or request for money or other thing of value in relation to damage to a protected computer, where such damage was caused to facilitate the extortion; shall be punished as provided in subsection (c) of this section. (d) (1) The United States Secret Service shall, in addition to any other agency having such authority, have the authority to investigate offenses under this section. **(2) The Federal Bureau of Investigation shall have primary authority to investigate offenses under subsection (a)(1) for any cases involving espionage, foreign counterintelligence, information protected against unauthorized disclosure for reasons of national defense or foreign relations, or Restricted Data (as that term is defined in section 11y of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)), except for offenses affecting the duties of the United States Secret Service pursuant to section 3056(a) of this title [18 USCS § 3056(a)].** (3) Such authority shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury and the Attorney General.
18 U.S.C. § 1952 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 95, Racketeering.** **§ 1952. Interstate and foreign travel or transportation in aid of racketeering enterprises.** (a) Whoever travels in interstate or foreign commerce or uses the mail or any facility in interstate or foreign commerce, with intent to-- (1) distribute the proceeds of any unlawful activity; or (2) commit any crime of violence to further any unlawful activity; or (3) otherwise promote, manage, establish, carry on, or facilitate the promotion, management, establishment, or carrying on, of any unlawful activity, and thereafter performs or attempts to perform-- (A) an act described in paragraph (1) or (3) shall be fined under this title, imprisoned not more than 5 years, or both; or (B) an act described in paragraph (2) shall be fined under this title, imprisoned for not more than 20 years, or both, and if death results shall be imprisoned for any term of years or for life. **(c) Investigations of violations under this section involving liquor shall be conducted under the supervision of the Attorney General.**

18 U.S.C. § 1956 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 95, Racketeering.** **§ 1956. Laundering of monetary instruments.** **(e) Violations of this section may be investigated by such components of the Department of Justice as the Attorney General may direct,** and by such components of the Department of the Treasury as the Secretary of the Treasury may direct, as appropriate, and, with respect to offenses over which the Department of Homeland Security has jurisdiction, by such components of the Department of Homeland Security as the Secretary of Homeland Security may direct, and, with respect to offenses over which the United States Postal Service has jurisdiction, by the Postal Service. Such authority of the Secretary of the Treasury, the Secretary of Homeland Security, and the Postal Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury, the Secretary of Homeland Security, the Postal Service, and the Attorney General. Violations of this section involving offenses described in paragraph (c)(7)(E) may be investigated by such components of the Department of Justice as the Attorney General may direct, and the National Enforcement Investigations Center of the Environmental Protection Agency.
18 U.S.C. § 1957 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 95, Racketeering.** **§ 1957. Engaging in monetary transactions in property derived from specified unlawful activity.** (a) Whoever, in any of the circumstances set forth in subsection (d), knowingly engages or attempts to engage in a monetary transaction in criminally derived property that is of a value greater than $ 10,000 and is derived from specified unlawful activity, shall be punished as provided in subsection (b). (d) The circumstances referred to in subsection (a) are-- (1) that the offense under this section takes place in the United States or in the special maritime and territorial jurisdiction of the United States; or (2) that the offense under this section takes place outside the United States and such special jurisdiction, but the defendant is a United States person (as defined in section 3077 of this title [18 USCS § 3077], but excluding the class described in paragraph (2)(D) of such section). **(e) Violations of this section may be investigated by such components of the Department of Justice as the Attorney General may direct,** and by such components of the Department of the Treasury as the Secretary of the Treasury may direct, as appropriate, and, with respect to offenses over which the Department of Homeland Security has jurisdiction, by such components of the Department of Homeland Security as the Secretary of Homeland Security may direct, and, with respect to offenses over which the United States Postal Service has jurisdiction, by the Postal Service. Such authority of the Secretary of the Treasury, the Secretary of Homeland Security, and the Postal Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury, the Secretary of Homeland Security, the Postal Service, and the Attorney General.
18 U.S.C. § 1961 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 96, Racketeer Influenced and Corrupt Organizations.** **§ 1961. Definitions.** As used in this chapter [18 USCS §§ 1961 et seq.]-- (1) "racketeering activity" means (A) any act or threat involving murder, kidnapping, gambling, arson, robbery, bribery, extortion, dealing in obscene matter, or dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act [21 USCS § 802]), which is chargeable under State law and punishable by imprisonment for more than one year; (B) any act which is indictable under any of the following provisions of title 18, United States Code: Section 201 [18 USCS § 201] (relating to bribery), section 224 [18 USCS § 224] (relating to sports bribery), sections 471, 472, and 473 [18 USCS §§ 471, 472, and 473] (relating to counterfeiting), section 659 [18 USCS § 659] (relating to theft from interstate shipment) if the act indictable under section 659 [18 USCS § 659] is felonious, section 664 [18 USCS § 664] (relating to embezzlement from pension and welfare funds), sections 891-894 [18 USCS §§ 891 through 894] (relating to extortionate credit transactions), section 1028 [18 USCS § 1028] (relating to fraud and related activity in connection with identification documents), section 1029 [18 USCS § 1029] (relating to fraud and related activity in connection with access devices), section 1084 [18 USCS § 1084] (relating to the transmission of gambling information), section 1341 [18 USCS § 1341] (relating to mail fraud), section 1343 [18 USCS § 1343] (relating to wire fraud), section 1344 [18 USCS § 1344] (relating to financial institution fraud), section

	1351 [18 USCS § 1351] (relating to fraud in foreign labor contracting), section 1425 [18 USCS § 1425] (relating to the procurement of citizenship or nationalization unlawfully), section 1426 [18 USCS § 1426] (relating to the reproduction of naturalization or citizenship papers), section 1427 [18 USCS § 1427] (relating to the sale of naturalization or citizenship papers), sections 1461-1465 [18 USCS §§ 1461 through 1465] (relating to obscene matter), section 1503 [18 USCS § 1503] (relating to obstruction of justice), section 1510 [18 USCS § 1510] (relating to obstruction of criminal investigations), section 1511 [18 USCS § 1511] (relating to the obstruction of State or local law enforcement), section 1512 [18 USCS § 1512] (relating to tampering with a witness, victim, or an informant), section 1513 [18 USCS § 1513] (relating to retaliating against a witness, victim, or an informant), section 1542 [18 USCS § 1542] (relating to false statement in application and use of passport), section 1543 [18 USCS § 1543] (relating to forgery or false use of passport), section 1544 [18 USCS § 1544] (relating to misuse of passport), section 1546 [18 USCS § 1546] (relating to fraud and misuse of visas, permits, and other documents), sections 1581-1592 [18 USCS §§ 1581-1592] (relating to peonage, slavery, and trafficking in persons)[.], section 1951 [18 USCS § 1951] (relating to interference with commerce, robbery, or extortion), section 1952 [18 USCS § 1952] (relating to racketeering), section 1953 [18 USCS § 1953] (relating to interstate transportation of wagering paraphernalia), section 1954 [18 USCS § 1954] (relating to unlawful welfare fund payments), section 1955 [18 USCS § 1955] (relating to the prohibition of illegal gambling businesses), section 1956 [18 USCS § 1956] (relating to the laundering of monetary instruments), section 1957 [18 USCS § 1957] (relating to engaging in monetary transactions in property derived from specified unlawful activity), section 1958 [18 USCS § 1958] (relating to use of interstate commerce facilities in the commission of murder-for-hire), section 1960 [18 USCS § 1960] (relating to illegal money transmitters), sections 2251, 2251A, 2252, and 2260 [18 USCS §§ 2251,2251A, 2252, and 2260] (relating to sexual exploitation of children), sections 2312 and 2313 [18 USCS §§ 2312 and 2313] (relating to interstate transportation of stolen motor vehicles), sections 2314 and 2315 [18 USCS §§ 2314 and 2315] (relating to interstate transportation of stolen property), section 2318 [18 USCS § 2318] (relating to trafficking in counterfeit labels for phonorecords, computer programs or computer program documentation or packaging and copies of motion pictures or other audiovisual works), section 2319 [18 USCS § 2319] (relating to criminal infringement of a copyright), section 2319A [18 USCS § 2319A] (relating to unauthorized fixation of and trafficking in sound recordings and music videos of live musical performances), section 2320 [18 USCS § 2320] (relating to trafficking in goods or services bearing counterfeit marks), section 2321 [18 USCS § 2321] (relating to trafficking in certain motor vehicles or motor vehicle parts), sections 2341-2346 [18 USCS §§ 2431-2346] (relating to trafficking in contraband cigarettes), sections 2421-24 [18 USCS §§ 2421-2424] (relating to white slave traffic), sections 175-178 [18 USCS §§ 175-178] (relating to biological weapons), sections 229-229F [18 USCS §§ 229-229F] (relating to chemical weapons), section 831 [18 USCS § 831] (relating to nuclear materials), (C) an act which is indictable under title 29, United States Code, section 186 [18 USCS § 186] (dealing with restrictions on payments and loans to labor organizations) or section 501(c) [18 USCS § 501(c)] (relating to embezzlement from union funds), (D) any offense involving fraud connected with a case under title 11 (except a case under section 157 of this title [18 USCS § 157]), fraud in the sale of securities, or the felonious manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act [21 USCS § 802]), punishable under any law of the United States, (E) any act which is indictable under the Currency and Foreign Transactions Reporting Act, (F) any act which is indictable under the Immigration and Nationality Act, section 274 [8 USCS § 1324] (relating to bringing in and harboring certain aliens), section 277 [8 USCS § 1327] (relating to aiding or assisting certain aliens to enter the United States), or section 278 [8 USCS § 1328] (relating to importation of alien for immoral purpose) if the act indictable under such section of such Act was committed for the purpose of financial gain, or (G) any act that is indictable under any provision listed in section 2332b(g)(5)(B) [18 USCS § 2332b(g)(5)(B)]: **(7) "racketeering investigator" means any attorney or investigator so designated by the Attorney General and charged with the duty of enforcing or carrying into effect this chapter** [18 USCS §§ 1961 et seq.]; (8) "racketeering investigation" means any inquiry conducted by any racketeering investigator for the purpose of ascertaining whether any person has been involved in any violation of this chapter [18 USCS §§ 1961 et seq.] or of any final order, judgment, or decree of any court of the United States, duly entered in any case or proceeding arising under this chapter [18 USCS §§ 1961 et seq.]; (9) "documentary material" includes any book, paper, document, record, recording, or other material; and **(10) "Attorney General" includes the Attorney General of the United States, the Deputy Attorney General of the United States, the Associate Attorney General of the United States, any Assistant Attorney General of the United States, or any employee of the Department of Justice or any employee of any department or agency of the United States so designated by the Attorney General to carry out the powers conferred on the Attorney General by this chapter**

	[18 USCS §§ 1961 et seq.]. Any department or agency so designated may use in investigations authorized by this chapter [18 USCS §§ 1961 et seq.] either the investigative provisions of this chapter [18 USCS §§ 1961 et seq.] or the investigative power of such department or agency otherwise conferred by law.
18 U.S.C. § 2339B (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 113B, Terrorism.** **§ 2339B. Providing material support or resources to designated foreign terrorist organizations.** (a) Prohibited activities. (1) Unlawful conduct. Whoever knowingly provides material support or resources to a foreign terrorist organization, or attempts or conspires to do so, shall be fined under this title or imprisoned not more than 15 years, or both, and, if the death of any person results, shall be imprisoned for any term of years or for life. To violate this paragraph, a person must have knowledge that the organization is a designated terrorist organization (as defined in subsection (g)(6)), that the organization has engaged or engages in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act [8 USCS § 1182(a)(3)(B)]), or that the organization has engaged or engages in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 [22 USCS § 2656f(d)(2)]). (2) Financial institutions. Except as authorized by the Secretary, any financial institution that becomes aware that it has possession of, or control over, any funds in which a foreign terrorist organization, or its agent, has an interest, shall-- (A) retain possession of, or maintain control over, such funds; and (B) report to the Secretary the existence of such funds in accordance with regulations issued by the Secretary. (e) Investigations. **(1) In general. The Attorney General shall conduct any investigation of a possible violation of this section, or of any license, order, or regulation issued pursuant to this section.** (2) Coordination with the department of the treasury. The Attorney General shall work in coordination with the Secretary in investigations relating to-- (A) the compliance or noncompliance by a financial institution with the requirements of subsection (a)(2); and (B) civil penalty proceedings authorized under subsection (b). (3) Referral. Any evidence of a criminal violation of this section arising in the course of an investigation by the Secretary or any other Federal agency shall be referred immediately to the Attorney General for further investigation. The Attorney General shall timely notify the Secretary of any action taken on referrals from the Secretary, and may refer investigations to the Secretary for remedial licensing or civil penalty action.
18 U.S.C. § 2709 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 121, Stored Wire and Electronic Communications and Transactional Records Access.** **§ 2709. Counterintelligence access to telephone toll and transactional records.** **(a) Duty to provide. A wire or electronic communication service provider shall comply with a request for subscriber information and toll billing records information, or electronic communication transactional records in its custody or possession made by the Director of the Federal Bureau of Investigation under subsection (b) of this section.** (b) Required certification. The Director of the Federal Bureau of Investigation, or his designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, may-- (1) request the name, address, length of service, and local and long distance toll billing records of a person or entity if the Director (or his designee) certifies in writing to the wire or electronic communication service provider to which the request is made that the name, address, length of service, and toll billing records sought are relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely on the basis of activities protected by the first amendment to the Constitution of the United States; and (2) request the name, address, and length of service of a person or entity if the Director (or his designee) certifies in writing to the wire or electronic communication service provider to which the request is made that the information sought is relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person

	is not conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States. (c) Prohibition of certain disclosure. (1) If the Director of the Federal Bureau of Investigation, or his designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, certifies that otherwise there may result a danger to the national security of the United States, interference with a criminal, counterterrorism, or counterintelligence investigation, interference with diplomatic relations, or danger to the life or physical safety of any person, no wire or electronic communications service provider, or officer, employee, or agent thereof, shall disclose to any person (other than those to whom such disclosure is necessary to comply with the request or an attorney to obtain legal advice or legal assistance with respect to the request) that the Federal Bureau of Investigation has sought or obtained access to information or records under this section. (2) The request shall notify the person or entity to whom the request is directed of the nondisclosure requirement under paragraph (1). (3) Any recipient disclosing to those persons necessary to comply with the request or to an attorney to obtain legal advice or legal assistance with respect to the request shall inform such person of any applicable nondisclosure requirement. Any person who receives a disclosure under this subsection shall be subject to the same prohibitions on disclosure under paragraph (1). (4) At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under this section shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request, except that nothing in this section shall require a person to inform the Director or such designee of the identity of an attorney to whom disclosure was made or will be made to obtain legal advice or legal assistance with respect to the request under subsection (a). (d) Dissemination by Bureau. The Federal Bureau of Investigation may disseminate information and records obtained under this section only as provided in guidelines approved by the Attorney General for foreign intelligence collection and foreign counterintelligence investigations conducted by the Federal Bureau of Investigation, and, with respect to dissemination to an agency of the United States, only if such information is clearly relevant to the authorized responsibilities of such agency. (e) Requirement that certain congressional bodies be informed. On a semiannual basis the Director of the Federal Bureau of Investigation shall fully inform the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, and the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate, concerning all requests made under subsection (b) of this section.
28 U.S.C. § 535 (2015).	**Title 28, Judiciary and Judicial Procedure. Part II, Department of Justice. Ch. 33, Federal Bureau of Investigation.** **§ 535. Investigation of crimes involving Government officers and employees; limitations.** **(a) The Attorney General and the Federal Bureau of Investigation may investigate any violation of Federal criminal law involving Government officers and employees--** (1) notwithstanding any other provision of law; and (2) without limiting the authority to investigate any matter which is conferred on them or on a department or agency of the Government.

Source: LexisNexis U.S. Code Service database

Table 3. Secretary of the Treasury or Department of the Treasury

18 U.S.C. § 981 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 46, Forfeiture.** **§ 981. Civil forfeiture.** (b)(1) Except as provided in section 985 [18 USCS § 985], any property subject to forfeiture to the United States under subsection (a) may be seized by the Attorney General and, **in the case of property involved in a violation investigated by the Secretary of the Treasury or the United States Postal Service, the property may also be seized by the Secretary of the Treasury or the Postal Service, respectively.**
18 U.S.C. § 1956 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 95, Racketeering.** **§ 1956. Laundering of monetary instruments.** **(e) Violations of this section may be investigated by such components** of the Department of Justice as the Attorney General may direct, and by such components **of the Department of the Treasury as the Secretary of the Treasury may direct, as appropriate, and, with respect to offenses over which the Department of Homeland Security has jurisdiction,** by such components of the Department of Homeland Security as the Secretary of Homeland Security may direct, and, with respect to offenses over which the United States Postal Service has jurisdiction, by the Postal Service. Such authority of the Secretary of the Treasury, the Secretary of Homeland Security, and the Postal Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury, the Secretary of Homeland Security, the Postal Service, and the Attorney General. Violations of this section involving offenses described in paragraph (c)(7)(E) may be investigated by such components of the Department of Justice as the Attorney General may direct, and the National Enforcement Investigations Center of the Environmental Protection Agency.
18 U.S.C. § 1957 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 95, Racketeering.** **§ 1957. Engaging in monetary transactions in property derived from specified unlawful activity.** (e) Violations of this section **may be investigated** by such components of the Department of Justice as the Attorney General may direct, **and by such components of the Department of the Treasury as the Secretary of the Treasury may direct, as appropriate,** and, with respect to offenses over which the Department of Homeland Security has jurisdiction, by such components of the Department of Homeland Security as the Secretary of Homeland Security may direct, and, with respect to offenses over which the United States Postal Service has jurisdiction, by the Postal Service. Such authority of the Secretary of the Treasury, the Secretary of Homeland Security, and the Postal Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury, the Secretary of Homeland Security, the Postal Service, and the Attorney General.
31 U.S.C. § 310 (2015).	**Title 31, Money and Finance. Subtitle I, General. Ch. 3, Department of the Treasury. Subchapter I, Organization.** **§ 310. Financial Crimes Enforcement Network.** (a) In general. **The Financial Crimes Enforcement Network established by order of the Secretary of the Treasury** (Treasury Order Numbered 105-08, in this section referred to as "FinCEN") on April 25, 1990, **shall be a bureau in the Department of the Treasury.** (b) Director. (1) Appointment. The head of FinCEN shall be the Director, who shall be appointed by the Secretary of the Treasury. (2) Duties and powers. The duties and powers of the Director are as follows: (A) Advise and make recommendations on matters relating to financial intelligence, financial criminal activities, and other financial activities to the Under Secretary of the Treasury for Enforcement.

	(B) Maintain a government-wide data access service, with access, in accordance with applicable legal requirements, to the following: (i) Information collected by the Department of the Treasury, including report information filed under subchapter II of chapter 53 of this title [31 USCS §§ 5311 et seq.] (such as reports on cash transactions, foreign financial agency transactions and relationships, foreign currency transactions, exporting and importing monetary instruments, and suspicious activities), chapter 2 of title I of Public Law 91-508 [12 USCS §§ 1951 et seq.], and section 21 of the Federal Deposit Insurance Act [12 USCS § 1829b]. (ii) Information regarding national and international currency flows. (iii) Other records and data maintained by other Federal, State, local, and foreign agencies, including financial and other records developed in specific cases. (iv) Other privately and publicly available information. (C) Analyze and disseminate the available data in accordance with applicable legal requirements and policies and guidelines established by the Secretary of the Treasury and the Under Secretary of the Treasury for Enforcement to-- (i) identify possible criminal activity to appropriate Federal, State, local, and foreign law enforcement agencies; (ii) support ongoing criminal financial investigations and prosecutions and related proceedings, including civil and criminal tax and forfeiture proceedings; (iii) identify possible instances of noncompliance with subchapter II of chapter 53 of this title [31 USCS §§ 5311 et seq.], chapter 2 of title I of Public Law 91-508 [12 USCS §§ 1951 et seq.], and section 21 of the Federal Deposit Insurance Act [12 USCS § 1829b] to Federal agencies with statutory responsibility for enforcing compliance with such provisions and other appropriate Federal regulatory agencies; (iv) evaluate and recommend possible uses of special currency reporting requirements under section 5326 [31 USCS § 5326]; (v) determine emerging trends and methods in money laundering and other financial crimes; (vi) support the conduct of intelligence or counterintelligence activities, including analysis, to protect against international terrorism; and (vii) support government initiatives against money laundering. (D) Establish and maintain a financial crimes communications center to furnish law enforcement authorities with intelligence information related to emerging or ongoing investigations and undercover operations. (E) Furnish research, analytical, and informational services to financial institutions, appropriate Federal regulatory agencies with regard to financial institutions, and appropriate Federal, State, local, and foreign law enforcement authorities, in accordance with policies and guidelines established by the Secretary of the Treasury or the Under Secretary of the Treasury for Enforcement, in the interest of detection, prevention, and prosecution of terrorism, organized crime, money laundering, and other financial crimes. (F) Assist Federal, State, local, and foreign law enforcement and regulatory authorities in combatting the use of informal, nonbank networks and payment and barter system mechanisms that permit the transfer of funds or the equivalent of funds without records and without compliance with criminal and tax laws. (G) Provide computer and data support and data analysis to the Secretary of the Treasury for tracking and controlling foreign assets. (H) Coordinate with financial intelligence units in other countries on anti-terrorism and anti-money laundering initiatives, and similar efforts. (I) Administer the requirements of subchapter II of chapter 53 of this title [31 USCS §§ 5311 et seq.], chapter 2 of title I of Public Law 91-508 [12 USCS §§ 1951 et seq.], and section 21 of the Federal Deposit Insurance Act [12 USCS § 1829b], to the extent delegated such authority by the Secretary of the Treasury. (J) Such other duties and powers as the Secretary of the Treasury may delegate or prescribe. (c) Requirements relating to maintenance and use of data banks. The Secretary of the Treasury shall establish and maintain operating procedures with respect to the government-wide data access service and the financial crimes communications center maintained by FinCEN which provide-- (1) for the coordinated and efficient transmittal of information to, entry of information into, and withdrawal of information from, the data maintenance system maintained byFinCEN, including-- (A) the submission of reports through the Internet or other secure network, whenever possible; (B) the cataloguing of information in a manner that facilitates rapid retrieval by law enforcement personnel of meaningful data; and

	(C) a procedure that provides for a prompt initial review of suspicious activity reports and other reports, or such other means as the Secretary may provide, to identify information that warrants immediate action; and (2) in accordance with section 552a of title 5 and the Right to Financial Privacy Act of 1978, appropriate standards and guidelines for determining-- (A) who is to be given access to the information maintained by FinCEN; (B) what limits are to be imposed on the use of such information; and (C) how information about activities or relationships which involve or are closely associated with the exercise of constitutional rights is to be screened out of the data maintenance system.
31 U.S.C. § 311 (2015).	**Title 31, Money and Finance. Subtitle I, General. Ch. 3, Department of the Treasury. Subchapter I, Organization.** **§ 311. Office of Intelligence and Analysis.** (a) Establishment. There is established within the Department of the Treasury, the Office of Intelligence and Analysis (in this section referred to as the "Office"), which shall-- **(1) be within the Office of Terrorism and Financial Intelligence;** **(2) be responsible for the receipt, analysis, collation, and dissemination of foreign intelligence and foreign counterintelligence information (within the meaning of section 3 of the National Security Act of 1947 (50 U.S.C. 401a)) related to the operation and responsibilities of the Department of the Treasury; and** (3) have such other related duties and authorities as may be assigned to it by the Secretary, subject to the authority, direction, and control of the Secretary. (b) Assistant Secretary for Intelligence and Analysis. The Office shall be headed by an Assistant Secretary, who shall be appointed by the President, by and with the advice and consent of the Senate. The Assistant Secretary shall report directly to the Undersecretary of the Treasury for Terrorism and Financial Crimes.
31 U.S.C. § 312 (2015).	**Title 31, Money and Finance. Subtitle I, General. Ch. 3, Department of the Treasury. Subchapter I, Organization.** **§ 312. Terrorism and financial intelligence.** (a) Office of Terrorism and Financial Intelligence. **(1) Establishment. There is established within the Department of the Treasury the Office of Terrorism and Financial Intelligence (in this section referred to as "OTFI"), which shall be the successor to any such office in existence on the date of enactment of this section.** (2) Leadership. (A) Undersecretary. There is established within the Department of the Treasury, the Office of the Undersecretary for Terrorism and Financial Crimes, who shall serve as the head of the OTFI, and shall report to the Secretary of the Treasury through the Deputy Secretary of the Treasury. The Office of the Undersecretary for Terrorism and Financial Crimes shall be the successor to the Office of the Undersecretary for Enforcement. (B) Appointment. The Undersecretary for Terrorism and Financial Crimes shall be appointed by the President, by and with the advice and consent of the Senate. (3) Assistant Secretary for Terrorist Financing. (A) Establishment. There is established within the OTFI the position of Assistant Secretary for Terrorist Financing. (B) Appointment. The Assistant Secretary for Terrorist Financing shall be appointed by the President, by and with the advice and consent of the Senate. (C) Duties. The Assistant Secretary for Terrorist Financing shall be responsible for formulating and coordinating the counter terrorist financing and anti-money laundering efforts of the Department of the Treasury, and shall report directly to the Undersecretary for Terrorism and Financial Crimes. **(4) Functions. The functions of the OTFI include providing policy, strategic, and operational direction to the Department on issues relating to--** (A) implementation of titles I and II of the Bank Secrecy Act; (B) United States economic sanctions programs; **(C) combating terrorist financing;**

	(D) combating financial crimes, including money laundering, counterfeiting, and other offenses threatening the integrity of the banking and financial systems; **(E) other enforcement matters;** (F) those intelligence analysis and coordination functions described in subsection (b); and (G) the security functions and programs of the Department of the Treasury. (5) Reports to Congress on proposed measures. The Undersecretary for Terrorism and Financial Crimes and the Assistant Secretary for Terrorist Financing shall report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives not later than 72 hours after proposing by rule, regulation, order, or otherwise, any measure to reorganize the structure of the Department for combatting money laundering and terrorist financing, before any such proposal becomes effective. (c) Delegation. To the extent that any authorities, powers, and responsibilities over enforcement matters delegated to the Undersecretary for Terrorism and Financial Crimes, or the positions of Assistant Secretary for Terrorism and Financial Crimes, Assistant Secretary for Enforcement and Operations, or Deputy Assistant Secretary for Terrorist Financing and Financial Crimes, have not been transferred to the Department of Homeland Security, the Department of Justice, or the Assistant Secretary for Tax Policy (related to the customs revenue functions of the Bureau of Alcohol and Tobacco Tax and Trade), those remaining authorities, powers, and responsibilities are delegated to the Undersecretary for Terrorism and Financial Crimes. (d) Designation as enforcement organization. The Office of Terrorism and Financial Intelligence (including any components thereof) is designated as a law enforcement organization of the Department of the Treasury for purposes of section 9703 of title 31, United States Code, and other relevant authorities.

Source: LexisNexis U.S. Code Service database

Table 4. Department of Treasury; Secret Service or Homeland Security; and FBI, Attorney General or Department of Justice

18 U.S.C. § 1029 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 47, Fraud and False Statements.** **§ 1029. Fraud and related activity in connection with access devices.** (d) The United States Secret Service shall, in addition to any other agency having such authority, have the authority to investigate offenses under this section. **Such authority of the United States Secret Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury and the Attorney General.**
18 U.S.C. § 1030 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 47, Fraud and False Statements.** **§ 1030. Fraud and related activity in connection with computers.** (d) (1) **The United States Secret Service shall, in addition to any other agency having such authority, have the authority to investigate offenses under this section.** **(2) The Federal Bureau of Investigation shall have primary authority to investigate offenses under subsection (a)(1)** for any cases involving espionage, foreign counterintelligence, information protected against unauthorized disclosure for reasons of national defense or foreign relations, or Restricted Data (as that term is defined in section 11y of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)), except for offenses affecting the duties of the United States Secret Service pursuant to section 3056(a) of this title [18 USCS § 3056(a)]. (3) **Such authority shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury and the Attorney General.**
18 U.S.C. § 1956 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 95, Racketeering.** **§ 1956. Laundering of monetary instruments.** **(e) Violations of this section may be investigated by such components of the Department of Justice as the Attorney General may direct, and by such components of the Department of the Treasury as the Secretary of the Treasury may direct, as appropriate, and, with respect to offenses over which the Department of Homeland Security has jurisdiction, by such components of the Department of Homeland Security as the Secretary of Homeland Security may direct,** and, with respect to offenses over which the United States Postal Service has jurisdiction, by the Postal Service. Such authority of the Secretary of the Treasury, the Secretary of Homeland Security, and the Postal Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury, the Secretary of Homeland Security, the Postal Service, and the Attorney General. Violations of this section involving offenses described in paragraph (c)(7)(E) may be investigated by such components of the Department of Justice as the Attorney General may direct, and the National Enforcement Investigations Center of the Environmental Protection Agency.
18 U.S.C. § 1957 (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 95, Racketeering.** **§ 1957. Engaging in monetary transactions in property derived from specified unlawful activity.** **(e) Violations of this section may be investigated by such components of the Department of Justice as the Attorney General may direct, and by such components of the Department of the Treasury as the Secretary of the Treasury may direct, as appropriate, and, with respect to offenses over which the Department of Homeland Security has jurisdiction, by such components of the Department of Homeland Security as the Secretary of Homeland Security may direct,** and, with respect to offenses over which the United States Postal Service has

	jurisdiction, by the Postal Service. Such authority of the Secretary of the Treasury, the Secretary of Homeland Security, and the Postal Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury, the Secretary of Homeland Security, the Postal Service, and the Attorney General.
18 U.S.C. § 2332b (2015).	**Title 18, Crimes and Criminal Procedure. Part I, Crimes. Ch. 113B, Terrorism.** **§ 2332b. Acts of terrorism transcending national boundaries.** (f) **Investigative authority. In addition to any other investigative authority with respect to violations of this title, the Attorney General shall have primary investigative responsibility for all Federal crimes of terrorism,** and any violation of section 351(e), 844(e), 844(f)(1), 956(b), 1361, 1366(b), 1366(c), 1751(e), 2152, or 2156 of this title [18 USCS § 351(e),844(e), 844(f)(1), 956(b), 1361, 1366(b), 1366(c), 1751(e), 2152, or 2156], **and the Secretary of the Treasury shall assist the Attorney General at the request of the Attorney General. Nothing in this section shall be construed to interfere with the authority of the United States Secret Service under section 3056** [18 USCS § 3056].
31 U.S.C. § 312 (2015).	**Title 31, Money and Finance. Subtitle I, General. Ch. 3, Department of the Treasury. Subchapter I, Organization.** **§ 312. Terrorism and financial intelligence.** (a) Office of Terrorism and Financial Intelligence. (1) Establishment. There is established within the **Department of the Treasury** the Office of Terrorism and Financial Intelligence (in this section referred to as "OTFI"), which shall be the successor to any such office in existence on the date of enactment of this section. (c) Delegation. **To the extent that any authorities, powers, and responsibilities over enforcement matters delegated to the Undersecretary for Terrorism and Financial Crimes, or the positions of Assistant Secretary for Terrorism and Financial Crimes, Assistant Secretary for Enforcement and Operations, or Deputy Assistant Secretary for Terrorist Financing and Financial Crimes, have not been transferred to the Department of Homeland Security, the Department of Justice, or the Assistant Secretary for Tax Policy (related to the customs revenue functions of the Bureau of Alcohol and Tobacco Tax and Trade), those remaining authorities, powers, and responsibilities are delegated to the Undersecretary for Terrorism and Financial Crimes.**

Source: LexisNexis U.S. Code Service database