

**Calendar No. 560**

114TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
114-302 }

SECRET SERVICE IMPROVEMENTS ACT OF  
2015

---

R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS  
UNITED STATES SENATE

TO ACCOMPANY

H.R. 1656

TO PROVIDE FOR ADDITIONAL RESOURCES FOR THE SECRET  
SERVICE, AND TO IMPROVE PROTECTIONS FOR RESTRICTED  
AREAS



JULY 13, 2016.—Ordered to be printed

---

U.S. GOVERNMENT PUBLISHING OFFICE

59-010

WASHINGTON : 2016

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

RON JOHNSON, Wisconsin, *Chairman*

JOHN McCAIN, Arizona	THOMAS R. CARPER, Delaware
ROB PORTMAN, Ohio	CLAIRE McCASKILL, Missouri
RAND PAUL, Kentucky	JON TESTER, Montana
JAMES LANKFORD, Oklahoma	TAMMY BALDWIN, Wisconsin
MICHAEL B. ENZI, Wyoming	HEIDI HEITKAMP, North Dakota
KELLY AYOTTE, New Hampshire	CORY A. BOOKER, New Jersey
JONI ERNST, Iowa	GARY C. PETERS, Michigan
BEN SASSE, Nebraska	

CHRISTOPHER R. HIXON, *Staff Director*  
GABRIELLE D'ADAMO SINGER, *Chief Counsel*  
DAVID S. LUCKEY, *Director of Homeland Security*  
CHRISTOPHER S. BONESS, *Professional Staff Member*  
GABRIELLE A. BATKIN, *Minority Staff Director*  
JOHN P. KILVINGTON, *Minority Deputy Staff Director*  
MARY BETH SCHULTZ, *Minority Chief Counsel*  
STEPHEN R. VIÑA, *Minority Chief Counsel for Homeland Security*  
ABIGAIL A. SHENKLE, *Minority Professional Staff Member*  
LAURA W. KILBRIDE, *Chief Clerk*

# Calendar No. 560

114TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
{ 114-302

---

## SECRET SERVICE IMPROVEMENTS ACT OF 2015

---

JULY 13, 2016.—Ordered to be printed

---

Mr. JOHNSON, from the Committee on Homeland Security and  
Governmental Affairs, submitted the following

### R E P O R T

[To accompany H.R. 1656]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (H.R. 1656) to provide for additional resources for the Secret Service, and to improve protections for restricted areas, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

#### CONTENTS

	Page
I. Purpose and Summary .....	1
II. Background and Need for the Legislation .....	2
III. Legislative History .....	5
IV. Section-by-Section Analysis .....	6
V. Evaluation of Regulatory Impact .....	7
VI. Congressional Budget Office Cost Estimate .....	8
VII. Changes in Existing Law Made by the Act, as Reported .....	9

#### I. PURPOSE AND SUMMARY

The purpose of H.R. 1656, the Secret Service Improvement Act of 2016, is to assist the United States Secret Service (Secret Service or USSS) in fulfilling its protective and investigative missions. The act codifies a number of recommendations of the 2014 United States Secret Service Protective Mission Panel (the Panel), including increasing training and hiring, evaluating additional weaponry, and codifying an ethics program office. The act requires the Secret Service to evaluate and report to Congress within a year on measures Secret Service can take to address security vulnerabilities at the White House and extends protection to former Vice Presidents and their families. The act requires an evaluation of vulnerabilities

and threats, including unmanned aerial systems, to the White House complex, and imposes criminal penalties for operating an autonomous or remotely operated vehicle or dangerous weapon on restricted buildings or grounds protected by the Secret Service.

## II. BACKGROUND AND THE NEED FOR LEGISLATION

The initial mission of the Secret Service was to investigate the counterfeiting of money under the Treasury Department.<sup>1</sup> Since then, the agency has broadened its criminal investigations to encompass financial, banking, and cyber-related sectors of critical infrastructure.<sup>2</sup> Additionally, the Secret Service's mission expanded to include the protection of the President and the Vice-President of the United States and their families, the White House complex, former presidents, major presidential candidates, and visiting foreign heads of states.<sup>3</sup> The Secret Service also serves as the lead agency for National Special Security Events, such as the Papal visit in September 2015 and the annual United Nations General Assembly.<sup>4</sup>

### *White House and U.S. Capitol security incidents*

The Secret Service has had a number of security incidents that highlight the need for changes within the agency. According to a congressional report, on March 4, 2015, an individual dropped off a suspicious package outside a guard booth at the White House complex.<sup>5</sup> On-duty members of the Secret Service Uniformed Division cordoned off the area while waiting for a bomb squad from the Washington Metropolitan Police Department.<sup>6</sup> While the investigation was ongoing, two special agents drove from a downtown Washington bar into a White House barricade, disrupting the investigation of the package.<sup>7</sup> The supervisor on duty did not issue a field sobriety test despite signs of intoxication, and instead allowed the two agents to leave the scene. Both agents drove home in their assigned government vehicles.<sup>8</sup> Additionally, the event was not immediately reported to senior leadership.<sup>9</sup>

In May 2015, a drone landed on the front lawn of the White House; in response, Secret Service officers initiated a lockdown of the White House Complex and a shutdown of the surrounding areas.<sup>10</sup> Prior to the incident, Congress was warned that the Secret

<sup>1</sup>USSS *History*, UNITED STATES SECRET SERVICE, available at <http://www.secretservice.gov/about/history/events/>.

<sup>2</sup>*The Investigative Mission*, UNITED STATES SECRET SERVICE, available at <http://www.secretservice.gov/investigation>.

<sup>3</sup>*The Protective Mission*, UNITED STATES SECRET SERVICE, available at <http://www.secretservice.gov/protection>.

<sup>4</sup>*Id.*

<sup>5</sup>H. COMM. ON OVERSIGHT AND GOV'T REFORM: UNITED STATES SECRET SERVICE: AN AGENCY IN CRISIS 55 (Dec. 2015), available at <https://oversight.house.gov/wp-content/uploads/2015/12/Oversight-USSS-Report.pdf> [hereinafter UNITED STATES SECRET SERVICE: AN AGENCY IN CRISIS].

<sup>6</sup>*Id.*

<sup>7</sup>*Id.*

<sup>8</sup>Office of the Inspector General, Department of Homeland Security, *Investigation into the Incident at the White House Complex on March 4, 2015 (Redacted)* 10–12 (May 6, 2015), available at [https://www.oig.dhs.gov/assets/Mga/OIG\\_mga-050615.pdf](https://www.oig.dhs.gov/assets/Mga/OIG_mga-050615.pdf).

<sup>9</sup>UNITED STATES SECRET SERVICE: AN AGENCY IN CRISIS at 56.

<sup>10</sup>Carol D. Leonnig and Craig Whitlock, *Drone Incident at White House Highlights Long-Studied, Still-Unsolved Security Gap*, WASH POST (Jan. 26, 2015), available at [https://www.washingtonpost.com/politics/drone-incident-at-white-house-highlights-long-studied-still-un-solved-security-gap/2015/01/26/ed2e7f9e-a594-11e4-a7c2-03d37af98440\\_story.html](https://www.washingtonpost.com/politics/drone-incident-at-white-house-highlights-long-studied-still-un-solved-security-gap/2015/01/26/ed2e7f9e-a594-11e4-a7c2-03d37af98440_story.html).

Service lacked the ability to address the vulnerability of drones entering the White House grounds.<sup>11</sup>

Separately, on April 24, 2015, Chairman Ron Johnson and Ranking Member Tom Carper sent letters to several agencies, including the United States Park Police, United States Capitol Police, the Federal Aviation Administration, and the United States Secret Service, as part of an inquiry into an April 15 incident in which a lightweight aircraft entered restricted airspace and landed on the lawn of the United States Capitol Building.<sup>12</sup> The Chairman and Ranking Member sought to gain an understanding of the protocols agencies have in place to prevent a breach of this nature.<sup>13</sup> USSS is the agency with primary authority to grant permits to those requesting to lawfully enter the P-56 prohibited airspace.<sup>14</sup> Following this inquiry, Committee staff released a bipartisan report with findings and recommendations to improve coordination relating to airspace security in the National Capital Region.<sup>15</sup>

In September 2014, a man was able to scale the White House perimeter fence and successfully enter the White House through the front door, bypassing Secret Service officers.<sup>16</sup> Numerous levels of security including a K-9 unit, Emergency Response Team (ERT), and alarms placed inside the front doors, were not properly triggered when the fence-jumper ran across the North Lawn and into the White House.<sup>17</sup>

In addition to security incidents, ethical misconduct has been a persistent issue at USSS for the past couple years, highlighted by the events that took place in Cartagena, Columbia,<sup>18</sup> as well as reports of alcohol-related misconduct during protective missions.<sup>19</sup>

#### *United States Secret Service Protective Mission Panel*

In the aftermath of the fence-jumping incident, the Secretary of the Department of Homeland Security (DHS) established the Panel on October 15, 2014, to undertake a review of security issues related to the White House compound and a more encompassing review of the Secret Service's protective mission—including recommendations regarding potential new directors.<sup>20</sup> The Panel consisted of former White House Deputy Chief of Staff Joseph Hagin, former Associate Attorney General of the United States Thomas Perrelli, former Assistant to the President and White House Cabi-

<sup>11</sup>*Id.*

<sup>12</sup>Letters from Hon. Ron Johnson, Chairman, and Hon. Tom Carper, Ranking Member, S. Comm. on Homeland Sec. & Governmental Affairs, to Hon. Joseph Clancy, Dir., U.S. Secret Service; Michael Huerta, Administrator, Federal Aviation Administration; and Chief Kim Dine, U.S. Capitol Police (Apr. 24, 2016) (on file with Comm. staff).

<sup>13</sup>*Id.*

<sup>14</sup>S. COMM. ON HOMELAND SEC. & GOVERNMENTAL AFFAIRS: CAPITAL AIRSPACE SECURITY BREACH: INQUIRY INTO THE LANDING OF A GYROCOPTER ON THE CAPITOL LAWN (Aug. 5, 2015).

<sup>15</sup>*Id.*

<sup>16</sup>OFFICE OF INSPECTOR GEN., U.S. DEP'T OF HOMELAND SEC., OIG-16-64, 2014 WHITE HOUSE FENCE JUMPING INCIDENT 5 (Apr. 12, 2016).

<sup>17</sup>*Id.* at 5-11.

<sup>18</sup>OFFICE OF INSPECTOR GEN., U.S. DEP'T OF HOMELAND SEC., OIG-13-24, ADEQUACY OF USSS' INTERNAL INVESTIGATION OF ALLEGED MISCONDUCT IN CARTAGENA, COLUMBIA (Jan. 2013).

<sup>19</sup>Carol D. Leonnig and David Nakamura, *Secret Service Agents Sent Home from Netherlands Were Warned to Avoid Trouble*, WASH. POST (March 26, 2014), available at [https://www.washingtonpost.com/politics/secret-service-agents-on-obama-detail-sent-home-from-netherlands-after-night-of-drinking/2014/03/26/86d1a8a6-b4e6-11e3-8020-b2d790b3c9e1\\_story.html](https://www.washingtonpost.com/politics/secret-service-agents-on-obama-detail-sent-home-from-netherlands-after-night-of-drinking/2014/03/26/86d1a8a6-b4e6-11e3-8020-b2d790b3c9e1_story.html).

<sup>20</sup>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, DEP'T OF HOMELAND SECURITY 6 (Dec. 15, 2014) [hereinafter PANEL REPORT EXEC. SUMMARY].

net Secretary Danielle Gray, and former Deputy Attorney General Mark Filip.<sup>21</sup>

The Panel publicly released an executive summary of its report on December 15, 2014, along with a summary of recommendations in the areas of training and personnel management; technology, perimeter security, and operations; and leadership.<sup>22</sup> A number of the recommendations touched on how to effectively train, hire, and retain personnel in the Secret Service. Per the public summary, training and personnel recommendations included: reintroducing a “fourth shift” training regimen for agents and officers, integrating training between different teams protecting the White House, replicating the environment that officers and agents operate in to reflect a more realistic training experience, and increasing the number of positions in the Uniformed Division and Presidential Protective Division.<sup>23</sup>

The Panel stated that the Secret Service should identify and update security systems that guard the White House.<sup>24</sup> Additionally, the Panel recommended that the Secret Service develop ways to improve perimeter security at the White House, if needed, such as increasing the height of the White House perimeter fence.<sup>25</sup>

The Panel also expressed concern that Secret Service members were not receiving adequate training to fulfill their protective missions.<sup>26</sup> Uniformed Division officers were spending on average 25 minutes each on training in Fiscal Year (FY) 2013.<sup>27</sup> Accordingly, the Panel recommended that ten percent of an officer’s time should be spent in training.<sup>28</sup>

#### *Proposed legislation*

The Secret Service Improvements Act of 2016 would codify some recommendations of the Panel and strengthen the Secret Service’s ability to investigate threats against protectees and their immediate families. It would require the agency to evaluate potential vulnerabilities at the White House complex, improve security technology, and consider the use of additional weaponry for agents. This legislation is intended to assist the Secret Service in addressing security gaps and personnel issues that were the catalyst for creating the Panel.

The act would also impose a criminal penalty for “knowingly throwing, operating, or placing an autonomous or remotely operated vehicle or dangerous weapon in a restricted building or grounds.”

The act also codifies the recommendation of the Panel that the Secret Service increase its training requirements. The act includes a provision authorizing the Director of the Secret Service to improve and construct additional training facilities at the Rowley Training Center in Laurel, Maryland.

<sup>21</sup> See generally, Letter from Joseph Hagin, Thomas Perrelli, Danielle Gray, Mark Filip, United States Secret Service Protective Mission Panel, to Hon. Jeh Johnson, Sec’y, Dep’t of Homeland Sec. (Dec. 15, 2014) (on file with Comm. staff) (accompanying the report, signed by the panel members).

<sup>22</sup> PANEL REPORT EXEC. SUMMARY at 2.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> *Id.* at 5.

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

The act also codifies the Panel’s recommendation that the Secret Service increase the Uniformed Division by 200 positions and the Presidential Protective Division by 85 positions from the number of officers and agents employed by the agency as of December 15, 2014.<sup>29</sup> According to a congressional report, Secret Service staffing peaked in FY 2011, and by FY 2015, staffing levels significantly decreased to 6,315.<sup>30</sup> This is 52 fewer positions than when the Panel issued their report recommending additional staffing, despite increased hiring by the agency.<sup>31</sup> The loss of agents and officers over the past couple of years has overworked the current workforce, resulting in longer and more frequent shifts.<sup>32</sup>

Events in Cartagena, Columbia in 2012 and other recent alcohol-related misconduct highlight the need for an ethics office within the Secret Service. The Office of Integrity was established within the agency in December 2013. The act would specifically authorize this office.

As amended by the Committee, the act removes the House provision that would require the Senate to confirm the President’s nominee for the Director of the Secret Service. The Committee has worked to limit the number of presidential appointees that require confirmation by the Senate. Additionally, the Committee feels that the importance the Director of the Secret Service plays in protecting the President, his or her family, and the White House complex, should allow the President to choose the head of the agency tasked with such a mission. The amended act would also strike a Sense of Congress that the National Capital Planning Commission should defer to the Secret Service, and update language referring to protection of “the wife of a former vice president” to refer instead to spouses of former vice presidents.

### III. LEGISLATIVE HISTORY

Representative Bob Goodlatte, along with Representatives John Conyers Jr., Sheila Jackson Lee, Michael McCaul, and James F. Sensenbrenner Jr., introduced H.R. 1656 on March 26, 2015, which was referred to the House Committee on the Judiciary. The House Committee on the Judiciary considered H.R. 1656 at a business meeting on July 27, 2015. The House of Representatives passed the bill under suspension of the rules by a vote of 365–16 (Roll no. 468) on July 27, 2015.

The act was received in the Senate and referred to the Committee on Homeland Security and Governmental Affairs on July 28, 2015. The Committee considered H.R. 1656 at a business meeting on February 10, 2016.

Chairman Johnson offered a modified amendment in the nature of a substitute, which removed the clause that provided for the advice and consent of the Senate to the Presidentially-appointed Director of the Secret Service, removed a Sense of Congress relating to security enhancements to the White House, and required the Government Accountability Office to report on the implementation of this bill and the implementation of recommendations by the United States Secret Service Protective Missions Panel Report no

<sup>29</sup> *Id.*

<sup>30</sup> UNITED STATES SECRET SERVICE: AN AGENCY IN CRISIS at 150.

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

later than two years after enactment. The substitute also more clearly defines what constitutes a restricted building or grounds and extends Secret Service protection of former Vice Presidents and their immediate families, and replaces the term “wife” with “spouse” where it occurs in describing the families of former Vice Presidents. The Committee adopted the modified substitute amendment and ordered the act, as amended, reported favorably, both by voice vote. Senators present for both the vote on the amendment and the vote on the act were: Johnson, McCain, Portman, Paul, Lankford, Ayotte, Ernst, Sasse, Carper, McCaskill, Tester, Baldwin, Heitkamp, Booker, and Peters.

#### IV. SECTION-BY-SECTION ANALYSIS OF THE ACT, AS REPORTED

##### *Section 1. Short title*

This section provides the act’s short title, the “Secret Service Improvements Act of 2016.”

##### *Section 2. Restricted building or grounds*

Section 2 amends Title 18 of the United States Code to ensure the Government can arrest and prosecute those who operate unmanned aerial devices over the White House and other restricted grounds. Specifically, it criminalizes the throwing, operating, or placing of an “autonomous or remotely operated vehicle or dangerous weapon” within a restricted building or grounds that disrupts Government business or official functions. This section also clarifies that otherwise entering the restricted building or grounds with a deadly or dangerous weapon or firearm is punishable under Title 18. The section amends the definition of “restricted building or grounds” in Title 18 to encompass properties designated as non-governmental by the President or another Secret Service protectee (such as the President’s secondary residence, for example).

##### *Section 3. Threats against former Vice Presidents*

Section 3 authorizes the Secret Service to investigate threats against former Vice Presidents and their immediate families, and extends the criminal penalties that apply to threats against Presidents and their families, former Presidents and their families, and others, to include former Vice Presidents and their immediate families. The section also changes the definition of the immediate family from the wife or widow of a former President to the spouse or widow or widower of a former President or Vice President to make the section gender neutral.

##### *Section 4. Increased training*

The purpose of this section is to require training for United States Secret Service Protective Division Agents and Uniformed Division Officers per the recommendation of the Panel. The section requires the Secret Service to increase the number of training hours for officers and agents so that no less than ten percent of their time is spent on training, beginning the year after enactment. Additionally, USSS shall maintain enough staff to provide agents and officers a “fourth shift” of training. This is based on recommendations from the Panel.

*Section 5. Training facilities*

Section 5 authorizes the Director of the Secret Service to construct facilities at the Rowley Training Center to improve training for Uniformed Division officers and Secret Service agents.

*Section 6. Hiring of additional officers and agents*

Section 6 requires the Secret Service to implement the hiring requirement recommended in the Panel report. The section requires the Secret Service to hire 200 additional Uniformed Division officers and 85 additional agents for the Presidential Protective Detail.

*Section 7. Evaluation of vulnerabilities and threats*

Section 7 requires the Secretary of DHS to adopt improved procedures for evaluating vulnerabilities and threats, including unmanned aerial systems, to the White House and other buildings or grounds protected by the Secret Service. This section also requires the Secretary to report these findings to the appropriate congressional committees within one year.

*Section 8. Evaluation of use of technology*

Section 8 requires the Secret Service to work with the Science and Technology Directorate within DHS to evaluate new technology aimed at improving the security of the White House as well as Secret Service protectees. This section also requires the Secret Service to evaluate evidence retention procedures and report its findings to Congress.

*Section 9. Evaluation of use of additional weaponry*

Section 9 requires the Secret Service to evaluate outfitting its officers and agents with additional weaponry including the use of non-lethal weapons.

*Section 10. Security costs for secondary residences*

Section 10 allows the Secret Service to make necessary security upgrades to secondary residences of former Presidents.

*Section 11. Establishment of Ethics Program*

Section 11 requires the creation of an Ethics Program Office under the Chief Counsel of the Secret Service.

*Section 12. Report on implementation*

Section 12 requires the Comptroller General of the United States to report to Congress on the implementation of this act, as well as the implementation of recommendations reported from the Panel report.

## V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this act and determined that the act will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office's statement that the act contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act

(UMRA) and would impose no costs on state, local, or tribal governments.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

MARCH 3, 2016.

Hon. RON JOHNSON,  
*Chairman, Committee on Homeland Security and Governmental Affairs,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1656, the Secret Service Improvements Act of 2016.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

KEITH HALL.

Enclosure.

*H.R. 1656—Secret Service Improvements Act of 2016*

CBO estimates that implementing H.R. 1656 would increase spending subject to appropriation by less than \$500,000 annually. Because enacting H.R. 1656 would affect direct spending and revenues, pay-as-you-go procedures apply, but CBO estimates that any such effects would be negligible. CBO also estimates that enacting the legislation would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 1656 would authorize the United States Secret Service to hire additional law enforcement personnel and construct facilities for training those individuals. The act also would direct the agency to establish an office to provide ethics training for employees. According to the Secret Service, the agency is already hiring the personnel and constructing the facilities that would be specifically authorized by the act. Consequently, implementing H.R. 1656 would not affect spending for those activities. Based on information from the Secret Service, CBO estimates that it would cost less than \$500,000 annually to operate the ethics office required by the legislation; such spending would be subject to the availability of appropriated funds.

H.R. 1656 also would broaden the coverage of current laws against accessing restricted buildings and threatening a Vice President of the United States. Because CBO expects that the legislation would apply to a relatively small number of offenders, any increase in costs for law enforcement, court proceedings, or prison operations would not be significant.

Because those prosecuted and convicted under H.R. 1656 could be subject to criminal fines, the federal government might collect additional fines under the act. Criminal fines are recorded as revenues, deposited in the Crime Victims Fund, and are available to spend without further appropriation action. CBO expects that any additional revenues and subsequent direct spending would not be significant because of the small number of cases likely to be affected.

H.R. 1656 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

On July 31, 2015, CBO transmitted a cost estimate for H.R. 1656, the Secret Service Improvements Act of 2015, as passed by the House of Representatives on July 27, 2015. The two versions of the act are similar and CBO's estimate of the budgetary effects are the same.

The CBO staff contact for this estimate is Mark Grabowicz. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

#### VII. CHANGES IN EXISTING LAW MADE BY THE ACT, AS REPORTED

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by H.R. 1656 as reported are shown as follows (existing law proposed to be omitted is enclosed in brackets, new matter is printed in *italics*, and existing law in which no change is proposed is shown in roman):

### UNITED STATES CODE

\* \* \* \* \*

#### TITLE 18—CRIMES AND CRIMINAL PROCEDURE

\* \* \* \* \*

#### PART I—CRIMES

\* \* \* \* \*

#### CHAPTER 41—EXTORTION AND THREATS

\* \* \* \* \*

#### SEC. 879. THREATS AGAINST FORMER PRESIDENTS AND CERTAIN OTHER PERSONS

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

(1) \* \* \*

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

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

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

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

(b) As used in this section—

(1) the term “immediate family” means—

(A) with respect to [subsection (a)(1)] *paragraphs (1) and (2) of subsection (a)* of this section, [the wife of a

former President during his lifetime, the widow of a former President until her death or re-marriage, and minor children of a former President] *the spouse of a former President or former Vice President during the lifetime of the former President or former Vice President, as the case may be, the widow or widower of a former President or former Vice President until the death or remarriage of the widow or widower, and minor children of a former President or former Vice President until they reach sixteen years of age; and*

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

\* \* \* \* \*

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

\* \* \* \* \*

**SEC. 1752. RESTRICTED BUILDING OR GROUNDS**

(a) Whoever—

(1) \* \* \*

(2) \* \* \*

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

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

(5) *knowingly causes any autonomous or remotely operated vehicle or dangerous weapon to enter any restricted building or grounds, with the intent for such autonomous or remotely operated vehicle or dangerous weapon to enter a restricted building or grounds, when, or so that, such autonomous or remotely operated vehicle or dangerous weapon, in fact, impedes or disrupts the orderly conduct of Government business or official functions;*

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

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

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

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

*(A) during and in relation to the offense, a deadly or dangerous weapon or firearm is used, carried, or otherwise enters the restricted building or grounds; or*

(B) \* \* \*

(2) \* \* \*

(c) In this section—

(1) the term “restricted buildings or [grounds” means] grounds”—

(A) means any posted, cordoned off, or otherwise restricted area—

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

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

(iii) of a building or grounds that the President or other person protected by the Secret Service has designated as a non-governmental property in accordance with the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note); or

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

(B) includes the airspace above any posted, cordoned off, or otherwise restricted area described in subparagraph (A); and

(2) \* \* \*

\* \* \* \* \*

PRESIDENTIAL PROTECTION ASSISTANCE ACT OF 1976

\* \* \* \* \*

SEC. 3.

(a) \* \* \*

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

(c) \* \* \*

[SEC. 4. Expenditures by the Secret Service for maintaining a permanent guard detail and for permanent facilities, equipment, and services to secure any non-Governmental property in addition to the one non-Governmental property designated by each protectee under subsection 3(a) or 3(b) may not exceed a cumulative total of \$10,000 at each such additional non-Governmental property, unless expenditures in excess of that amount are specifically approved by resolutions adopted by the Committees on Appropriations of the House and Senate, respectively.]

SEC. 4. Notification regarding expenditures on non-governmental properties. The Secret Service shall notify the Committees on Appropriations of the House and Senate, the Committee on Homeland Se-

*curity and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on the Judiciary of the House of Representatives of any expenditures for permanent facilities, equipment, and services to secure any non-Governmental property in addition to the one non-Governmental property designated by each protectee under subsection (a) or (b) of section 3.*

SEC. 5.

(a) \* \* \*

(b) \* \* \*

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

\* \* \* \* \*

