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U.S. Secret Service: Selected Issues and Executive and Congressional Responses

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Summary

Since 1865, the U.S. Secret Service (USSS) has investigated counterfeiting, and since 1901, at the request of congressional leadership, the Service has provided full-time presidential protection.

The USSS has two primary purposes which are criminal investigations and protection. Criminal investigation activities include financial crimes, identity theft, counterfeiting, computer fraud, and computer-based attacks on the nation's financial, banking, and telecommunications infrastructure, among other areas. The protection mission covers the President, Vice President, their families, and candidates for those offices. The protection mission also includes the securing of the White House and the Vice President's residence, through the Service's Uniformed Division.

Congress has recently increased its oversight of the USSS due to concern about terrorism threats, and several security breaches and misconduct of USSS personnel. Recent incidents include abuse of alcohol by special agents, and security breaches of the White House grounds and presidential protection. Although the USSS is not the only federal law enforcement entity with personnel accused of ethical violations or professional and personal misconduct, it should be noted that USSS security breaches and ethical violations may have greater consequences, particularly concerning presidential protection.

This report provides a brief overview of the USSS's missions, structure, and staffing. It examines enacted and proposed changes and reforms stemming from a series of incidents.

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Introduction

Since 1865, the U.S. Secret Service (USSS) has investigated counterfeiting, and since 1901, at the request of congressional leadership, the Service has provided full-time presidential protection.

Congress has increased its oversight of the USSS due to concern about terrorism threats, several security breaches, and misconduct of USSS personnel. Recent incidents include abuse of alcohol, and security breaches of the White House grounds and presidential protection. This series of incidents has tarnished the image many have of the USSS and may have potentially affected its operations. For example, on September 19, 2014, a person gained unauthorized entrance into the White House after climbing the fence. On September 30, 2014, following a House Oversight and Government Reform Committee hearing on the USSS, which addressed this breach and previous incidents[1] it became public that on September 16, 2014, a private security contractor at a federal facility, while armed, was allowed to share an elevator with the President during a site visit, in violation of USSS security protocols. Finally, on March 4, 2015, it was reported that two senior USSS special agents, including one who was responsible for all aspects of White House security, disrupted the scene of an investigation of a suspicious package during an elevated security condition at the White House complex. It was further alleged that these two agents were under the influence of alcohol.

The USSS is not the only federal law enforcement entity that has been identified with having personnel violating ethics or participating in professional and personal misconduct. For example, in April 2015, the House Judiciary Committee conducted a hearing on "Analyzing Misconduct in Federal Law Enforcement," and focused on misconduct by federal Drug Enforcement Agency personnel.[2] It should be noted, however, that USSS security breaches and ethical violations may have greater consequences, particularly concerning presidential protection.

This report provides a brief overview of the USSS's missions and structure, as currently constituted, and explores enacted and proposed changes and reforms stemming from the recent series of incidents embarrassing to the USSS and affecting its mission. To put the issues surrounding the USSS in context, one needs to first understand the two concurrent USSS missions.

Missions

The USSS has two missions that are integrated and executed concurrently, criminal investigations and protection.[3] Criminal investigation activities encompass financial crimes, identity theft, counterfeiting, computer fraud, and computer-based attacks on the nation's financial, banking, and telecommunications infrastructure, among other areas. The protection mission, however, is the more prominent, covering the President, Vice President, their families, and candidates for those offices. The protection mission also includes the securing of the White House and the Vice President's official residence, and the President's and Vice President's personal residences, through the Service's Uniformed Division. Protective duties also extend to foreign missions in the District of Columbia and to designated individuals, such as the DHS Secretary and visiting

[1] U.S. Congress, House Committee on Oversight and Government Reform, *White House Perimeter Breach: New Concerns about the Secret Service*, 113th Cong., 2nd sess., September 30, 2014.

[2] U.S. Congress, House Committee on the Judiciary, Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, *Analyzing Misconduct in Federal Law Enforcement*, 114th Cong., 2nd sess., April 15, 2015.

[3] For more information, see, *The U.S. Secret Service: History and Missions*, by Shawn Reese.

foreign dignitaries. The USSS is structured and staffed, as discussed in the next section, to execute these concurrent missions. Additionally, the USSS is the lead federal agency responsible for coordinating, planning, exercising, and implementing security for National Special Security Events (NSSE).[4] NSSEs are major federal government or public events that are considered to be nationally significant; these events include presidential inaugurations, presidential nominating conventions, some major sporting events, and major international meetings.[5]

Structure and Staffing

The USSS is structured and staffed not only to execute its concurrent criminal investigations and protection missions, but also to support the Service's management and administration with internal entities and offices. Current staffing levels for each major USSS component are identified in this report.

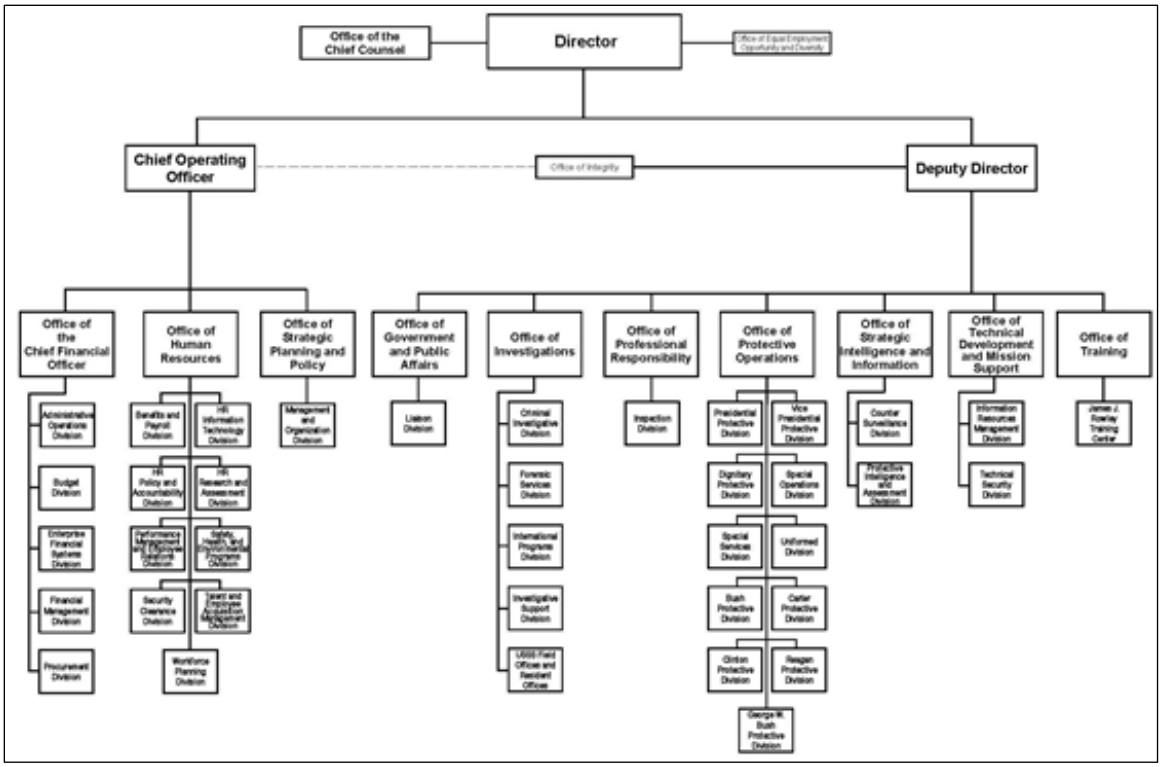
Structure

In general, the USSS is composed of two major divisions, one that deals with the Service's administrative functions, led by a Chief Operating Officer. The other, led by a Deputy Director, is the entity responsible for the criminal investigation and protection missions and their support organizations. The organization chart below depicts the current organization of the USSS (as of May 17, 2015; USSS has not provided a more recent organization chart). See **Appendix A** for a brief description of USSS components, and **Appendix B** for a map of USSS field offices.

[4] P.L. 106-544.

[5] For more information on NSSEs, see CRS Report R43522, *National Special Security Events: Fact Sheet*, by Shawn Reese.

Figure 1. United States Secret Service Organization Chart



Source: U.S. Secret Service Management and Organization Division (May 17, 2015).

Staffing

USSS personnel are comprised of special agents; Uniformed Division law enforcement officers; and Administrative, Professional, and Technical (APT) positions. Special agents are assigned to protection and criminal investigations, Uniformed Division officers conduct protective actions only, and APTs support both missions. **Figure 1** above displays the organization of staff and **Table 1** provides staffing numbers of major USSS components.

Table 1. U.S. Secret Service Staffing
(as of March 25, 2015)

USSS Component	Total Staffing
Office of Director and Deputy Director	24
Office of Human Resources	332
Office of Technical Development and Mission Support	369
Office of Strategic Planning and Policy	206
Office of the Chief Financial Officer	191
Office of Professional Responsibility	30
Office of Government and Public Affairs	75
Office of Chief Counsel	28
Office of Protective Operations	2,415
Office of Investigations	3,007
Total	**6,329**

Source: U.S. Secret Service, Office of Government and Public Affairs; this office has not provided CRS a more recent staffing chart.

There are personnel who conduct both protection and criminal investigations due to the overlap and concurrent missions of the USSS. Specifically, USSS special agents assigned to criminal investigations field offices conduct protection mission activities such as investigating individuals who may be a threat to a USSS protectee, and providing additional protective personnel when a protectee travels to an area with a USSS criminal investigations field office. The USSS states that special agents assigned to criminal investigations conduct the following activities—and the approximate percentage of special agent work associated with these activities as:

- Protection—32%
- Protective Intelligence—6%
- Counterfeiting Investigations—9%
- Cyber-crime Investigations—10%
- Financial Crime Investigations—18%
- Other—25%.[6]

Security Incidents

One of the facts of the post-9/11 world is the awareness that security is not perfect. There are no infinite security resources; there are no guarantees of complete protection. Presidential protection has been a full-time mission of the USSS since 1901, and there have been seven assaults on Presidents since then. One assault resulted in the death of President John F. Kennedy.

USSS protection of Presidents, and others, is more than physical guarding; it also includes securing facilities and locations where USSS protectees are located, and advance work such as

[6] Briefing provided to CRS by the USSS, May 2015.

liaison with state and local law enforcement. These locations include the White House complex, where there have been approximately 78 "fence jumpers" since 1991.[7]

One security violation was on September 19, 2014, when a person gained unauthorized entrance to not only the White House complex grounds, but into the White House itself. Following congressional inquiry into this security breach, the USSS revealed that on September 16, 2014, a private security contractor at a federal facility, while armed, was allowed to share an elevator with the President during a site visit, in violation of USSS security protocols.

Along with these security breaches USSS personnel have been accused of ethical violations. For example, on March 4, 2015, it was reported that two senior USSS special agents, including one who was responsible for all aspects of White House security, disrupted the scene of an investigation of a suspicious package during an elevated security condition at the White House complex. It was further alleged that these two agents were under the influence of alcohol.

USSS Response

In December 2014 an executive panel issued a report on the USSS protective mission. This report was a response to President Obama's Administration, the DHS Secretary, and the USSS to review potential issues associated with White House complex security.[8] The report recommended the following:

Training and Personnel

- Provide a true "Fourth Shift" for training the Presidential and Vice-Presidential Protective Divisions, so that they spend two weeks out of every eight in training, and ensure that Uniformed Division officers are in training for no less than 10% of their time.
- Implement integrated training focused on ensuring that all teams at the White House know their roles in responding to specific threats.
- Train in conditions that replicate the physical environment in which they will operate.
- Increase the Uniformed Division, as quickly as can be appropriately managed, by an initial 200 positions, and the Presidential Protective Division by 85 positions. Perform additional analyses and, likely, further increases as necessary.
- Reform and professionalize recruiting, hiring, promotion, and rotation processes to put the most talented, capable individuals in place as efficiently as possible.

Technology, Perimeter Security, and Operations[9]

- Ensure that the Office of Technical Development and Mission Support proactively reviews and refreshes the Service's technological footprint. The Service should receive dedicated funds for technology, both within its own budget and within DHS Science and Technology's budget, to accomplish these tasks.

[7] Information provided to CRS from the USSS in numerous in-person and telephone conversations since May 2015.

[8] United States Secret Service Panel, *Report from the United States Secret Service Protective Mission Panel to the Secretary of Homeland Security*, Washington, DC, December 15, 2014. The executive summary is the only nonclassified portion of the report that is publicly available. The executive summary is available at http://www.dhs.gov/sites/default/files/publications/14_1218_usss_pmp.pdf.

[9] A number of these recommendations are classified.

- Replace the outer fence that surrounds the 18 acres of the White House complex to give USSS personnel more time to react to intrusions.

Leadership

- Clearly communicate agency priorities, give effect to those priorities through its actions, and align its operations with its priorities.
- Promote specialized expertise in its budget, workforce, and technology functions.
- Present a zero-based or mission-based budget that will provide sufficient resources to accomplish its mission, beginning immediately by working within DHS to adopt a workforce staffing model.
- Create more opportunities for officers and agents to provide input on their mission and train its mid- and lower-level managers to encourage, value and respond to such feedback.
- Lead the federal protective force community.
- Receive periodic, outside assessments of the threats to and strategies for protecting the White House complex.
- Resume participation in international fora with comparable protective services of friendly nations.
- Give leadership's priorities and reforms the organization's sustained attention and hold the agency accountable through to their completion.
- Implement a disciplinary system in a consistent manner that demonstrates zero tolerance for failures that are incompatible with its zero-failure mission.
- Hold forces accountable for performance by using front-line supervisors to constantly test readiness.
- The next director of the Secret Service should be a strong leader from outside the agency who has protective, law enforcement, or military background and who can drive cultural change in the organization and move the Secret Service forward into a new era.
- Establish a leadership development system that identifies and trains the agency's future managers and leaders.[10]

According to USSS Office of Governmental and Public Affairs personnel, the Service addressed a number of these recommendations and plans to further implement other recommendations when able.[11] On April 15, 2015, the USSS's Chief Integrity Officer, Mark Hughes, stated at a House Judiciary Committee hearing that the USSS established a Secret Service Professionalism Reinforcement Working Group, in conjunction with the DHS IG, that recommended (and later implemented) the establishment of the Office of Integrity and a Secret Service Table of Offense Codes and Penalty Guidelines. This resulted in a USSS disciplinary process with the goal of being transparent, consistent, and fair. This process is used to assess and determine the appropriate penalty to impose for USSS personnel misconduct.[12]

[10] United States Secret Service Panel, *Report from the United States Secret Service Protective Mission Panel to the Secretary of Homeland Security*, Executive Summary, Washington, DC, December 15, 2014, pp. 7-8.

[11] Information provided to CRS from the USSS in numerous in-person and telephone conversations since May 2015.

[12] U.S. Congress, House Committee on the Judiciary, Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, *Analyzing Misconduct in Federal Law Enforcement*, 114th Cong., 1st sess., April 15, 2015.

Congressional Response

As a result of these security breaches and ethical violations, Congress has increased its oversight of the USSS. In September 2014, following the unauthorized entry of the White House by a "fence jumper," the House Oversight and Government Reform Committee held a hearing entitled "White House Perimeter Breach: New Concerns about the Secret Service," which addressed this breach and previous incidents.[13] The committee inquired whether deficient procedures, insufficient training, personnel shortages, or low morale contributed to these security breaches.

On May 14, 2015, the House Oversight and Government Reform Committee held another hearing, "U.S. Secret Service: Accountability for March 4, 2015 Incident."[14] The purpose of this hearing was to examine the DHS Office of Inspector General's (OIG's) report on its investigation into the March 4, 2015, incident at the White House.[15] On March 10, 2015, allegations of misconduct were referred to the DHS OIG. Specifically, this alleged misconduct was that two senior USSS agents interfered with an active bomb investigation at the White House while under the influence of alcohol.[16] John Roth, DHS's Inspector General, stated in his written statement that on March 4, 2015, "it was more likely than not" that the two USSS agents' judgment was impaired by alcohol. Additionally, DHS IG's written statement concludes that the two agents displayed poor judgment and a lack of situational awareness in driving to the scene of the White House bomb investigation. The statement also concludes that both agents were required to report their conduct "up the chain of command," but did not because the USSS agents believed their actions were not reportable offenses. Finally, DHS's IG stated that the USSS Uniform Division leaders and officers reacted to the bomb (suspicious package) incident in accordance with USSS policy and operational procedures.[17]

On July 27, 2015, the House passed H.R. 1656 (114th Congress), which addresses some of the issues that have been identified with USSS and the recent security breaches and ethical violations. H.R. 1656, "Secret Service Improvements Act of 2015," would, among other things, make the USSS Director a position that the President would appoint with the advice and consent of the Senate, increase the number of annual training hours for USSS Uniformed Division officers and special agents, authorize the USSS Director to construct facilities at the Rowley Training Center to improve USSS training, and authorize the USSS Director to hire not fewer than 200 Uniformed Division officers and 85 additional special agents.[18] On July 28, 2015, H.R. 1656 was referred to

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[13] U.S. Congress, House Committee on Oversight and Government Reform, *White House Perimeter Breach: New Concerns about the Secret Service*, 113th Cong., 2nd sess., September 30, 2014.

[14] U.S. Congress, House Committee on Oversight and Government Reform, *U.S. Secret Service: Accountability For March 4, 2015 Incident*, 114th Cong., 2nd sess., May 14, 2015. Hearing videos and documents available at http://oversight.house.gov/hearing/u-s-secret-service-accountability-for-march-4-2015-incident/.

[15] John Roth, *Investigation Into the Incident at the White House Complex on March 4, 2015*, U.S. Department of Homeland Security, Office of Inspector General, Memorandum, Washington, DC, May 6, 2015, available at https://www.oig.dhs.gov/assets/Mga/OIG_mga-050615.pdf.

[16] U.S. Congress, House Committee on Oversight and Government Reform, *U.S. Secret Service: Accountability For March 4, 2015 Incident*, 114th Cong., 2nd sess., May 14, 2015.

The two USSS agents were identified as Marc Connolly, Deputy Special Agent in Charge of the Presidential Protective Division, and George Ogilvie, Assistant to the Special Agent in Charge at the USSS's Washington Field Office.

[17] John Roth, *Statement Before the Committee On Oversight And Government Reform, U.S. House of Representatives*, U.S. Department of Homeland Security, Office of Inspector General, Written Hearing Statement, Washington, DC, May 14, 2015, pp. 2-3, available at http://oversight.house.gov/wp-content/uploads/2015/05/IG-Roth-Statement-5-14-USSS.pdf.

[18] "Secret Service Improvements Act of 2015," House debate and vote, *Congressional Record*, daily edition, July 27, 2015, pp. H5491-H5492.

the Senate Homeland Security and Governmental Affairs Committee. No further action was taken on this bill.

Most recent congressional oversight was the November 15, 2016, hearing conducted by the House Oversight and Government Reform Committee.[19] The purpose of this hearing was to examine allegations that USSS agents were not receiving compensation for overtime, and review DHS IG reports addressing USSS's protection of sensitive material. The committee stated that the USSS' investigative mission places an additional burden on USSS agents and distracts from the Service's protection mission; the USSS suffers technology failures and casts doubts on the Service's ability to protect the nation's financial infrastructure; USSS agents are promoted to senior management positions despite alleged misconduct; and that USSS senior leadership continues to withhold information pertaining to alleged misconduct from the committee.[20] Since this hearing, there has been no information on how the USSS has responded to Congress' oversight.

Conclusion

There are numerous ways in which Congress, DHS, and the USSS might address recent security breaches and ethical violations within USSS. For example, Congress could continue to engage in deliberate oversight of the USSS, with an emphasis on identifying potential reforms to USSS's management practices, operations, and training programs that go beyond simply reacting to recent security breaches and ethical violations and, instead, focusing on the underlying causes of these program failures. Agreement concerning the nature of these fundamental issues and how to address them has not yet been achieved, but focusing solely on individual incidents may potentially obscure or confuse the underlying issues that have adversely affected the USSS as a whole and its ability to fully meet its missions.

[19] U.S. Congress, House Committee on Oversight and Government Reform, *Oversight of the Secret Service*, 114th Cong., 2nd sess., November 15, 2016.

[20] Ibid.

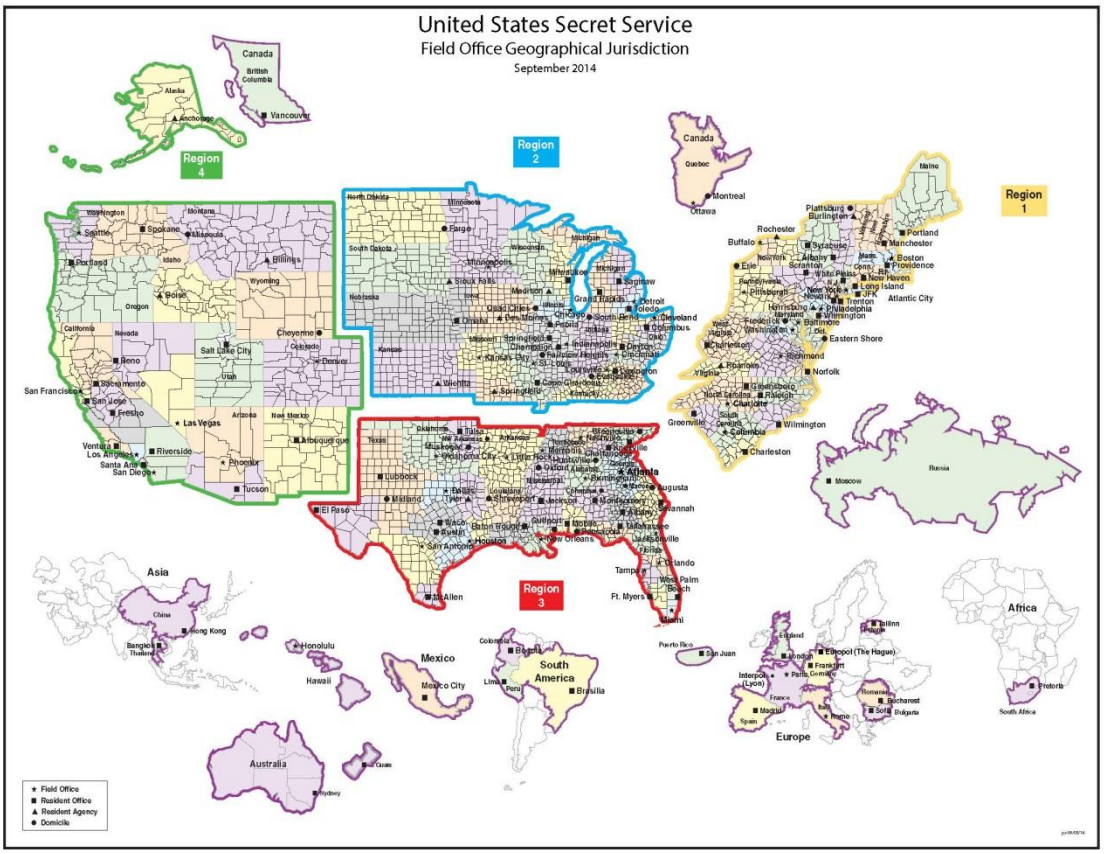
Appendix A. U.S. Secret Service Components

- The Office of the Director is the lead office within the USSS and the Director is assisted by the Office of the Chief Counsel and the Office of Equal Employment Opportunity and Diversity.
- A Chief Operating Officer manages the following offices:
  - Office of the Chief Financial Officer, which is responsible for administrative operations, budget, financial systems, and procurement.
  - Office of Human Resources (HR), which is responsible for benefits and payroll; HR information technology; HR research and assessment; employee performance and relations; safety, health, and environmental programs; security clearances; talent and employee acquisition management; and workforce planning.
  - Office of Strategic Planning and Policy, which is responsible for conducting USSS policy planning and long-term strategy development.
- A Deputy Director manages the following offices:
  - Office of Government and Public Affairs, which is responsible for conducting liaison with the public, other federal entities (including Congress), and state and local governments.
  - Office of Investigations, which is responsible for criminal investigations including cyber, financial, and counterfeiting crimes. This office also manages the international programs and domestic field and resident offices.
  - Office of Professional Responsibility monitors and investigates the professional conduct of USSS agents and uniform division officers.
  - Office of Protective Operations, which is responsible for protecting the President, the Vice President, and their families. This office has entities that protect dignitaries, former Presidents George H. W. Bush, Jimmy Carter, Bill Clinton, and George W. Bush. Additionally, this office manages the protection of former First Lady Nancy Reagan. Supporting this protection mission, the Office of Protective Operations has special operations and services offices. This office also includes the Uniformed Division.
  - Office of Strategic Intelligence and Information works with the Office of Protective Operations and provides counter surveillance, and threat intelligence and assessment activities.
  - Office of Technical Development and Mission Support, which is responsible for providing IT support to the USSS's protective mission.
  - Office of Training is responsible for planning, managing, and executing all USSS training primarily conducted at the James J. Rowley Training Center.

Finally, an independent Office of Integrity works with both the Chief Operating Officer and the Deputy Director. One may assume this office was established to address the recent ethical issues the USSS has experienced. Each of these USSS components are staffed by a number of USSS personnel.

Appendix B. Criminal Investigations Field Offices

Figure B-1. U.S. Secret Service Criminal Investigations Field Offices



Source: U.S. Secret Service, Office of Government and Public Affairs.

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