§ 3055. Officers’ powers to suppress Indian liquor traffic

The chief special officer for the suppression of the liquor traffic among Indians and duly authorized officers working under his supervision whose appointments are made or affirmed by the Commissioner of Indian Affairs or the Secretary of the Interior may execute all warrants of arrest and other lawful precepts issued under the authority of the United States and in the execution of his duty he may command all necessary assistance.

(June 25, 1948, ch. 645, 62 Stat. 817.)

HISTORICAL AND REVISION NOTES


The only change was to delete the words at the beginning of the section, “The powers conferred by section 504 of title 28 upon marshals and their deputies are conferred upon.” and the addition, at the end of the section, of the phrase expressing such powers beginning with the words “may execute all warrants”.

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

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

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

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

(3) Former Presidents and their spouses for their lifetimes, except that protection of a spouse shall terminate in the event of remarriage unless the former President did not serve as President prior to January 1, 1997, in which case, former Presidents and their spouses for a period of not more than ten years from the date a former President leaves office, except that—

(A) protection of a spouse shall terminate in the event of remarriage or the divorce from, or death of a former President; and

(B) should the death of a President occur while in office or within one year after leaving office, the spouse shall receive protection for one year from the time of such death:

Provided, That the Secretary of Homeland Security shall have the authority to direct the Secret Service to provide temporary protection for any of these individuals at any time thereafter if the Secretary of Homeland Security or designee determines that information or conditions warrant such protection.

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

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

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

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

(3) any of the laws of the United States relating to electronic fund transfer frauds, access device frauds, false 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 of those provisions of law which the Secret Service is authorized to enforce;

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

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

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

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

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

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

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

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

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

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


HISTORICAL AND REVISION NOTES


Said section 148 of title 12, 1940 ed., Banks and Banking, was concerned with offenses relating to counterfeiting and passing, etc., of transportation requests and to the unlawful possession or making of plates, stones, etc., used in making such requests, which were defined in sections 146 and 147 of said title 18, now sections 508 and 509 of this title.

Said sections 264(x) and 986 of title 12, U.S.C. 1940 ed., Banks and Banking, were concerned with various offenses as defined in sections 981–985, 987 of said title 12, relating to Federal land banks, joint-stock land banks and national farm loan associations, and as defined in section 264 of said title 12 relating to the Federal Deposit Insurance Corporation. All of the provisions of said sections 981–985, 987 of said title 12, and the criminal provisions of said section 264 of said title 12, were transferred to this title where they were, in some instances, consolidated with similar provisions from other sections. Such provisions are now incorporated in sections 218, 221, 493, 494, 627, 1007, 1009, 1014, 1007, 1009, and 1009 of this title. In most instances, these sections, as the result of the consolidations, relate to other organizations as well as those mentioned above, but, by enumerating the Federal Deposit Insurance Corporation, Federal land banks, joint-stock land banks, and national farm loan associations in this section, the powers of the Secret Service are not broadened beyond what they were in said sections 264(x) and 986 of said title 12.

In this section, the wording of said section 148 of title 18, U.S.C. 1940 ed., and section 986 of title 12, U.S.C. 1940 ed., Banks and Banking reading “The Secretary of the Treasury is hereby authorized to direct and use the Secret Service Division of the Treasury Department, etc.” was adopted, rather than the wording of said section 264(x) of said title 12, which read “The Secret Service Division of the Treasury Department is authorized.” Words “of the United States marshal having jurisdiction,” following “custody” in all three of said sections, were omitted as surplusage.

Changes were made in phraseology.

REFERENCES IN TEXT

as amended, which is set out in the Appendix to Title 5, Government Organization and Employees. Section 216 of this title, referred to in subsec. (b)(1), was added by Pub. L. 98–473, title II, §1107(b), Oct. 12, 1984, 98 Stat. 2146.

AMENDMENTS


2006—Subsec. (a)(7). Pub. L. 110–177, §608(a), which directed amendment of subsec. *(a)(7)* by inserting “The Committee shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App. 2)” after “other members of the Committee,” was executed by making the insertion after “other members of the committee,” to reflect the probable intent of Congress.


2002—Subsecs. *(a) to *(c)(1), (e)(1)*. Pub. L. 107–296, title XVII, §1703(b), Nov. 25, 2002, 116 Stat. 3560, provided that: “The amendments made by this Act (probably should be “title”), meaning title I of Pub. L. 110–326, which amended this section and enacted provisions set out as a note under section 1 of this title) shall apply with respect to any Vice President holding office on or after the date of enactment of the Act [Sept. 26, 2008].”

 EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110–326, title I, §103, Sept. 26, 2008, 122 Stat. 3560, provided that: “The amendments made by this Act (probably should be “title”), meaning title I of Pub. L. 110–326, which amended this section and enacted provisions set out as a note under section 1 of this title shall apply with respect to any Vice President holding office on or after the date of enactment of the Act [Sept. 26, 2008].”

 EFFECTIVE DATE OF 2002 AMENDMENT

this section [amending this section and former sections 202 and 208 of Title 3, The President] shall take effect on the date of transfer of the United States Secret Service to the Department [of Homeland Security]."

**Effective Date of 1974 Amendment**

Pub. L. 93–552, title VI, §609(b), Dec. 27, 1974, 88 Stat. 1765, provided that: “Except as otherwise provided therein, the amendment made by subsection (a) of this section [amending this section, former section 202 of Title 3, The President, and provisions set out as a note under section 111 of Title 3] shall become effective July 12, 1974.”

**Effective Date of 1959 Amendment**


**Transfer of Functions**

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

**Use of Funds for United States Secret Service Protection**

Pub. L. 109–208, title V, §517(b), Apr. 4, 2006, 120 Stat. 1380, as amended by Pub. L. 110–161, title VI, §609(b), Dec. 18, 2007, 121 Stat. 2073, provided that: “For fiscal year 2006, and each fiscal year thereafter, the Director of the United States Secret Service may enter into an agreement to perform protection of a Federal official other than a person granted protection under section 306(a) of title 18, United States Code, on a fully reimbursable basis.”

**Funds for Training**

Pub. L. 108–90, title II, Oct. 1, 2003, 117 Stat. 1145, provided in part: “That in fiscal year 2004 and thereafter, subject to the reimbursement of actual costs to this account, funds appropriated in this account shall be available, at the discretion of the Director, for the following: training United States Postal Service law enforcement personnel and Postal police officers, training Federal law enforcement officers, training State and local government law enforcement officers on a space-available basis, and training private sector security officials on a space-available basis.”

**Expansion of National Electronic Crime Task Force Initiative**


**National Threat Assessment Center**

Pub. L. 106–544, §4, Dec. 19, 2000, 114 Stat. 2716, provided that: “(a) Establishment.—The United States Secret Service (hereafter in this section referred to as the ‘Service’), at the direction of the Secretary of the Treasury, may establish the National Threat Assessment Center (hereafter in this section referred to as the ‘Center’) as a unit within the Service. “(b) Functions.—The Service may provide the following to Federal, State, and local law enforcement agencies through the Center: “(1) Training in the area of threat assessment. “(2) Consultation on complex threat assessment cases or plans. “(3) Research on threat assessment and the prevention of targeted violence. “(4) Facilitation of information sharing among all such agencies with protective or public safety responsibilities. “(5) Programs to promote the standardization of Federal, State, and local threat assessments and investigations involving threats. “(6) Any other activities the Secretary determines are necessary to implement a comprehensive threat assessment capability. “(c) Report.—Not later than 1 year after the date of the enactment of this Act (Dec. 19, 2000), the Service shall submit a report to the Committees on the Judiciary of the Senate and the House of Representatives detailing the manner in which the Center will operate.”

**Telecommunications Support to United States Secret Service by White House Communications Agency**

Pub. L. 104–208, div. A, title I, §101(b) [title VIII, §8100], Sept. 30, 1996, 110 Stat. 3009–71, 3009–108, as amended by Pub. L. 106–92, §2, Nov. 9, 1999, 113 Stat. 1309, provided that: “Beginning in fiscal year 1997 and thereafter, and notwithstanding any other provision of law, fixed and mobile telecommunications support shall be provided by the White House Communications Agency (WHCA) to the United States Secret Service (USSS), without reimbursement, in connection with the Secret Service’s duties directly related to the protection of the President or the Vice President or other officer immediately next in order of succession to the office of the President at the White House Security Complex in the Washington, D.C. Metropolitan Area and Camp David, Maryland. For these purposes, the White House Security Complex includes the White House, the White House grounds, the Dwight D. Eisenhower Executive Office Building, the New Executive Office Building, the Blair House, the Treasury Building, and the Vice President’s Residence at the Naval Observatory.”

**Off-Set of Costs of Protecting Former Presidents and Spouses**


- Former Presidents when the former President or spouse travels; and
- Former Presidents and spouses of former Presidents when the former President or spouse travels for the purpose of making an appearance or speech for a payment of money or any thing of value.

Similar provisions were contained in the following prior appropriations acts:


**Former Vice President or Spouse Protection**


- (1) the United States Secret Service, in addition to other duties now provided by law, is authorized to furnish protection to—
“(A) the person occupying the Office of Vice President of the United States immediately preceding January 20, 1981, or
(b) his spouse, if the President determines that such person may thereafter be in significant danger; and

(2) protection of any such person, pursuant to the authority provided in paragraph (1), shall continue only for such period as the President determines, except that such protection shall not continue beyond July 20, 1983, unless otherwise permitted by law.”

Pub. L. 96-503, Dec. 5, 1980, 94 Stat. 2749, provided: “That the United States Secret Service, in addition to other duties now provided by law, is authorized to furnish protection to (a) the person occupying the Office of Vice President of the United States immediately preceding January 20, 1981, or (b) his spouse, if the President determines that such person may thereafter be in significant danger: Provided, however, That protection of any such person shall continue only for such period as the President determines and shall not continue beyond July 20, 1981, unless otherwise permitted by law.”

SECRET SERVICE PROTECTION OF FORMER FEDERAL OFFICIALS

Pub. L. 95-1, Jan. 19, 1977, 91 Stat. 3, provided: “That the United States Secret Service, in addition to other duties now provided by law, is authorized to furnish protection to a person who (a) as a Federal Government official has been receiving protection by the United States Secret Service for a period immediately preceding January 20, 1977, or (b) as a member of such official’s immediate family has been receiving protection by either the United States Secret Service or other security personnel of the official’s department immediately preceding January 20, 1977, if the President determines that such person may thereafter be in significant danger: Provided, however, That protection of any such person shall continue only for such period as the President determines and shall not continue beyond July 20, 1977, unless otherwise permitted by law.”

PRESIDENTIAL PROTECTION ASSISTANCE ACT OF 1976


“SEC. 2. As used in this Act the term—

“(1) ‘Secret Service’ means the United States Secret Service, the Department of the Treasury;

“(2) ‘Director’ means the Director of the Secret Service;

“(3) ‘protectee’ means any person eligible to receive the protection authorized by section 3056 of title 18, United States Code, or Public Law 90-351 (82 Stat. 170) [set out as a note above];

“(4) ‘Executive departments’ has the same meaning as provided in section 101 of title 5, United States Code;

“(5) ‘Executive agencies’ has the same meaning as provided in section 105 of title 5, United States Code;

“(6) ‘Coast Guard’ means the United States Coast Guard, Department of Transportation or such other Executive department or Executive agency to which the United States Coast Guard may subsequently be transferred;

“(7) ‘duties’ means all responsibilities of an Executive department or Executive agency relating to the protection of any protectee; and

“(8) ‘non-Governmental property’ means any property acquired, leased, occupied, or otherwise utilized by a protectee which is not owned or controlled by the Government of the United States of America.

“SEC. 3. (a) Each protectee may designate one non-Governmental property to be fully secured by the Secret Service on a permanent basis.

“(b) A protectee may thereafter designate a different non-Governmental property in lieu of the non-Governmental property previously designated under subsection (a) (hereinafter in this Act referred to as the ‘previously designated property’) as the one non-Governmental property to be fully secured by the Secret Service on a permanent basis under subsection (a).

“Provided, however, That such designation shall be subject to the limitations imposed under subsection 4.

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

“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 (a) or (b) may not exceed a cumulative total of $200,000 at each such additional non-Governmental property, unless expenditures in excess of that amount are specifically approved by resolutions adopt ed by the Committees on Appropriations of the House and Senate, respectively.

“SEC. 5. (a) All improvements and other items acquired by the Federal Government and used for the purpose of securing any non-Governmental property in the performance of the duties of the Secret Service shall be the property of the United States.

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

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

“SEC. 6. Executive departments and Executive agencies shall assist the Secret Service in the performance of its duties by providing services, equipment, and facilities on a temporary and reimbursable basis when requested by the Director and on a permanent and reimbursable basis upon advance written request of the Director; except that the Department of Defense and the Coast Guard shall provide such assistance on a temporary basis without reimbursement when assisting the Secret Service in its duties directly related to the protection of the President or the Vice President or other officer immediately next in order of succession to the office of the President.

“SEC. 7. No services, equipment, or facilities may be ordered, purchased, leased, or otherwise procured for the purposes of carrying out the duties of the Secret Service by persons other than officers or employees of the Federal Government duly authorized by the Director to make such orders, purchases, leases, or procurements.
"SEC. 8. No funds may be expended or obligated for the purpose of carrying out the purposes of section 3056 of title 18, United States Code, and section 1 of Public Law 90–331 [set out as a note in this title] other than funds specifically appropriated to the Secret Service for those purposes with the exception of—

"(1) Expenditures made by the Department of Defense or the Coast Guard from funds appropriated to the Department of Defense or the Coast Guard in providing assistance on a temporary basis to the Secret Service in the performance of its duties directly related to the protection of the President or the Vice President or other officer next in order of succession to the office of the President; and

"(2) Expenditures made by Executive departments and agencies, in providing assistance at the request of the Secret Service in the performance of its duties, and which will be reimbursed by the Secret Service to the Department of Defense or the Coast Guard, the General Services Administration, or any other department or agency of the United States."

"SEC. 9. The Director, the Secretary of Defense, and the Commandant of the Coast Guard shall each transmit a detailed semi-annual report of expenditures made pursuant to this Act during the six-month period immediately preceding such report to the Secret Service, the Department of Defense, and the Coast Guard, respectively, to the Committees on Appropriations, Committees on the Judiciary, and Committees on Government Operations [now Committee on Oversight and Government Reform of the House of Representatives and Committee on Homeland Security and Governmental Affairs of the Senate] of the House of Representatives and the Senate, respectively, on March 31 and September 30, of each year.

"SEC. 10. Expenditures made pursuant to this Act shall be subject to audit by the Comptroller General and his authorized representatives, who shall have access to all records relating to such expenditures. The Comptroller General shall transmit a report of the results of any such audit to the Committees on Appropriations, Committees on the Judiciary, and Committees on Government Operations [now Committee on Oversight and Government Reform of the House of Representatives and Committee on Homeland Security and Governmental Affairs of the Senate] of the House of Representatives and the Senate, respectively.

"SEC. 11. Section 2 of Public Law 90–331 [82 Stat. 170] [formerly set out as a note below] is repealed.

"SEC. 12. In carrying out the protection of the President of the United States, pursuant to section 3056(a) of title 18, at the one non-governmental property designated by the President of the United States to be fully secured by the United States Secret Service on a permanent basis, as provided in section 3(a) of Public Law 94–524 [section 3(a) of this note], or at an airport facility used for travel en route to or from such property, the Secretary of the Treasury may utilize, with their consent, the law enforcement services, personnel, equipment, and facilities of the affected State and local governments. Further, the Secretary of the Treasury is authorized to reimburse such State and local governments for the utilization of such services, personnel, equipment, and facilities. All claims for such reimbursement by the affected governments will be submitted to the Secretary of the Treasury on a quarterly basis. Expenditures for such reimbursement are authorized not to exceed $300,000 at the one non-governmental property, and $70,000 at the airport facility, in any one fiscal year: Provided, That the designated site is located in a municipality or political subdivision of any State where the permanent resident population is 7,000 or less and where the absence of such Federal assistance would place an undue economic burden on the affected State and local governments: Provided further, That the airport facility is wholly or partially located in a municipality or political subdivision [sic] of any State where the permanent resident population is 7,000 or less, and the absence of such Federal assistance would place an undue economic burden on the affected State and local governments."

"[For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related authorities, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, set out as a note under section 542 of Title 6.]

MAJOR PRESIDENTIAL OR VICE PRESIDENTIAL CANDIDATES AND SPOUSES: PERSONAL PROTECTION


EXTENSION OF PROTECTION OF PRESIDENT'S WIDOW AND CHILDREN

Pub. L. 90–145, Nov. 17, 1967, 81 Stat. 466, extended until Mar. 1, 1969, the authority vested in the United States Secret Service by section 3056 of this title, as it existed prior to the amendment in 1968 by Pub. L. 90–331, to protect the widow and minor children of a former President who were receiving such protection on Nov. 17, 1967.

APPLICABILITY OF REORG. PLAN NO. 26 OF 1950

Section 5 of Pub. L. 91–651 provided that: "Section 3056 of title 18, United States Code, as amended by section 4 of this Act, shall be subject to Reorganization Plan Number 26 of 1950 (44 Stat. 1290) [set out in the Appendix to Title 5, Government Organization and Employees]."

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

(a) There is hereby created and established a permanent police force, to be known as the "United States Secret Service Uniformed Division". Subject to the supervision of the Secretary of Homeland Security, the United States Secret Service Uniformed Division shall perform such duties as the Director, United States Secret Service, may prescribe in connection with the protection of the following: (1) The White House in the District of Columbia.

(2) Any building in which Presidential offices are located.

(3) The Treasury Building and grounds.

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

(5) Foreign diplomatic missions located in the metropolitan area of the District of Columbia.

(6) The temporary official residence of the Vice President and grounds in the District of Columbia.

Foreign diplomatic missions located in metropolitan areas (other than the District of Columbia) in the United States where there are located twenty or more such missions headed by full-time officers, except that such protection shall be provided only—