

## 2016 Presidential Campaign - FAQs

### Who Receives Protection?

**The Secret Service DOES NOT determine who qualifies for protection, nor is the Secret Service empowered to independently initiate candidate protection.**

**Under 18 U.S.C. ' 3056(a)(7), “[m]ajor Presidential and Vice President candidates,” as identified by the Secretary of Homeland Security, are eligible for Secret Service protection.**

Title 18 U.S.C. ' 3056(a)(7) authorizes the U.S. Secret Service to provide protection for major presidential and vice presidential candidates:

- Protection is authorized by the DHS Secretary after consultation with the Congressional Advisory Committee;
- The Congressional Advisory Committee includes: Speaker of the House, House Minority Leader, Senate Majority Leader, Senate Minority Leader, and one additional member selected by the others.

Criteria have been established to assist the DHS Secretary and the advisory committee in their decision making (as of 2008). Candidates must:

- Be publically announced;
- Have some degree of prominence as shown by opinion polls;
- Be actively campaigning and entered in at least 10 state primaries;
- Be seeking the nomination of a qualified party;
- Have qualified for matching funds in the amount of at least \$100,000;
- Have received contributions totaling \$10 million.

Title 18 U.S.C. ' 3056(a)(7) states that the U.S. Secret Service is also authorized to protect spouses of major Presidential and Vice Presidential candidates, as identified by the DHS Secretary, within 120 days of the general Presidential election. Some candidates have received protection earlier in the campaign pursuant to Presidential memoranda.”

## **History of Candidate/Nominee Protection:**

Expanded to include major candidates for president and vice president in 1968:

- Major candidates and their spouses began receiving protection after the assassination of Robert Kennedy in 1968. PL-90-331 was passed June 6, 1968. (Language since adopted into 3056).
- Prior to this event, candidates and their families did not receive Secret Service protection.
- Protection of a candidate/nominee is designed to maintain the integrity of the democratic process and continuity of government.