



## CRS Report for Congress

### National Special Security Events

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#### Summary

Major events that are considered to be nationally significant may be designated by the President — or his representative, the Secretary of the Department of Homeland Security (DHS) — as National Special Security Events (NSSE). Beginning in September 1998 through February 2007, there have been 27 events designated as NSSEs. Some of these events have included presidential inaugurations, presidential nominating conventions, major sports events, and major international meetings. The U.S. Secret Service (USSS) is the lead federal agency responsible for coordinating, planning, exercising, and implementing security for NSSEs, and was designated as the lead agency in P.L. 106-544. This report provides information on USSS legislative authority for NSSEs, NSSE designation funding and training, and NSSE funding. This report will be updated when congressional or executive branch actions warrant.

**Legislative Authority.** On May 22, 1998, President William J. Clinton issued Presidential Decision Directive 62 (PDD 62) — “Protection Against Unconventional Threats to the Homeland and Americans Overseas.” PDD 62 established a framework for federal department and agency counter-terrorism programs, which addressed terrorist apprehension and prosecution, increased transportation security, enhanced emergency response, and enhanced cyber security. PDD 62 also designated specific federal departments and agencies as the “lead” agencies in the event of terrorist attacks.<sup>1</sup> The U.S. Secret Service (USSS) was designated as the lead agency with the leadership role in the planning, implementation, and coordination of operational security for events of national significance — as designated by the President.<sup>2</sup> Other lead agencies for counter

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<sup>1</sup> Presidential Decision Directive 62 is classified. The White House issued a fact sheet abstract about it, and the Federation of American Scientists has posted an “unclassified abstract” said to be “derived from” PDD 62, available at [<http://www.fas.org/irp/offdocs/pdd-62.htm>], visited October 25, 2007.

<sup>2</sup> U.S. Department of Homeland Security, U.S. Secret Service, Office of Legislative Affairs, “National Special Security Events: Meeting the Counter-Terrorism Challenge” (Washington: 2006), p. 1. This document is only available by contacting the U.S. Secret Service’s Office of Legislative Affairs.

terrorism activities included the Federal Emergency Management Agency, the Department of Defense, and the Department of Health and Human Services.

On December 19, 2000, Congress enacted P.L. 106-544, the Presidential Threat Protection Act of 2000, and authorized USSS — when directed by the President — to plan, coordinate, and implement security operations at special events of national significance.<sup>3</sup> The special events were entitled National Special Security Events (NSSEs). Some events categorized as NSSE include presidential inaugurations, major international summits held in the United States, major sporting events, and presidential nominating conventions.

**NSSE Designation.** Prior to the establishment of DHS in January 2003, the President determined what events of national significance were designated as NSSEs. Since the establishment of the department, the DHS Secretary — as the President’s representative — has had the responsibility to designate NSSEs. NSSE designation factors include:

- anticipated attendance by US officials and foreign dignitaries;<sup>4</sup>
- size of the event;<sup>5</sup> and
- significance of the event.<sup>6</sup>

**NSSE Security.** When an event is designated an NSSE, USSS becomes the lead federal agency in developing, exercising, and implementing security operations. The goal of these security operations is to “develop and implement a seamless security plan that will create a safe and secure environment for the general public, event participants, Secret Service protectees, and other dignitaries.”<sup>7</sup>

The USSS’s Major Events Division (MED) is responsible for NSSE planning and coordinates with other USSS headquarters and field offices. Some of the coordination includes advance planning and liaison for venue and air space security, training, communications, and security credentialing.<sup>8</sup> Additionally, MED coordinates and

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<sup>3</sup> P.L. 106-544, Sec. 3. 114 Stat. 2716.

<sup>4</sup> Events attended by U.S. Government officials and foreign dignitaries may require federal interest in ensuring that the event is executed without incident and that sufficient resources are available in case of an incident.

<sup>5</sup> A large number of attendees and participants increases security requirements. Additionally, larger events could possibly increase terrorist intentions of attempting to attack the event.

<sup>6</sup> Some events have historical, political, and symbolic significance that may heighten the possibility of terrorist attacks. U.S. Department of Homeland Security, Office of the Press Secretary, “National Special Security Events Fact Sheet,” July 9, 2003, available at [[http://www.dhs.gov/xnews/releases/press\\_release\\_0207.shtm](http://www.dhs.gov/xnews/releases/press_release_0207.shtm)].

<sup>7</sup> U.S. Department of Homeland Security, U.S. Secret Service, Office of Legislative Affairs, “National Special Security Events: Meeting the Counter-Terrorism Challenge” (Washington: 2006), p. 1. This document is only available by contacting the U.S. Secret Service’s Office of Legislative Affairs.

<sup>8</sup> *Ibid.*, p. 2.

conducts liaisons with other federal, state, and local agencies — primarily law enforcement entities.

NSSE security is planned, exercised, and implemented through a unified command model that is comprised of representatives of participating federal, state, and local agencies with NSSE responsibilities. During the NSSE's planning phase, each participating agency is tasked according to their expertise or jurisdictional responsibility. USSS states that, “with the support of hundreds of federal, state, and local law enforcement and public safety organizations, each of these events has successfully concluded without any major incidents.”<sup>9</sup>

NSSE operational plans include the use of physical infrastructure security fencing, barricades, special access accreditation badges, K-9 teams, and other security technologies. To ensure consequence management, DHS prepositions Domestic Emergency Support Teams, Urban Search and Rescue Teams, national Emergency Response Teams, Nuclear Incident Response Teams, and the Strategic National Stockpile and Mobile Emergency Response System. Specific teams and groupings of teams are designed for each event based on coordination with other federal entities, state and local jurisdictions, available local resources, and mutual aid agreements.<sup>10</sup> Additionally, USSS sponsors training seminars for command-level federal, state, and local law enforcement and public safety officials to provide principles for managing security at major events and strategies for reducing vulnerabilities related to terrorism. The seminars also discuss key strategies and lessons learned from past NSSEs.<sup>11</sup>

The following table (**Table 1**) lists the NSSEs that have occurred, their location, and date:

**Table 1. National Special Security Events Since 1998**

Event	Location	Date
World Energy Council Meeting	Houston, TX	Sep. 13-17, 1998
NATO 50 <sup>th</sup> Anniversary Celebration	Washington, DC	Apr. 23-25, 1999
World Trade Organization Meeting	Seattle, WA	Nov. 29-Dec. 3, 1999
State of the Union Address	Washington, DC	Jan. 27, 2000
International Monetary Fund Spring Meeting	Washington, DC	Apr. 14-17, 2000
International Naval Review (OpSail)	New York, NY	Jul. 3-9, 2000
Republican National Convention	Philadelphia, PA	Jul. 29-Aug. 4, 2000
Democratic National Convention	Los Angeles, CA	Aug. 14-16, 2000

<sup>9</sup> Ibid.

<sup>10</sup> U.S. Department of Homeland Security, Office of the Press Secretary, “National Special Security Events Fact Sheet,” July 9, 2003, available at [[http://www.dhs.gov/xnews/releases/press\\_release\\_0207.shtm](http://www.dhs.gov/xnews/releases/press_release_0207.shtm)], visited October 25, 2007.

<sup>11</sup> Ibid.

Event	Location	Date
Presidential Inauguration	Washington, DC	Jan. 20, 2001
Presidential Address to Congress	Washington, DC	Feb. 27, 2001
United Nations General Assembly 56	New York, NY	Nov. 10-16, 2001
State of the Union Address	Washington, DC	Jan. 29, 2002
Super Bowl XXXVI	New Orleans, LA	Feb. 3, 2002
Winter Olympic Games	Salt Lake City, UT	Feb. 8-24, 2002
Super Bowl XXXVII	San Diego, CA	Jan. 26, 2003
State of the Union Address	Washington, DC	Jan. 20, 2004
Super Bowl XXXVIII	Houston, TX	Feb. 1, 2004
Sea Island G8 Summit	Sea Island, GA	Jun. 8-10, 2004
President Reagan State Funeral	Washington, DC	Jun. 11, 2004
Democratic National Convention	Boston, MA	Jul. 26-29, 2004
Republican National Convention	New York, NY	Aug. 30-Sep. 2, 2004
Presidential Inauguration	Washington, DC	Jan. 20, 2005
State of the Union Address	Washington, DC	Feb. 2, 2005
Super Bowl XXXIX	Jacksonville, FL	Feb. 6, 2005
Super Bowl XL	Detroit, MI	Feb. 5, 2006
President Ford State Funeral	Washington, DC	Jan. 3, 2007
Super Bowl XLI	Miami Gardens, FL	Feb. 4, 2007

Source: U.S. Department of Homeland Security, U.S. Secret Service, Office of Legislative Affairs, 2006

**NSSE Funding.** Even though NSSEs have been conducted since 1998, Congress has only appropriated funding specifically for a general NSSE fund since FY2006. Congress has, however, appropriated funding for two specific NSSEs — the 2004 Democratic and Republican presidential nominating conventions in Boston, MA, and New York City, NY, respectively. The 108th Congress appropriated a total of \$100 million for presidential nominating convention security at these two events.<sup>12</sup> This \$100 million was administered through the Department of Justice’s (DOJ) Edward Byrne

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<sup>12</sup> In P.L. 108-287 (An Act Making Appropriations for the Department of Defense for the fiscal year ending September 30, 2005, and For Other Purposes), Sec. 11002, Congress appropriated \$25 million for Boston and \$25 million for New York City presidential nominating convention security, and in P.L. 108-199 (An Act Making Appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the Fiscal Year Ending September 30, 2004, and For Other Purposes), Sec. 103, Congress appropriated \$50 million for the 2004 presidential nominating conventions.

Memorial State and Local Enforcement Assistance Programs (the Byrne programs). DOJ used the majority of this funding to reimburse state and local law enforcement entities for overtime costs because USSS did not have a mechanism to reimburse state and local law enforcement entities for NSSE security costs.<sup>13</sup>

For FY2008, two different bills would provide funding for security at the 2008 presidential nominating conventions. The House-passed version of H.R. 3093 (Commerce, Justice, Science, and Related Agencies Appropriations Act, 2008) includes an appropriation of \$25 million to be administered by DOJ through the Byrne programs. By comparison, the Senate-passed version of H.R. 2642 (Military Construction and Veterans Affairs and Related Agencies Appropriations Act of 2008) includes an appropriation of \$100 million to be administered by DHS for presidential nominating convention security.<sup>14</sup> Also, in the House- and Senate-passed versions of H.R. 2638 (FY2008 DHS appropriations), both the House and Senate propose to provide \$85 million for presidential nominee protection. However, none of the funding can be used to reimburse state and local law enforcement entities for overtime costs associated with convention security. USSS proposes to use a portion of its FY2008 appropriations for presidential nominee protection for securing nominating conventions.<sup>15</sup>

NSSE costs incurred by federal, state, and local entities is one issue Congress may wish to address. Prior to FY2006, NSSE security costs incurred by states and localities were funded by reprogramming DHS homeland security allocations or funded by state and local programs. In FY2006, Congress appropriated \$2.5 million for NSSE security costs,<sup>16</sup> and in FY2006, \$1 million was appropriated.<sup>17</sup> In FY2008, the House- and Senate-passed versions of H.R. 2638 (FY2008 DHS appropriations) proposes \$1 million for NSSE security costs.

Some might argue that the \$1 million Congress has proposed for NSSEs in FY2008 may not be adequate to fund unexpected NSSE expenditures, such as the funeral of a former President. This could be additionally problematic considering that USSS is not authorized to reimburse state and local law enforcement entities' overtime costs associated with NSSEs. Any security costs incurred by USSS could be funded with appropriations specifically designated for USSS, whereas any security costs incurred by state and local jurisdictions would have to be appropriated through other federal assistance programs. Congress might consider establishing a program within USSS that not only provides USSS with additional funds for unexpected NSSE security costs, but also authorizes USSS to reimburse state and local law enforcement entities for overtime costs.

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<sup>13</sup> U.S. Department of Homeland Security, U.S. Secret Service, Office of Legislative Affairs, Anthony Lawrence, conversation with the author on August 9, 2007.

<sup>14</sup> H.R. 2642 proposes to have DHS fund the 2008 presidential nominating convention security through the Urban Area Security Initiative and State Homeland Security Grant Program.

<sup>15</sup> U.S. Department of Homeland Security, U.S. Secret Service, *Department of Homeland Security, United States Secret Service: Protection, Administration, and Training Fiscal Year 2008 Budget Request Justification* (Washington: February 2007), p. 2.

<sup>16</sup> P.L. 109-90 (FY2006 DHS appropriations), Title II.

<sup>17</sup> P.L. 109-295 (FY2007 DHS appropriations), Title II.

Presently, state and local jurisdictions can use other DHS grants for NSSE security, such as the State Homeland Security Grant Program (SHSGP) and the Urban Area Security Initiative (UASI). States and localities, however, would need to plan and obligate SHSGP and UASI funding for NSSE security annually in their grant applications. UASI grant recipients are authorized to use a portion of their UASI allocation to fund overtime costs associated with NSSEs.<sup>18</sup> For unexpected NSSEs — which may be the result of an unexpected death of a President or a change in location of a planned NSSE — states and localities are unable to plan in advance for security costs. DHS does authorize states and localities to reprogram SHSGP and UASI funding with the DHS Secretary's approval; however, that may result in states and localities not funding other planned homeland security activities.

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<sup>18</sup> U.S. Department of Homeland Security, Office of Grant Programs, *FY2007 Homeland Security Grant Program: Program and Application Kit* (Washington: January 2007), p. 24.