

Special Event Security and National Special Security Events: A Summary and Issues for Congressional Consideration

February 27, 2023

Congressional Research Service

<https://crsreports.congress.gov>

R47439



R47439

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Special Event Security and National Special Security Events: A Summary and Issues for Congressional Consideration

Following the end of the Cold War, policymakers began to be concerned with a rise in international and domestic terrorism threats. Because of this, Congress debated and legislated on the security of large federal government and public events. The President—or his representative, the Secretary of the Department of Homeland Security (DHS)—may designate major federal government or public events that are considered nationally significant as National Special Security Events (NSSEs). These events include presidential inaugurations, presidential nominating conventions, major sporting events, and major international meetings. The U.S. Secret Service (USSS) was designated as the lead federal agency responsible for coordinating, planning, exercising, and implementing security for NSSEs by P.L. 106-544. The persistence of terrorism threats has made NSSE designation a subject of congressional interest, including because of the associated USSS support for such events. The January 20, 2021, inauguration of President Joe Biden and Vice President Kamala Harris was designated an NSSE. The joint session of Congress that met at the U.S. Capitol on January 6, 2021, to open, certify, and count the November 2020 presidential election electoral votes was not designated an NSSE. In addition to NSSEs, some security events (at the state and local level) may require federal assistance. A Special Event Assessment Rating (SEAR) event is a special event that is typically preplanned by a state or local jurisdiction or a private entity and is not designated as an NSSE. This report provides information on NSSEs, SEARs, the difference between the two, and a summary of issues for congressional consideration.

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Introduction

Congressional interest in special event security is ongoing due to continued threats from both domestic and international terrorism. National Special Security Events (NSSEs) are nationally or internationally significant events that typically involve either a large number of attendees or a large number of the public, and are attended by U.S. officials and foreign dignitaries. In addition to NSSEs, some events (at the state and local level) may require federal assistance to provide appropriate levels of security. A Special Event Assessment Rating (SEAR) event is a special event (typically preplanned by a nonfederal entity) that requires federal assistance to provide security, but does not rise to the threshold of qualifying as an NSSE.

On December 19, 2000, President Clinton signed into law the Presidential Threat Protection Act of 2000 (P.L. 106-544). Among other provisions, the act authorized the U.S. Secret Service (USSS)—when directed by the President or the President’s representative (i.e., the Secretary of the Department of Homeland Security (DHS))—to plan, coordinate, and implement security operations at special events of national significance.¹ The President or DHS Secretary may designate major federal government or public events that are considered nationally significant as NSSEs. Some events categorized as NSSEs include:

- presidential inaugurations;
- major international summits held in the United States;
- major sporting events; and
- presidential nominating conventions.

Events designated as NSSEs included the January 20, 2021, inauguration of President Joseph R. Biden, Jr. and Vice President Kamala D. Harris. The January 6, 2021, joint session of Congress was not designated an NSSE.

Threats to U.S. security persist. For example, on February 7, 2022, DHS issued a National Terrorism Advisory System bulletin² warning of credible domestic terrorism threats. Specifically, the bulletin identified “continued calls for violence directed at U.S. critical infrastructure; soft targets including mass gatherings; faith-based institutions, such as churches, synagogues, and mosques; institutions of higher education; racial and religious minorities; government facilities and personnel, including law enforcement and the military; the media; and perceived ideological opponents.”

The persistence of these threats have made NSSE designation a subject of congressional interest, including because of the associated USSS support for such events. This report describes NSSE event designation, the designation of other types of events, and security operations provided for NSSEs, as well as considerations for Congress.

National Special Security Events (NSSEs)

The need for event security and the USSS’s role in coordinating and providing such security was identified prior to the enactment of P.L. 106-544. On May 22, 1998, President Clinton issued Presidential Decision Directive 62 (PDD 62)—Protection Against Unconventional Threats to the

¹ P.L. 106-544, Sec. 3; 114 Stat. 2716.

² U.S. Department of Homeland Security, *National Terrorism Advisory System*, February 7, 2022, <https://www.dhs.gov/national-terrorism-advisory-system>.

Homeland and Americans Overseas, which established a framework for federal department and agency counterterrorism programs that addressed terrorist apprehension and prosecution, increased transportation security, enhanced emergency response, and enhanced cybersecurity.³ PDD 62 also designated specific federal departments and agencies as the lead agencies in the event of terrorist attacks.⁴ USSS was designated as the lead agency in the planning, implementation, and coordination of operational security for events of national significance—as designated by the President. Other lead agencies for counterterrorism activities included the Federal Emergency Management Agency, the Department of Defense, and the Department of Health and Human Services.⁵

NSSE Designations

Prior to the establishment of DHS in January 2003, the President determined the events of national significance that 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 the following:

- anticipated attendance by U.S. officials and foreign dignitaries;⁶
- size of the event;⁷ and
- significance of the event.⁸

Recent NSSEs include the 2022 United General Assembly, President Biden’s 2021 inauguration, and the Republican and Democratic presidential candidate nominating conventions held in 2020. From January 1, 1998, to February 7, 2023, there have been 73 NSSEs.

Table 1. National Special Security Events

January 1, 1998–February 7, 2023

	Description	Start Date	End Date	City	State
1	World Energy Council Meeting	9/13/98	9/17/98	Houston	TX
2	North Atlantic Treaty Organization 50 th Anniversary Celebration	4/23/99	4/25/99	Washington	DC
3	World Trade Organization Meeting	11/29/99	12/3/99	Seattle	WA
4	State of the Union Address	1/27/00	1/27/00	Washington	DC

³ PDD 62 was superseded by a classified appendix to Annex II of National Security Presidential Directive 46/Homeland Security Presidential Directive 15, *U.S. Strategy and Policy in the War on Terror*, on March 6, 2006. The appendix maintains USSS responsibility in planning, coordinating, and implementing security operations at NSSEs.

⁴ 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>, October 25, 2007.

⁵ 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 available to congressional clients by contacting the U.S. Secret Service’s Office of Legislative Affairs.

⁶ 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.

⁷ A large number of attendees and participants increases security requirements. Additionally, larger events could possibly increase terrorist intentions of attempting to attack the event.

⁸ Some events have historical, political, and symbolic significance that may heighten the possibility of terrorist attacks; see <http://www.secretservice.gov/nsse.shtml>.

	Description	Start Date	End Date	City	State
5	International Monetary Fund/World Bank Spring Meetings	4/14/00	4/17/00	Washington	DC
6	International Naval Review (INR) OpSail	7/3/00	7/9/00	New York	NY
7	Republican National Convention	7/29/00	8/4/00	Philadelphia	PA
8	Democratic National Convention	8/14/00	8/16/00	Los Angeles	CA
9	54 th Presidential Inauguration	1/20/01	1/20/01	Washington	DC
10	United Nations General Assembly 56	11/10/01	11/16/01	New York	NY
11	State of the Union Address	1/29/02	1/29/02	Washington	DC
12	Super Bowl XXXVI	2/3/02	2/3/02	New Orleans	LA
13	Winter Olympic Games	2/8/02	2/24/02	Salt Lake City	UT
14	State of the Union Address	1/20/04	1/20/04	Washington	DC
15	G-8 Summit	6/8/04	6/10/04	Sea Island	GA
16	Reagan State Funeral	6/10/04	6/10/04	Washington	DC
17	Democratic National Convention	7/26/04	7/29/04	Boston	MA
18	Republican National Convention	8/30/04	9/2/04	Boston	MA
19	55 th Presidential Inauguration	1/20/05	1/20/05	Washington	DC
20	State of the Union Address	2/2/05	2/2/05	Washington	DC
21	State of the Union Address	1/31/06	1/31/06	Washington	DC
22	Ford State Funeral	12/30/06	1/2/07	Washington	DC
23	State of the Union Address	1/23/07	1/23/07	Washington	DC
24	State of the Union Address	1/28/08	1/28/08	Washington	DC
25	Democratic National Convention	8/25/08	8/28/08	Denver	CO
26	Republican National Convention	9/1/08	9/4/08	St. Paul	MN
27	G-20 Economic Summit	11/14/08	11/15/08	Washington	DC
28	Obama Pre-Inaugural Train Stop - #1	1/17/09	1/17/09	Philadelphia	PA
29	Obama Pre-Inaugural Train Stop - #2	1/17/09	1/17/09	Baltimore	MD
30	Obama Pre-Inaugural Train Stop - #3	1/17/09	1/17/09	Wilmington	DE
31	Obama Pre-Inaugural Lincoln Memorial Rally	1/18/09	1/18/09	Washington	DC
32	56 th Presidential Inauguration	1/20/09	1/20/09	Washington	DC
33	Presidential Address to the Joint Session of Congress	2/24/09	2/24/09	Washington	DC
34	G-20 Pittsburgh Summit	9/24/09	9/25/09	Pittsburgh	PA
35	State of the Union Address	1/27/10	1/27/10	Washington	DC
36	Nuclear Security Summit	4/12/10	4/13/10	Washington	DC
37	State of the Union Address	1/25/11	1/25/11	Washington	DC
38	APEC Summit	11/12/11	11/13/11	Honolulu	HI
39	State of the Union Address	1/24/12	1/24/12	Washington	DC
40	NATO Summit 2012	5/20/12	5/21/12	Chicago	IL

	Description	Start Date	End Date	City	State
41	Republican National Convention	8/26/12	8/30/12	Tampa	FL
42	Democratic National Convention	9/3/12	9/6/12	Charlotte	NC
43	57 th Presidential Inauguration	1/21/13	1/21/13	Washington	DC
44	State of the Union Address	2/12/13	2/12/13	Washington	DC
45	State of the Union Address	1/28/14	1/28/14	Washington	DC
46	U.S.-Africa Leaders Summit	8/5/14	8/6/14	Washington	DC
47	State of the Union Address	1/20/15	1/20/15	Washington	DC
48	Papal Visit- Washington, DC	9/22/15	9/23/15	Washington	DC
49	Papal Visit- UNGA 70	9/23/15	9/25/15	New York	NY
50	Papal Visit- World Meeting of Families	9/25/15	9/27/15	Philadelphia	PA
51	State of the Union Address	1/12/16	1/12/16	Washington	DC
52	Nuclear Security Summit	3/31/16	4/1/16	Washington	DC
53	Republican National Convention	7/17/16	7/21/16	Cleveland	OH
54	Democratic National Convention	7/25/16	7/28/16	Philadelphia	PA
55	UNGA 71	9/13/16	9/16/16	New York	NY
56	58 th Presidential Inauguration	1/20/17	1/20/17	Washington	DC
57	Presidential Address to the Joint Session of Congress	2/28/17	2/28/17	Washington	DC
58	UNGA 72	9/17/17	9/22/17	New York	NY
59	State of the Union Address	1/30/18	1/30/18	Washington	DC
60	UNGA 73	9/18/18	9/23/18	New York	NY
61	Bush 41 State Funeral	12/3/18	12/5/18	Washington	DC
62	State of the Union Address	2/5/19	2/5/19	Washington	DC
63	UNGA 74	9/22/19	9/28/19	New York	NY
64	State of the Union Address	2/4/20	2/4/20	Washington	DC
65	Democratic National Convention	8/17/20	8/20/20	Milwaukee	WI
66	Republican National Convention-Charlotte	8/24/20	8/27/20	Charlotte	NC
67	59 th Presidential Inauguration	1/13/21	1/21/21	Washington	DC
68	Presidential Address to the Joint Session of Congress	4/28/21	4/28/21	Washington	DC
69	UNGA 76	9/19/2021	9/25/2021	New York	NY
70	State of the Union Address	3/1/22	3/1/22	Washington	DC
71	UNGA 77	9/18/22	9/25/22	New York	NY
72	US-Africa Leaders Summit	12/13/22	12/15/22	Washington	DC
73	State of the Union Address	2/7/23	2/7/23	Washington	DC

Source: U.S. Secret Service Congressional Liaison document provided to CRS February 22, 2023.

NSSE Security Operations

When an event is designated as an NSSE, USSS becomes the lead federal agency responsible for 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.⁹

The USSS's Dignitary Protective Division (DPD) is responsible for NSSE planning and coordinates with other USSS headquarters and field offices. Some of the coordination includes advance planning and serving as a liaison for venue and air space security, training, communications, and security credentialing.¹⁰ Additionally, DPD coordinates and 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."¹¹

NSSE operational plans include the use of physical infrastructure security fencing, barricades, special access accreditation badges, K-9 teams, and other security technologies. To try to ensure consequence management, DHS pre-positions Domestic Emergency Support Teams, Urban Search and Rescue Teams, National Emergency Response Teams, Nuclear Incident Response Teams, and assets from 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.¹² 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.¹³

Special Event Assessment Rating (SEAR) Events

A Special Event Assessment Rating (SEAR) event is a special event that is typically preplanned by a state or local jurisdiction or a private entity but is not designated as an NSSE. SEAR events are large state, local, or private events that do not require a lead federal agency. SEAR events are state and locally planned and managed. A SEAR assessment measures the risk of terrorist attack and other hazards, as appropriate, on a special event. The Special Events Working Group, which

⁹ 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 available to congressional clients by contacting the U.S. Secret Service's Office of Legislative Affairs.

¹⁰ Ibid., p. 2.

¹¹ Ibid.

¹² U.S. Department of Homeland Security, Office of the Press Secretary, "National Special Security Events Fact Sheet," July 9, 2003.

¹³ Ibid.

comprises more than 60 federal agencies, components, and offices, including DHS, Federal Bureau of Investigation (FBI), and the National Counterterrorism Center, is responsible for designating the SEAR level for events submitted by federal, state, or local entities (see **Error! Reference source not found.**).¹⁴

Unlike an NSSE, where the Secret Service assumes responsibility for the event's security, the state or local jurisdiction where the SEAR event will occur has the primary responsibility for finalizing the security plan. Depending on the SEAR level, federal agencies may provide additional security measures to the state or local jurisdiction to properly secure the event, such as additional support to fill significant security shortfalls. Additionally, once a certain SEAR level is assigned to an event, the DHS Office of Intelligence and Analysis, FBI, fusion centers, and any other appropriate parties may conduct a Joint Special Event Threat Assessment, which is used to identify necessary security measures to mitigate potential threats.

The SEAR process is most frequently initiated by a request from a state or local entity to DHS, although a federal entity may also submit an event for a rating. For an event taking place on federal property, several entities may request a SEAR assessment, including a federal agency or a local government entity, if that entity believes that the event may have an impact on its own resources. A federal agency may also request a SEAR assessment if it has threat information that warrants an assessment, but this is a less common occurrence, according to DHS data. Most SEAR events are submitted to the DHS Special Events Program located in the Office of Operations Coordination through the annual National Special Events Data Call. DHS Office of Operations Coordination officials informed CRS that they will assess and assign a SEAR level for any event that is submitted through the Data Call.

Table 2.DHS Special Event Assessment Rating Levels

SEAR Level ^a	Event Significance	Event Requirements
Level 1	Events of significant national or international importance.	May require extensive federal agency support and DHS Secretary appoints a Federal Coordinator. ^b
Level 2	Events of significant national or international importance.	May require some federal interagency support and the DHS Secretary may appoint a Federal Coordinator.
Level 3	Events of national or international importance.	Requires only limited federal support.
Level 4	Events of limited national importance.	Managed at the state level.
Level 5	Events may be nationally recognized but generally have only state/local importance.	Typically managed at the local level.

Source: GAO analysis of DHS information in GAO-21-105255.

Notes:

- a. The Secretary's role in assigning SEAR levels stems from Homeland Security Presidential Directive 5 (HSPD-5) and the Homeland Security Act of 2002, P.L. 107-296, 116 Stat. 2135. The purpose of HSPD-5 is to enhance the ability of the United States to manage domestic incidents by establishing a single, comprehensive national incident management system. HSPD-5 identifies the Secretary as the principal federal official for domestic incident management. In addition, as explained in HSPD-5, the Secretary is

¹⁴ U.S. Government Accountability Office, *Capitol Attack: Special Event Designations Could Have Been Requested For January 6, 2021, But Not All DHS Guidance Is Clear*, GAO-21-105255, August 2021, p. 4, <https://www.gao.gov/assets/gao-21-105255.pdf>.

responsible for coordinating federal operations within the United States to prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies.

- b. The DHS Secretary appoints a Federal Coordinator for all SEAR level 1 and most SEAR level 2 events. The Federal Coordinator is responsible for liaising with federal, state, and local officials, consulting with state and local authorities on the event security and response plans, maintaining situational awareness of the event throughout the planning and execution phases, and resolving any federal interagency conflicts that may arise.

NSSE and SEAR Differences

According to DHS documentation, NSSEs occur on an infrequent basis and require extensive federal planning due to their national or international significance. In comparison, SEAR events happen more frequently and are typically preplanned by state and local entities. SEAR events can also be nationally significant, but they are considered lower risk than an NSSE and require less federal coordination and support.¹⁵

From 2017 to 2021, DHS designated 13 total NSSE events, eight of which occurred in the Washington, DC area. Of these 13 events, eight were predesignated as recurring, such as the Republican and Democratic National Conventions and the opening period of the United Nations General Assembly. Of the eight events that occurred in Washington, DC, five were predesignated by DHS, such as the presidential inauguration and the State of the Union address.¹⁶

During the same five-year period, DHS received 104,198 event submissions for SEAR assessments, 1,717 of which were located in the National Capital Region. According to DHS officials, approximately 64% of all SEAR events submitted for 2021 were recurring, such as weekly movie events at a state or local park. Examples of more prominent submitted events include the Super Bowl, Indianapolis 500, and the Kentucky Derby.¹⁷

Issues for Congress

Issues facing congressional consideration revolve around the debate of recurring versus infrequent special security events and include examining the differences between predesignated versus designated NSSEs, refining of those designations, funding for special security events, and competition for resources.

Recurring Versus Infrequent Designations

DHS predesignates recurring significant national events. These recurring significant national events include Republican and Democratic Party national nominating conventions, presidential State of the Union addresses, United Nations General assemblies, and presidential inaugurations. Predesignation provides federal entities (and their state and local stakeholders) with advanced and established security planning. An NSSE that occurs infrequently, or one that is based upon special circumstances, does not provide federal entities and their state and local partners with as much lead time for planning as predesignated NSSEs. An example of an infrequent event with little advance warning would be a presidential funeral. Reevaluating the current list of predesignated NSSEs is one debate that has continued since the January 6, 2021, attack on the U.S. Capitol, which occurred during the quadrennial joint session of Congress to count and certify the Electoral College votes for the next President and Vice President (see next section).

¹⁵ Ibid.

¹⁶ Ibid., p. 6.

¹⁷ Ibid.

Refining NSSE Designations

Refining NSSE designations is part of the ongoing debate due to the type of increased political violence that DHS noted in its February 2022 bulletin.¹⁸ Arguably, this is a continued and an increased level of political violence, including the attack on the U.S. Capitol, and attacks on Members of Congress (and family members). DHS may consider, as recommended by GAO, to include events such as the certification of presidential electoral ballots as a predesignated NSSE.

Funding Special Security Events

How states and localities fund security operations for NSSEs and SEARs is a third part of the debate. Currently, the USSS does not have a process for reimbursing state, local, tribal, and territorial (SLTT) partners for their contributions to NSSE events. Some NSSEs, such as nominating conventions receive specific appropriations from the Department of Justice's Edward Byrne Memorial Justice Assistance Grant Program¹⁹ for security operations—most costs are related to overtime for SLTT law enforcement officers. Congress may determine that there needs to be a funding mechanism to assist state and local governments in participating in NSSE security operations.

Limited Resources for Competing SEAR-Assessed Events

Congress may also consider that when there are multiple SEAR-assessed events, there may be a competition for limited security resources, such as counter-unmanned aerial systems (CUAS). If multiple events require limited assets, how are those assets assigned? What federal entities and resources are obligated to SEAR-assessed events? Additionally, questions remain on how SLTT expectations are managed with regard to finite amounts of federal security resources.

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¹⁸ U.S. Department of Homeland Security, *National Terrorism Advisory System*, November 30, 2022, https://www.dhs.gov/sites/default/files/ntas/alerts/22_1130_S1_NTAS-Bulletin-508.pdf.

¹⁹ For more information on funding for presidential nominating conventions, see CRS In Focus IF11555, *Presidential Candidate and Nominating Convention Security*, by Shawn Reese.

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