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

How Current is This?

(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 if the Secretary of Homeland Security or designee determines that information or conditions warrant such protection.

- (4)** Children of a former President who are under 16 years of age for a period not to exceed ten years or upon the child becoming 16 years of age, whichever comes first.
- (5)** Visiting heads of foreign states or foreign governments.
- (6)** Other distinguished foreign visitors to the United States and official representatives of the United States performing special missions abroad when the President directs that such protection be provided.
- (7)** Major Presidential and Vice Presidential candidates and,

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within 120 days of the general Presidential election, the spouses of such candidates. As used in this paragraph, the term “major Presidential and Vice Presidential candidates” means those individuals identified as such by the Secretary of Homeland Security after consultation with an advisory committee consisting of the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority and minority leaders of the Senate, and one additional member selected by the other members of the committee.

The protection authorized in paragraphs (2) through (7) 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,^[1] 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 or potential 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, officers and agents of the Secret Service are 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.

[1] See References in Text note below.

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