

Campaign 2024 - Candidate Protection

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 Presidential 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
- Protection under these guidelines should only be granted within one year prior to the general election. Protection more than one year prior to the general election should only be granted in extraordinary, case by case circumstances in consultation with the committee, based on threat assessment and other factors.

Criteria have been established to assist the DHS Secretary and the advisory committee in their decision making (as of 2017). Candidates must:

When determining whether a candidate for the Office of President or Vice President of the United States qualifies as a major candidate, the Secretary has broad discretion and may consider a variety of factors. These factors include, but are not limited to:

1. Whether the candidate has publicly announced his or her candidacy and has filed the appropriate documentation with the Federal Election Commission (FEC) and is in compliance with the Federal Election Campaign Act of 1971, as amended, and related laws;
2. Whether the candidate is actively campaigning on a national basis for the office for which his or her candidacy has been announced, as demonstrated by operating a national campaign apparatus, regularly appearing at public events in multiple states, producing and publishing campaign advertisements, and other similar indicia of a campaign;
3. A threat assessment conducted by the Secret Service of general or specific threats directed towards the candidate. (for these purposes, "threats" should be defined as explicit threats of bodily harm to the candidate or indications of inappropriate behavior towards the candidate suggesting potential bodily harm);

4. Whether, during and within an active and competitive major party primary, the most recent average of established national polls, as reflected by the Real Clear Politics National Average or similar mechanism, the candidate is polling at 15% or more for 30 consecutive days;
5. Whether the candidate is the formal or de facto nominee of a major party for President or Vice President;
6. Whether the candidate is an independent or third party candidate for President polling at 20% or more of the Real Clear Politics National Average for 30 consecutive days;
7. Whether the candidate is the Vice Presidential running mate of the above independent or third party candidate

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.

What is the history of candidate/nominee protection?

Candidate and nominee protection was 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