

Congress of the United States
Washington, DC 20510

September 7, 2017

The Honorable John Roth
Inspector General
Department of Homeland Security
OIG/MAIL STOP 0305
245 Murray Lane SW
Washington, DC 20528-0305

Dear Inspector General Roth:

We are writing today to request that the Office of Inspector General (IG) conduct a review of the ability of the Secret Service to comply with the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note) (the Act), as well as any other statutes or regulations that govern the expenditure of taxpayer dollars to secure properties regularly used by President Trump.

The Act provides detailed guidelines for the expenditure of Secret Service resources to secure non-Governmental properties designated by protectees. Based on public reports, there is reason to believe that President Trump and his family's use of multiple non-Governmental properties, such as Trump Tower in New York, the Mar-a-Lago Club in Palm Beach, Florida, and the Trump National Golf Club in Bedminster, New Jersey, may interfere with the Secret Service's ability to protect the First Family while remaining in compliance with the Act.¹

On August 15, 2017, the Secret Service responded to a March 8, 2017, inquiry from Senators Udall, Whitehouse, and Blumenthal that requested information related to the agency's expenditures to protect properties owned by the President. That response raised additional questions about the Secret Service's ability to comply with the Act, which we ask your office to investigate.

Section 3(a) of the Act allows a protectee to "designate one non-Governmental property to be fully secured by the Secret Service on a permanent basis." The Secret Service stated that President Trump has designated Trump Tower in New York as his one non-governmental property to be secured under the Act. It also stated that the Secret Service plans to spend approximately \$26 million to secure the property in 2017, and it requested \$25.7 million in the Fiscal Year 2018 budget request for Trump Tower security.

¹ Madeline Fox, "Trump's two homes costing millions for Secret Service to protect," *Miami Herald* (March 24, 2017) (online at <http://www.miamiherald.com/news/politics-government/article140687953.html>). "As Trump Lifestyle Takes Toll On Secret Service, Lawmakers Try To Give Extra Support," *NPR* (online at <http://www.npr.org/2017/05/28/530198697/as-trump-lifestyle-takes-toll-on-secret-service-lawmakers-try-to-give-extra-supp>).

Under section 3(b) of the Act, the President may designate a different non-Governmental property to be secured, but any future expenditures by the Secret Service to secure the previously designated property are subject to the limitations in Section 4.

Section 4 of the Act prohibits the Secret Service from spending more than \$200,000 for maintaining a permanent guard detail and for permanent facilities, equipment, and services to secure the previously designated non-Governmental property unless granted approval by resolutions adopted by the Committees on Appropriations of the House and Senate. Section 4 also applies this \$200,000 restriction to any other non-Governmental properties designated by the protectee that are in addition to the one allowed property.

The response from the Secret Service stated that the President identified his residences in Bedminster, New Jersey, and at the Mar-a-Lago resort in Palm Beach, Florida as additional non-governmental properties to be secured by the Secret Service, subject to the Act's \$200,000 cumulative limit. It has been reported that President Trump has visited Mar-a-Lago twenty five days and Bedminster twenty nine days in his first eight months in office.² He has reportedly visited Trump Tower only three days in the same time period.

Section 5(a) of the Act states that "all improvements and other items acquired by the Federal Government and used for the purpose of securing any non-Governmental property in the performance of the duties of the Secret Service shall be the property of the United States." Sections 5(b) and (c) address the disposition of any improvements made to non-Governmental properties, and Section 6 addresses the assistance and reimbursement of other Executive departments and agencies that assist the Secret Service in the performance of its duties to secure non-Governmental properties.

We request that the Inspector General conduct a thorough review of whether the Secret Service will be able to comply with the Act and any other relevant statutes or regulations when it secures various non-Governmental properties used by the President and his family. Specifically, we ask that the IG review include, but not be limited to, the following:

1. Which non-Governmental properties used by the President and his family, and secured by the Secret Service, have been designated by protectees as their non-Governmental property subject to the Act?
2. Is the President or his family using non-Governmental properties that have not been designated by a protectee as their property to be secured under the Act, but are receiving Secret Service protection or improvements? If so, under what authority is the Secret Service expending funds to secure those properties?
3. Will the Secret Service be able to adhere to the \$200,000 statutory limit for securing a previously designated property or an additionally designated property? Has the Secret

² Karen Yourish and Troy Griggs, "Tracking the President's Visits to Trump Properties," *The New York Times* (updated September 5, 2017), (online at <https://www.nytimes.com/interactive/2017/04/05/us/politics/tracking-trumps-visits-to-his-branded-properties.html?mcubz=1>).

Service sought or received permission from the Committees on Appropriations to exceed this limit?

4. Has the Secret Service complied with all requirements in the Act regarding improvements made to secure the properties, and the removal of any improvements upon the termination of Secret Service protection at any non-Governmental property?

We ask that you please provide an initial report to our offices and appropriate congressional committees within ninety days. Also, please provide updates every six months after the date of the original report to ensure ongoing compliance with the Act.

Please have your staff contact Matt Nelson on Senator Udall's staff at (202) 224-6621, or Valerie Shen at (202) 225-5051 with any questions about this request. Thank you for your prompt attention to this matter.

Sincerely,



Tom Udall
United States Senator



Elijah E. Cummings
Ranking Member
Committee on Oversight and
Government Reform



Sheldon Whitehouse
United States Senator



Richard Blumenthal
United States Senator



Gary C. Peters
United States Senator