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Democrats to DHS IG: Does Trump Use of Private Residences Jeopardize Secret Service's Compliance with Federal Law?

Request review to determine whether Trump family's unprecedented use of multiple private properties complies with Presidential Protection Assistance Act

WASHINGTON — U.S. Senators Tom Udall (D-N.M.), Richard Blumenthal (D-Conn.), Sheldon Whitehouse (D-R.I.) and Gary Peters (D-Mich.) and U.S. Representative Elijah Cummings (D-Md.), ranking member of the House Committee on Oversight and Government Reform, questioned whether the U.S. Secret Service (USSS) can comply with federal law and congressionally mandated spending limits when the agency uses millions of taxpayer dollars to protect President Trump's multiple properties, including Trump Tower in New York, the Mar-a-Lago Club in Palm Beach, Fla., and the Trump National Golf Club in Bedminster, N.J.

In a letter to Department of Homeland Security (DHS) Inspector General (IG) John Roth, the lawmakers requested a full review of whether Secret Service costs and activities resulting from the Trump family's unprecedented use of multiple private properties is in compliance with the Presidential Protection Assistance Act of 1976, which governs the use of Secret Service resources to secure non-governmental properties.

Udall, Blumenthal, Whitehouse, Peters and Cummings wrote: "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, Fla., and the Trump National Golf Club in Bedminster, N.J., may interfere with the Secret Service's ability to protect the First Family while remaining in compliance with the act."

The Presidential Protection Assistance Act allows a Secret Service protectee to designate only one non-governmental property to be fully secured by the Secret Service on a permanent basis. And the Secret Service can spend no more than \$200,000 cumulatively on securing any additional properties, without Congress' explicit approval.

On August 15, the Secret Service responded to a March letter from Udall, Blumenthal, and Whitehouse asking how much the agency is spending to protect Trump properties. The Secret Service responded that the president has designated Trump Tower as his one non-governmental property to be secured under the Presidential Protection Assistance Act. The agency said it planned to spend approximately \$26 million to secure the property in 2017 and that the president identified his residences in Bedminster and Mar-a-Lago as additional non-governmental properties to be secured subject to the \$200,000 limit. It has been reported that President Trump has visited Mar-a-Lago 25 days and Bedminster 29 days in his first eight months in office. He has only visited Trump Tower three days in the same time period.

Despite Trump's campaign criticism of past presidents' leisure travel, the Secret Service is reportedly burning through taxpayer money at a staggering rate to protect the president and First Family during their unprecedented travel and frequent use of multiple private resort properties.

In April, CNN reported that "Trump's travel to his private club in Florida has cost over an estimated \$20 million in his first 80 days as president, putting the president on pace in his first year of office to surpass former President Barack Obama's spending on travel for his entire eight years."

Recently, USA TODAY reported that “the Secret Service can no longer pay hundreds of agents it needs to carry out an expanded protective mission – in large part due to the sheer size of President Trump's family and efforts necessary to secure their multiple residences up and down the East Coast. ...The agency has faced a crushing workload since the height of the contentious election season, and it has not relented in the first seven months of the administration. Agents must protect Trump – who has traveled almost every weekend to his properties in Florida, New Jersey and Virginia – and his adult children whose business trips and vacations have taken them across the country and overseas.”

In the letter, Udall, Blumenthal, Whitehouse, Peters and Cummings asked the IG for a “thorough review of whether the Secret Service will be able to comply with the [Presidential Protection Assistance] Act and any other relevant statutes or regulations when it secures various non-governmental properties used by the president and his family” and an initial report from the IG within 90 days.

Full text of the letter can be found below and here.

The Honorable John Roth

Inspector General

Department of Homeland Security

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.

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. 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. 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 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.

Thank you for your prompt attention to this matter.

Sincerely,