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Department of Defense
INSTRUCTION

AD-A272 707



September 17, 1986
NUMBER 5030.34

USD(P)

SUBJECT: Agreement Between the United States Secret Service and the Department of Defense Concerning Protection of the President and Other Officials

References: (a) DoD Instruction 5030.34, subject as above, October 27, 1981 (hereby canceled)
(b) Title 18, United States Code, Section 3056
(c) Title 3, United States Code, Section 202

A. REISSUANCE AND PURPOSE

This Instruction reissues and updates reference (a) to disseminate the revised agreement (enclosure 1) between the United States Secret Service and the Department of Defense concerning protection of the President and other officials.

B. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Organization of the Joint Chiefs of Staff (OJCS), the Unified and Specified Commands, the Inspector General of the Department of Defense (IG, DoD), and the Defense Agencies (hereafter referred to collectively as "DoD Components"). The term "Military Services," as used herein, refers to the Army, Navy, Air Force, and Marine Corps.

C. RESPONSIBILITY

The Secretaries of the Military Departments; the Chairman, Joint Chiefs of Staff (JCS); and the Directors of the Defense Agencies shall ensure that procedures are established to furnish information to the United States Secret Service as outlined in enclosure 1. All appropriate elements (as a minimum, security, law enforcement, investigations, intelligence, and counterintelligence activities) shall be specifically informed of the immediate and direct reporting requirements on page 6 of enclosure 1.

D. EFFECTIVE DATE AND IMPLEMENTATION

This Instruction is effective immediately. Documents previously submitted to implement the revised agreement are adequate and no further implementation documents are required.

93-26995



DISTRIBUTION STATEMENT A

Approved for public release
Distribution Unlimited

C. Alderman, Jr.
Craig Alderman, Jr.
Deputy Under Secretary of
Defense for Policy

Enclosure - 1
Agreement Between the Department of Defense
and the United States Secret Service

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AGREEMENT BETWEEN THE
DEPARTMENT OF DEFENSE AND THE
UNITED STATES SECRET SERVICE

I. Purpose of Agreement

The purpose of this agreement is to arrange for and define the type of information to be furnished by the Department of Defense to the United States Secret Service, in accordance with the responsibilities of the Secret Service as authorized by Section 3056, Title 18, U.S. Code; and Section 202 of Title 3, U.S. Code.

II. General Responsibilities

Subject to the direction of the Secretary of the Treasury, the Secret Service is authorized to protect: (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; (4) Children of a former President who are under 16 years of age; (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, 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 the Treasury 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 Senate, and one additional member selected by the other members of the committee.

Subject to the supervision of the Secretary of the Treasury, U.S. Secret Service Uniformed Division shall perform such duties as the Director, United States Secret Service, may prescribe in connection with the protection of the following: (1) the White House; (2) any building in which Presidential offices are located; (3) the President and members of the immediate family of the President; (4) foreign diplomatic missions located in the metropolitan area of the District of Columbia; (5) the official residence of the Vice President and members of the immediate family of the Vice President; and (7) foreign diplomatic missions located outside of the metropolitan area of the District of Columbia under conditions detailed in 3 U.S.C. 202.

The identity of protectees of the Secret Service, other than those persons or positions specifically identified under "II General Responsibilities" in this agreement, will be supplied to

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Department of Defense by the Secret Service on an individual basis. The notifications will include identity of protectee, dates of protective assignment, as well as other pertinent information. This notification normally will be made prior to commencement of the protective assignment in accordance with procedures for liaison communications between the Secret Service and the Department of Defense components concerned.

III. Information to be Furnished to DOD to the Secret Service

A. The DOD shall furnish to the Secret Service as it comes to the attention of DOD, information specified in Appendix A of this agreement.

The agreement contemplates that such information will be supplied by the DOD if and as it becomes available in the regular course of authorized activities and within established DOD policies.

Efforts by the DOD to elicit or seek such information, to evaluate such information, or to further investigate such information are not contemplated by this agreement, except upon specific request of the Secret Service through established channels on a case-by-case basis, and then only on military installations or in overseas areas where U.S. forces are stationed.

B. Excepted Information - Information originated by another U.S. Government agency which, pursuant to this agreement,

is to be reported by the DOD to the Secret Service will be so reported unless prohibited by the originating agency. Whenever, in compliance with such a prohibition, information is not reported to the Secret Service, the DOD will notify the Secret Service of the existence of such information and the identity of the originating agency. However, information received which is considered to reflect an immediate threat or present danger to any person or facility under protection of the Secret Service will be provided to the Secret Service, and the originating agency will be informed of such action by subsequent notice.

IV. Information to be Reported by the Secret Service to the DOD

A. The Secret Service shall furnish to the DOD as it comes to the attention of the Secret Service, information specified in Appendix B of this agreement. Efforts by the Secret Service to elicit or seek such information, to evaluate such information, or to investigate further such information are not contemplated by this agreement.

B. The provisions concerning excepted information contained in Article III.B. of this agreement shall apply to the transmission of information by the Secret Service to the DOD.

V. Implementation of Agreement

The Secret Service and the DOD shall undertake to maintain an active liaison to insure the prompt passage of information required under this agreement for the protection of the President

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and other protected persons. Furthermore, in order to effect the best possible protection for such persons, the Secret Service and the DOD will construe the obligations imposed on each in the broadest terms and take such steps as are necessary to insure that the terms and intent of this agreement are carried out.

Information pertaining to participation in lawful political opposition to or criticism of policies and decisions of the U.S. Government or officials of the U.S. Government, is not desired by the Secret Service and is not within the purview of this agreement.

This agreement shall be reviewed by representatives of the DOD and the Secret Service annually, or at such more frequent occasions as the DOD or the Secret Service may request, to make certain that the agreement is both practicable and productive.

Revisions may be made on the authority of the Deputy Undersecretary of Defense (Policy) and the Director of the U.S. Secret Service.

This agreement supersedes all prior agreements between the DOD and the Secret Service with respect to exchanging information for protecting persons.

In all situations, priority attention shall be given to the preparation and delivery of pertinent information. Information transmitted pursuant to this agreement shall be treated in all respects as privileged, and will not be disseminated outside the

receiving agency/department without the expressed consent of the originator (Department of Defense or Secret Service).

The information detailed in Appendix A shall be reported to the Secret Service by the fastest available means via the below listed channels or to the closest U.S. Secret Service field office.

Electronic Message Router Indicator...RUEHSE - U. S. Secret Service, Washington, D.C.

Commercial and Secure Telephones...(202) 535-5731
KY3...5310 (secure)
STU2...535-5318 #00367

Written confirmation should follow.

9/17/85
DATE

John P. Simpson
Director
United States Secret Service

17 November 1985
DATE

P. J. ...
Deputy Undersecretary of Defense (Policy)
Department of Defense

Attachments (2)

1. Appendix A
2. Appendix B

APPENDIX A

INFORMATION TO BE FURNISHED
BY THE DEPARTMENT OF DEFENSE
TO THE UNITED STATES SECRET SERVICE

A. Information reported to the Secret Service pursuant to this agreement will be that which becomes available in the regular course of authorized activities and within established DoD policies and will be for official use. Information provided will include the following:

1. Identification Data - To the extent available, the name or names of an individual or group, including former legal names, aliases, and pseudonyms, address, photograph, physical description, date and place of birth, employment, marital status, and identifying military service numbers, as applicable.

2. Record Data - Files, summaries or excerpts from DoD files of information concerning an individual or group reportable under provisions of this agreement.

B. Types of record data to be reported:

1. Information pertaining to a threat, plan, or attempt to physically harm or kidnap the President of the United States, the Vice President of the United States, or other persons being protected by the Secret Service, the Secretary of the Treasury or other high government officials such as Cabinet Members, Congressmen, Supreme Court Justices, foreign Heads of State, Ambassadors, Governors, Mayors, etc.

2. Information pertaining to threats, incidents, or demonstrations against foreign diplomatic missions (embassies, chanceries, consulates) in the United States or its territories.

3. Information concerning instances of the use or attempted use of bodily harm, assassination, or kidnapping as a political weapon both foreign and domestic (this should include coups or attempted coups).

4. Information concerning individuals with an unreasonable or irreconcilable insistence upon personally contacting the President of the United States, the Vice President of the United States, other persons protected by the Secret Service, the Secretary of the Treasury or other high government officials such as Cabinet Members, Congressmen, Supreme Court Justices, foreign Heads of State, Ambassadors, Governors, Mayors, etc., for redress of grievances and whose actions demonstrate a tendency toward mental and emotional instability.

5. Information pertaining to terrorists and to their individual and group activities outside the United States, its territories and possessions, or on military bases in the United States, will be transmitted to the Secret Service by the DoD agency originating the information.

6. Information pertaining to the unauthorized ownership or concealment of caches of firearms, explosives or other paramilitary or military equipment outside the United States, its territories and possessions, or on military

bases in the United States, when the circumstances or such ownership or concealment implies a potential threat to a protectee of the Secret Service identified in "II General Responsibilities" of this agreement.

7. Information pertaining to threatened civil disturbances in the United States or its territories which may require the use of Federalized National Guard or United States military personnel for maintenance or restoration of public order.

8. Information pertaining to the United States citizens or residents who have renounced or indicated a desire to renounce the United States government, who are characterized by:

- a. Violent, irrational, or suicidal behavior or other emotional instability;
- b. Violent anti-United States sentiment;
- c. A propensity toward violence.

9. Persons within DoD or those who are being separated, discharged or retired from the Armed Forces or from civilian employment in the DoD and who are deemed by competent authority to constitute a threat to the safety of the President of the United States, the Vice President of the United States, other persons protected by the Secret Service, the Secretary of the Treasury or other high government officials such as Cabinet Members, Congressmen, Supreme Court Justices, foreign Heads of State, Ambassadors, Governors, Mayors, etc.

10. Information pertaining to any individual or group who, because of their activity or behavior, may pose a danger to the person of the President, the Vice President, or any other person protected by the Secret Service.

APPENDIX B

INFORMATION TO BE FURNISHED BY
THE UNITED STATES SECRET SERVICE
TO THE DEPARTMENT OF DEFENSE

A. Information reported to the Department of Defense pursuant to this agreement will include the following:

1. Identification Data - To the extent available, the name or names of an individual or group, including former legal names, aliases, and pseudonyms, address, photograph, physical description, date and place of birth, employment, marital status, and identifying military service numbers, as applicable.

2. Record Data - Files, summaries, or excerpts from Secret Service files of information concerning an individual or group reportable under provisions of this agreement.

B. Types of record data to be reported:

1. Information pertaining to individuals or groups who plot, plan, or threaten to do physical harm to the Secretary of Defense, Secretary of the Army, Secretary of the Navy, Secretary of the Air Force, or other high official in the Department of Defense.

2. Information pertaining to and results of any United States Secret Service investigation of military personnel and civilian employees of the DoD considered a threat or potential threat to any person whose protection is a responsibility of the Secret Service.

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