

## United States Senate

October 16, 2023

The Honorable Alejandro Mayorkas, Secretary  
U.S. Department of Homeland Security  
245 Murray Lane SW  
Washington, D.C. 20528

Dear Secretary Mayorkas,

On July 21, 2023, you made the executive decision to deny Secret Service protection to Robert Francis Kennedy, Jr. after eighty-eight days of failing to respond to his either formal request for protection, or follow-ups by his campaign. This delay represents a stark departure from the standard fourteen day turnaround for this type of request. Since your decision to refuse Mr. Kennedy protection and determining “it [was] not warranted,” an armed man was arrested at one of his campaign events in Los Angeles and subsequently charged with carrying a loaded firearm, carrying a concealed weapon, and impersonating a Deputy United States Marshal.<sup>1</sup> This near assassination attempt hardly came as a surprise given that Mr. Kennedy’s original request for Secret Service protection included a sixty-seven page report from a leading private security firm detailing a myriad of unique and well-established safety risks.<sup>2</sup>

Two weeks after this incident, on September 29, 2023, Judicial Watch, a government accountability nonprofit organization, received eleven pages of Secret Service records detailing Mr. Kennedy’s protection request denial. Notably, the report indicated that Mr. Kennedy received numerous credible threats from “known subjects” and further determined that he is at an elevated “risk for adverse attention.”<sup>3</sup> Additionally, the records included a Secret Service “Protective Intelligence Assessment.” This assessment revealed numerous “behaviors of interest” such as a letter sent to the hotel where Mr. Kennedy announced his presidential campaign. In this concerning letter, a person of interest expressed a

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<sup>1</sup> Nicholas Kerr, Abby Cruz, Amanda M. Morris, and Jon Haworth, *Armed man arrested at RFK Jr. campaign event in Los Angeles charged with misdemeanors: LAPD*, ABC NEWS (Sept. 19, 2023), <https://abcnews.go.com/US/armed-man-arrested-rfk-jr-campaign-event-los/story?id=103245782>

<sup>2</sup> Robert F. Kennedy, Jr., @RobertKennedyJr, TWITTER (Jul. 28, 2023, 8:51 a.m.), <https://twitter.com/RobertKennedyJr/status/1684909385376575488>

<sup>3</sup> *Id.*

desire to “discuss [their] sins” with Mr. Kennedy and mentioned that a “madman” may commit a “serious terrorist act.” The assessment further revealed that another known subject regularly sends Mr. Kennedy threatening emails, stating he will “bury” Kennedy, “everyone will die,” and that he will make Mr. Kennedy “suffer.” Further complicating matters, the assessment also revealed the Secret Service’s own concession that Mr. Kennedy is likely at risk of assassination “for no other reason than [the mere fact] that he is a Kennedy.”<sup>4</sup>

The records also indicated that the Secret Service is aware that Mr. Kennedy has received increased media attention after accusing the Central Intelligence Agency of involvement in the assassination of his uncle, John Fitzgerald Kennedy, and advocating for the release of the individual currently imprisoned for assassinating his father, Robert F. Kennedy, and speaking out against COVID-19 vaccines.”<sup>5</sup>

In light of your exceptionally delayed action and inexplicable refusal to provide security for this presidential candidate despite the extraordinary threats he is receiving, I demand answers to the following questions by October 31, 2023:

- 1) Why did it take eighty-eight days to respond to Mr. Kennedy’s formal request for Secret Service protection, especially when the typical turnaround time is fourteen days?
- 2) How do you justify denying Secret Service protection when an armed man was subsequently arrested at one of Mr. Kennedy’s campaign events and charged with serious offenses shortly after your decision?
- 3) What role, if any, did the sixty-seven-page report from a leading private security firm play in determining that Secret Service protection was “not warranted” in Mr. Kennedy’s case?
- 4) Given the eleven pages of Secret Service records released to Judicial Watch, which highlight numerous credible threats and assessments of an elevated risk to Mr. Kennedy, what additional evidence or information would be required to warrant Secret Service protection in this case?

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<sup>4</sup> *Id.*

<sup>5</sup> U.S. Secret Service, *2023 Presidential Candidate Robert F. Kennedy Jr.*, U.S. SECRET SERVICE (Jun. 1, 2023), <https://www.judicialwatch.org/wp-content/uploads/2023/09/USSS-Production-Kennedy-Protection-September-2023.pdf>

- 5) Can you explain the rationale behind the Secret Service's acknowledgment that Mr. Kennedy is "at risk of assassination" solely because of his Kennedy family lineage?
- 6) How do you address the fact that previous major presidential candidates, such as Donald Trump, Dr. Ben Carson, then-Senator Barack Obama, and Senator Ted Kennedy, received Secret Service protection well over 120 days before the general election, setting a clear precedent for exceptions to the general rule as provided by law?<sup>6</sup> Was then-Senator Obama under more threat during his campaign than Mr. Kennedy is today?<sup>7</sup>

I ask that you act swiftly to provide this major presidential candidate the protection that his exceptional circumstances so clearly warrant.

Sincerely,



Ted Cruz

Ranking Member, Subcommittee on the Constitution  
U.S. Senate Committee on the Judiciary

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<sup>6</sup> 18 U.S.C. § 3056.

<sup>7</sup> Jeff Zeleny, *Secret Service Guards Obama, Taking Unusually Early Step*, THE NEW YORK TIMES (May 4, 2007), <https://www.nytimes.com/2007/05/04/us/politics/04obama.html>