

**A SYSTEM IN DISARRAY: THE LACK OF
STANDARDIZATION AND TRAINING IN
PROTECTING EXECUTIVE BRANCH OFFICIALS**

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIMINAL JUSTICE OVERSIGHT

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

ONE HUNDRED SIXTH CONGRESS

SECOND SESSION

—————
JULY 27, 2000
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Serial No. J-106-100

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Printed for the use of the Committee on the Judiciary



U.S. GOVERNMENT PRINTING OFFICE

73-365

WASHINGTON : 2001

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**A SYSTEM IN DISARRAY: THE LACK OF
STANDARDIZATION AND TRAINING IN PRO-
TECTING EXECUTIVE BRANCH OFFICIALS**

THURSDAY, JULY 27, 2000

U.S. SENATE,
SUBCOMMITTEE ON CRIMINAL JUSTICE OVERSIGHT,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:03 p.m., in room SD-226, Dirksen Senate Office Building, Hon. Strom Thurmond (chairman of the subcommittee) presiding.

**OPENING STATEMENT OF HON. STROM THURMOND, A U.S.
SENATOR FROM THE STATE OF SOUTH CAROLINA**

Senator THURMOND. The subcommittee will come to order.

There are many symbols which citizens commonly associate with their government, and some of the more traditional icons are those of the Capitol and the White House. In recent years, this list has expanded to include those mysterious looking men in black suits and dark sunglasses who spend their days whispering into the cuffs of their shirt sleeves and shadowing high-ranking government officials. Today's hearing is going to focus on just who these personnel are, how well trained they are, and how good a job they do in guarding executive branch officials.

At one time, those who had protection assigned to them was a relatively short and sensible list of the men and women who were truly at the very senior levels of Government or who were in possession of highly sensitive information critical to national security.

As someone who has spent a considerable amount of time in Washington, it recently struck me that I was seeing more and more individuals at less and less senior levels of Government being accompanied by protective details. In an effort to confirm my observations, I requested the General Accounting Office to study this issue.

After a year of hard work, extensive research, and careful analysis, the GAO has completed their report on this matter and has discovered some unsettling issues regarding who is protected in the executive branch and how they are protected. While our witnesses will get into this matter in greater detail through their testimony, I do want to highlight some of their findings which I find troubling and in need of reform.

First, there is no standardization in training, tactics, equipment, radio frequencies, and so on. Next, there is no standardization in

who protects executive branch officials. Presently, 42 different officials are protected by 27 different agencies.

Next, the costs associated with protecting executive branch officials have jumped by almost 50 percent from 1997 to 1999. The number of people assigned to dignitary protection jumped by 73 percent during that same period.

In some cases, inspector general personnel are used for dignitary protection. In many cases, there is no statutory authority for those who are providing the protection to actually do so. There is a lack of threat assessments, meaning there are individuals being protected who may have no legitimate need for security or who have too much security.

This list goes on and on, and is carefully explored in what is an excellent GAO report, "Security Protection-Standardization Issues Regarding Protection of Executive Branch Officials." Frankly, I am disturbed by much of what is brought to light in this report, which describes a system in disarray.

It seems that if we are concerned enough about the welfare, safety, and security of someone, we should be concerned enough to ensure that the protection they are receiving is the best it can be. This GAO report clearly indicates that there is an overwhelming need to bring reform, standardization, and discipline to this system and to do so as quickly as possible.

Protecting someone goes far beyond simply assigning burly and intimidating agents to an official. They involve gathering intelligence, conducting threat assessments, doing careful advance work, and coordinating extensively with other law enforcement agencies. The tactics and strategies involved in successful protection operations are probably beyond the capabilities of many of the organizations now involved in this undertaking, and considerable opportunities exist for streamlining the current system.

Among other steps that need to be taken is stopping the use of inspector general personnel for dignitary protection. Inspectors general are supposed to be dedicated to fighting waste, fraud, and abuse, not serving as bodyguards. And furthermore, carrying out dignitary protection duties represents a clear conflict of interest.

I would be inclined toward consolidating the bulk of all protective functions for the executive branch under one agency or to carefully split threat assessment and protective actions between two agencies. The bottom line is that having 27 different organizations conducting protective duties is inefficient, counterproductive, and undermines efforts to effectively safeguard those who truly need security.

I am looking forward to the testimony of our witnesses and the suggestions they will have regarding how to address this issue. As protection is carried out now, it is done in a disorganized and haphazard manner where taxpayer dollars are being wasted on security that is likely inefficient or ineffective in many cases. More significantly, lives are being potentially endangered. Quite obviously, this is a matter which must be resolved with the utmost expediency, and the necessary reforms should be made in time for the new administration to implement.

I am now pleased to introduce our witnesses for this afternoon's hearing: Mr. Bernie Ungar, the Director of Government Business

Operations Issue, and Mr. Robert Hast, Assistant Comptroller General for Special Investigations, both of whom serve at the General Accounting Office.

Before we hear your statements, please allow me to commend you on what is a very thorough and well-done report. I appreciate all your hard work, and this document will certainly be very beneficial to us as we tackle what is a very serious issue.

Mr. Ungar, will you please begin your testimony at this time?

STATEMENT OF BERNIE L. UNGAR, DIRECTOR, GOVERNMENT BUSINESS OPERATIONS ISSUES, GENERAL GOVERNMENT DIVISION, U.S. GENERAL ACCOUNTING OFFICE, WASHINGTON, DC, AND ROBERT H. HAST, ASSISTANT COMPTROLLER GENERAL FOR SPECIAL INVESTIGATIONS, U.S. GENERAL ACCOUNTING OFFICE, WASHINGTON, DC

STATEMENT OF BERNIE L. UNGAR

Mr. UNGAR. Thank you, Mr. Chairman. Mr. Hast and I are pleased to be here this afternoon to help the subcommittee look at and assess the issue of protection for high-level executive branch officials. We are accompanied this afternoon behind us by two of our key staff who worked on this assignment—Mr. Thomas Wiley, from the Office of Special Investigations, and Mr. Robert Homan, from our General Government Division.

What I would like to do is summarize, if it is okay with you, our statement and, of course, have the entire statement submitted for the record.

In brief, we found that officials in 42 positions at 31 different agencies receive protection from a variety of agencies and protective personnel. As you indicated, security is provided on a decentralized basis, with 36 of the officials being protected by personnel from their own agencies and 6 officials being protected by other agencies, such as the Secret Service or the Marshals Service or the State Department.

In the 3-year period that we covered, which was fiscal years 1997, 1998 and 1999, agencies reported spending over \$74 million for protection of these high-ranking officials. Costs were reported to have increased 49 percent from fiscal year 1997 to fiscal year 1999, and the number of staff providing that protection increased by over 70 percent during that period.

With respect to legal authority, we found that only two of the agencies providing the protection, the Secret Service and the State Department, had express, specific statutory authority to provide protection. The other agencies were providing protection under a variety of authorities.

For example, 11 of the agencies cited deputations from the Marshals Service as the authority which they provided protection for. And there is possibly a dilemma somewhat there, in that the Marshals Service has said that it may not renew these deputations in the year 2001.

In addition, we found that some agencies lacked specific authorities that would be appropriate and helpful and necessary in providing protection, such as arrest authority or investigative author-

ity. For example, eight agencies said they did not have authority to investigate threats against their protected officials.

In terms of threat assessments, we found that these are very critical documents or processes which the protection agencies—at least the key agencies who have this as a primary mission told us very clearly that they are very important for determining the need and the level of protection. Despite the importance of these documents, we found that only those agencies such as the Secret Service or the Marshals Service or the State Department and a few others that had protection as their primary mission had actually conducted and documented detailed threat assessments.

Most of the agencies that were providing protection had not prepared a detailed written document explaining what the threats were and discussing how those were going to be mitigated. In addition, none of the agencies had made any linkage between a threat assessment and the level of protection that was being provided. Without that kind of a linkage, it was difficult to determine the appropriateness of the level of protection being provided, or even the need for that in some cases.

Some of the agencies lacked authority, they said, to actually do threat assessments or to gather intelligence about potential threats against the protected officials. Most of the agencies that we covered said that they really did favor a central repository for threat information and for basically gathering this information, storing it and disseminating it in a uniform way.

With respect to training, again, that was done on a more decentralized basis. Eleven agencies that we covered provided their own training. Sixteen of the agencies obtained training from another agency or another source in the country. The amount and type of training, the source of the training, varied among the agencies. Six agencies told us that they had particular difficulty in getting training for some of their people, either because of lack of space in training facilities within the Government or lack of funds or lack of time.

We found that many of the agencies relied on their field staffs to provide protection when their protected official traveled within the country. Generally, though, we found that the field staff received less training than the headquarters staff, and in some cases the field staff who provided protection received no training.

Most agencies that we dealt with in our review said that they favored standardized training. They felt it was very important to make sure that those folks who were providing protection receive the training that they need, that they receive this consistently, and that they are able to perform in the same way in case of events or emergencies, particularly when protected officials are appearing jointly at the same event.

In terms of centralized protection—that is, should one agency provide all the protection or most of the protection, or should it operate in the current decentralized manner—that turned out to be a very difficult issue. Most agencies that we talked to did not favor centralized protection, for a number of reasons. The key reason seemed to be that they felt it was very important to develop a high trust level between the protected official and the protectors. And they felt that if an outside agency were to come in, the same level

of trust may not exist. In addition, they felt that it would be helpful to have knowledge of the agency's program and culture, and also that there would be more control over the type of protection and the nature of protection if it were within the agencies.

On the benefits side, there were some that were identified. Possibly, there would be more uniform quality or level of service if protection were centralized. Equipment would be perhaps more evenly available. Procedures would be more standardized, and in the field there would possibly be, and more likely be more consistent service.

One issue that was not clear—and we weren't able to resolve this in the time that we conducted our review—was cost. It wasn't clear, and data aren't available for us to tell you whether or not it would be more costly or less costly to have a central agency providing the protection versus the manner in which it is currently being done.

What does all this mean to us? We concluded that the safety of high-level government officials is a very important activity. It can certainly affect confidence that the public has in government. It is also important from the standpoint that many of these protected officials, particularly the Cabinet agency heads, are in line for presidential succession, and that certainly has national security implications.

It is very clear that the costs for protection have increased significantly over the last few years. It is also clear that the protection is provided in a very fragmented way, in the sense that there is no one organization or person in the executive branch that is responsible for overseeing this issue. It is basically up to each agency.

We felt that both the Congress and the executive branch need to have greater assurance that the protection is being provided in a rational and a reasoned way, and that right now there is not a way for the Congress or the executive branch to have confidence that that is the case. That led us to our recommendation that the Office of Management and Budget designate either an individual or a group of people knowledgeable in this area who could study the issues that we have identified and raised, and make recommendations both to the executive branch and to the Congress.

We also believe, of course, that the Congress needs to take a look at these recommendations, make sure that whatever agency or agencies are providing protection have appropriate legal authority to do so and they have the necessary resources. OMB agreed with our recommendation to it, believed that it would take some time to carry it out, but agreed that it would put a group together or a designated individual and go ahead and study these issues.

Mr. Chairman, that concludes our summary. We would be happy to answer any questions that you might have.

Senator THURMOND. Mr. Hast, do you have any statement you want to make?

Mr. HAST. I do not. I will just be glad to answer any questions you have, Mr. Chairman.

Senator THURMOND. I will ask some questions and either one of you can answer them.

It is clear that the costs and amount of security protection that executive officials receive has increased greatly since 1994 and even in the past 3 years. Do you find these sharp increases trouble-

some, especially given the lack of overall responsibility for executive protection, and do you expect this problem to continue if no action is taken?

Mr. HAST. Mr. Chairman, I think that the costs need to be audited and to be examined. However, I think both the domestic and the international climate over the last ten years have changed. I think what happened at the World Trade Center and what happened in Oklahoma City and what happened to our embassies in Africa and the amount of kidnappings that are taking place internationally have caused the threat levels to have gone up, and I think have influenced the extra cost that has gone into protection.

Senator THURMOND. Currently, the cost of providing protection is spiraling and appears to be based more on personal preference of the official being protected than the need for protection. Do you agree that it is essential that there be a uniform, objective method for determining how much security, if any, officials in the executive branch need?

Mr. HAST. Yes, I would say we do.

Senator THURMOND. How precise is the cost information that was provided to you by the agencies you studied?

Mr. UNGAR. Mr. Chairman, they weren't very precise. For the most part, they were largely based on estimates. There were some agencies that did have very specific information, but a number of agencies didn't track these costs systematically, particularly in those cases where they used field personnel to protect their official when they traveled. Some of the information, like I said, was estimated.

I think overall we would say that the cost information that they provided us is very likely to be understated, and it is more likely that the cost would be more than the \$74 million that we identified with the agencies' assistance.

Senator THURMOND. Your report found that three-fourths of agencies do not provide detailed written threat assessments to justify the protection that officials receive. Do you think it is critical that threat assessments be prepared to ensure that resources are being spent wisely and efficiently?

Mr. HAST. Absolutely, Mr. Chairman. I think the key to the amount of protection necessary is the threat assessment. By analyzing the threat domestically in various overseas areas, by analyzing this and making a threat assessment you are able to allocate the proper amount of resources. Without a threat assessment, you are really just guessing.

Senator THURMOND. Would a threat assessment center be an asset or simply another drain on money? In other words, what guarantees do we have that agencies participating in a center will actual share information with one another?

Mr. HAST. I believe in the area of threat assessment the sharing of information is very good, and I think that a national threat assessment center would be very useful in determining the amount of protection needed by various protected individuals.

Senator THURMOND. The mission of inspectors general has nothing to do with security protection. Indeed, because their mission is to investigate and audit agencies, there are ethical questions with having them protect the chief of the agency they review. Wouldn't

these concerns be addressed if inspectors general were no longer involved in providing security?

Mr. UNGAR. Well, I think the agencies would have to find an alternative source to provide the protection. Now, the U.S. Marshals Service has said that it would certainly favorably consider providing that protection if asked to do so. I think that we know that there are a number of concerns right now in those situations in which the inspectors general do provide the protection with regard to whether or not the role of providing this protection compromises their independence in actually assessing what is going on within the agencies.

When the Inspector General Act was created, it was anticipated that the inspectors general would be independent of the program operations within the agencies, that they would not operate programs. And I think it is clear that one might construe providing protection as somewhat programmatic in nature. And certainly if there was some issue that came up with respect to alleged improprieties with respect to the protection itself or that was associated with the protected official, there certainly could be a question raised there about independence.

Bob, did you have anything additional?

Mr. HAST. I think that once they become involved in a program, they can no longer audit that program and it compromises their independence.

Senator THURMOND. Almost everyone agrees that training needs to be standardized for those who protect executive branch officials and that legal authority is currently insufficient. Wouldn't the most efficient way to solve these problems be for personnel of one agency, such as the Marshals Service, to provide protection?

Mr. HAST. Yes; I think that, given the resources, I think one agency would be able to provide protection, and I think that even more important than one agency providing protection is the standardization of training. I think if one agency provided all of the training and all details in a protective environment were operating under the same standards and guidelines, I think it would cause much better coordination at things such as inaugurations, conventions, and other events where we had a large number of protectees showing up.

Senator THURMOND. What would be the effect on executive branch protection if the United States Marshals Service stopped granting special deputy status to those currently doing protection work?

Mr. UNGAR. Mr. Chairman, I think that obviously there would be a problem because 11 agencies right now depend upon those deputizations for the authority to provide the protection. Of course, they have told us that if they don't have that deputization, then their ability to actually provide protection is going to be quite jeopardized in terms of carrying out those key functions of being able to investigate threats, use force if necessary, and make arrests if necessary.

So I think they would be quite concerned about their ability, and as I indicated, I think an alternative source would have to be provided for those officials that would need to continue to be protected.

Senator THURMOND. If there is no standardization of training, use of force policies, and tactics, how well are legitimate protective needs of dignitaries being served?

Mr. HAST. I think it depends on the level of training each individual detail receives, and I think at this point we are not sure that each protective detail is receiving the same level of training as the others. So I think standardizing this training under one agency would give us a level of confidence in the type of protection that we are providing to these high-level officials.

Senator THURMOND. With the lack of standardized training and policies that currently exist with executive branch security details, did any of the agencies you contacted in the course of preparing this report express concerns of conflicts that could occur when two or more protective details are at the same function?

Mr. UNGAR. Mr. Chairman, we did get on at least one occasion expression of a concern about the lack of coordination that occasionally or sometimes takes place during events when officials from more than one agency appear and you have different protective details.

Apparently, in some cases—and we didn't really review these, but we were told by the agencies or by personnel that there were some instances where threats were made against one official that the other protective force did not know about, or things weren't as well coordinated as the folks felt should have been.

Senator THURMOND. If training were to be standardized, I suspect many would argue that the Secret Service would be the logical agency to conduct the training. Given the existing complaints of some agencies about the ability to secure protective detail training, how would we make certain that the Secret Service or any other agency that was given the training mission did not put its own agency's needs before the executive protection training it is supposed to give other organizations?

Mr. HAST. I believe that in passing that type of legislation and giving them that authority, there would have to be safeguard built into the legislation so that when the funding was given, there was a guarantee that they would be able to provide the services.

Mr. UNGAR. Also, Mr. Chairman, I know we have spoken to, during the course of our review, the Federal agencies that now do have the capacity to provide the training. And whether it be the Secret Service or the Treasury Department or the State Department, none said right now that they have adequate capacity to provide this kind of training to the rest of the Government.

So if a mandate of the nature you are speaking about were to come about, it would be very critical that there be an appropriate consideration of the resources that would be needed to provide this protection so that they would be able to do it for all the different personnel.

Senator THURMOND. Your survey of those protected would seem to indicate little to no interest in cutting back on the number of individuals who are protected or in the number of personnel assigned to protective details. More specifically, your report states, "Most of the protected officials or their staffs said the individuals holding these positions automatically receive security protection because of their visibility and the types of issues that they handled."

By that reasoning and logic, it would seem that other senior officials at executive branch agencies would also be in danger. How far down an agency's chain of command should we extend protective services? At what point do we say we have adequately protected all those potentially at risk because of their job?

Mr. HAST. I believe that we go back to the threat assessment, Mr. Chairman. I think that if we are conducting proper threat assessments, we should determine which individuals need protection, now long they need it, when that protection is no longer necessary. Without conducting a thorough threat assessment, it is really someone's best guess who needs protection.

Mr. UNGAR. Mr. Chairman, also I think, as we point out, right now this decision is an agency-by-agency decision. Perhaps that is the way it will be in the future, but there certainly isn't anybody essentially within the executive branch, in the White House, or anywhere else from what we could determine that really has any overall responsibility for looking at this very issue that you raised.

Perhaps enunciating an executive branch policy or even some kind of a process to perhaps take a look at this—obviously, it is going to be very important for certain Cabinet folks who are in line of succession, but on the others it would be based on the threat assessments that were made.

Senator THURMOND. Gentlemen, I want to thank you very much for your testimony. We appreciate your appearing before us today and for all your hard work.

At this point, I would like to ask unanimous consent that two articles be inserted in the record, the first from the Washington Times, which reports that the bodyguard for the Secretary of Housing and Urban Development has left his weapon in the HUD cafeteria on several occasions.

The second article is from the Washington Post and concerns language that is supposed to be contained in a soon to be released Appropriations Committee report that directs the FBI to get the “. . . Hostage Rescue Team out of the dignitary protection and event security business.”

[The articles referred to follow:]

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The Washington Times

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May 2, 2000

Cuomo's bodyguard leaves his revolver in cafeteria

By George Archibald
THE WASHINGTON TIMES

Housing Secretary Andrew M. Cuomo's chief bodyguard has forgotten his .38-caliber revolver on several occasions while on duty, leaving it where others could easily find it, agency employees say.

In the most recent incident, Clarence Day, a 68-year-old retired Metropolitan Police officer and close confidant of Mr. Cuomo, left the loaded pistol in the cafeteria of the Department of Housing and Urban Development and tried to retaliate against security officials who made a formal incident report, the employees said.

HUD spokesman David Egner acknowledged the Feb. 9 cafeteria incident but said, "There were no other incidents of any gun being left anywhere else."

Citing Mr. Day's 40-year career as a decorated Army veteran, police officer and bodyguard for six HUD secretaries, Mr. Egner said, "It would be wrong to judge his entire career based on one unfortunate and uncharacteristic incident."

But several HUD co-workers, who spoke on the condition of anonymity for fear of retaliation, said the latest and only officially reported incident Feb. 9 is part of a pattern dating back at least a year where Mr. Cuomo's bodyguard has left his gun and other belongings "lying around."

They said Mr. Day forgot his gun, which he carries in a small handbag, on at least two other occasions when he was traveling with the HUD secretary. The bag was found by federal motor pool employees and returned to him without an official incident report, the employees said.

The incident and existence of a formal report have embarrassed Mr. Cuomo, who has made a big issue of gun safety and recently joined President Clinton in efforts to restrict availability of firearms to the general public.

On Feb. 9, the gun was found that day by another cafeteria patron and turned over to HUD's

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security office. The gun was found in a black canvas bag imprinted with the official U.S. government eagle surrounded by the words, "U.S. Department of State Diplomatic Security Service," the report said.

According to the report, an official of HUD's building management office directed Lt. Col. Paul B. Berney, a supervisor for Knight Protective Service Inc., HUD's security contractor, "to write a report and have Mr. Day sign for the weapon once he came down to the security office to retrieve his weapon."

Mr. Cuomo and his assistant secretary for administrative services, Joseph Smith, personally interviewed three security and building services employees responsible for the report in an effort to pressure them to change it, an official said.

Mr. Day "exploded" after the gun incident report was placed in official files as an "adversarial report," one agency employee said. "He went ballistic. He threatened retaliation."

The incident report said Mr. Day "was most apologetic and grateful" when he went to Lt. Col. Berney's office to retrieve his gun on Feb. 9. "He explained that the weapon in question was his personal weapon and not his service weapon," the report said.

After the incident, the employees said, the secretary's office "put things in motion to bury the report" by appointing Mr. Day to replace Edward Willoby as department overseer of HUD's building security contract with Knight, a subsidiary of Halifax Inc.

Mr. Day was set to take over management of the security operation, officials said, until the move was questioned as retaliation for the adverse report regarding the gun incident. "That has been put in a holding pattern," said a HUD official involved in the discussions who asked not to be named. "Mr. Willoby is still the contract officer overseeing security."

Mr. Day and Mr. Willoby did not respond to repeated inquiries and telephone messages throughout the week. Lt. Col. Berney also declined to comment.

Mr. Day was forcibly retired July 31, 1999, by the Office of Personnel Management (OPM), because federal law enforcement officers are required to retire at age 57. Officials could not explain this week how he was able to keep working 11 years beyond his mandatory retirement age and why he was forcibly retired only to be rehired immediately by Mr. Cuomo.

HUD officials said he is now a GS-13, Step 10 security specialist in HUD's office of administration. According to federal pay scales, Mr. Day earns \$79,155 a year.

For record

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THE FEDERAL PAGE:

03:10:02, 21 July 2000

Senate Panel Blasts FBI's Deployment; Report: Agency Focuses On Wrong Types of Crime

The Washington Post via Dow Jones

Publication Date: Friday July 21, 2000 A Section; Page A29 Copyright 2000, The Washington Post Co. All Rights Reserved By David A. Wise Washington Post Staff Writer

In unusually harsh language, a Senate panel has criticized the FBI for spreading itself too thin by taking on too many new tasks and for using costly elite units to police events that don't require high levels of expertise.

The Senate Appropriations Committee report, which has not been made public, cited statistics compiled by Syracuse University showing that just 30 percent of FBI criminal referrals resulted in convictions. It said the FBI spends too much time on bank robberies and other crimes that could be handled at the state and local level, instead of focusing on counterterrorism, counterintelligence, cyber-crime and other clearly federal responsibilities.

At the same time, the committee this week approved \$23 million to fund a new domestic counterterrorism czar at the highest levels of the Justice Department. Saying the federal government lacks clarity and focus in combating domestic terrorism, the committee wants the new "deputy attorney general for national security and intelligence" to coordinate strategy and diminish confusion.

The Senate proposal would shift power away from the FBI by transferring authority over the National Domestic Preparedness Office from the bureau to the new deputy attorney general, who also would have the authority to review the budgets of any agency working on counterterrorism. The preparedness office serves as the central point of contact with state and local governments, whose officials have criticized the FBI for not readily sharing information.

The next president would be required to appoint the first person to hold the Senate-confirmed position by the spring of 2001.

"The Congress, the president and the attorney general must be able to look to a single person with a single national strategy to safeguard this country from terrorism," the report says.

Justice Department officials said they oppose creation of the new position.

"We learned during the millennium that we have a very good system in place to respond to terrorist threats," said Justice Department spokesman Myron Marlin. "While we are always willing to consider ways to improve the existing structure, we believe this proposal in its current form might just create more confusion."

The establishment of the new high-ranking post, backed by Justice appropriations subcommittee Chairman Judd Gregg (R-N.H.), is outlined in a lengthy report that accompanies the Justice Department's budget bill. There is no similar provision in the House version of the bill.

The report is notable for its stern criticism of the FBI. Generally, the Republican-led Congress has been supportive of the bureau. But the report said the FBI's mission overlaps the responsibilities of a host of other law enforcement agencies, and its work has suffered.

"Pulled in every direction, the quality of FBI investigations has declined," the report concluded.

It castigated the bureau for misusing costly, highly trained units, including its Hostage Rescue Team (HRT) and its SWAT teams.

"The bureau's Hostage Rescue Team and ... SWAT teams have participated in everything from the Miss America pageant to the Olympics to the pope's visit," the report says. "This seems a gross misuse of expensive and highly trained assets. . . . The bureau is directed to get the [Hostage Rescue Team] out of the dignitary protection and event security business."

<http://wire/NewsEDGE/FullStory/Ful...011b.0.pAoMRBA?StchInput=%22FBI%22>

FBI spokesman John Collingwood said that hostage rescue teams are deployed based on the magnitude of the threat at various events. "Regardless, the FBI will take the committee's observations to heart and study the situation closely," he said.

Collingwood also noted that complaints of blurred jurisdictions had led FBI Director Louis J. Freeh "to implement the FBI's first long-term strategic plan and most recently to reorganize the FBI in recognition of these new priorities." In its strategic plan, the FBI said that its top priorities include counterintelligence and counterterrorism.

Collingwood also contended that the Syracuse University statistics on case outcomes were based on flawed methodology and are "somewhat misleading."

(END)

02:43 EDT July 21, 2000

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Senator THURMOND. I would also like to ask that the record remain open for one week for additional questions and materials.

Anything further you would like to say?

Mr. UNGAR. No, thank you, Mr. Chairman.

Mr. HAST. Thank you, Mr. Chairman.

Senator THURMOND. Thank you, gentlemen, for your appearance and your testimony.

[The prepared statement of Messrs. Ungar and Hast follows:]

United States General Accounting Office



Testimony

Before the Subcommittee on Criminal Justice Oversight,
Committee on the Judiciary, U.S. Senate

For Release on Delivery
Expected at
2:00 p.m., EDT
on Thursday
July 27, 2000

SECURITY PROTECTION

Standardization Issues
Regarding Protection of
Executive Branch Officials

Statement of Bernard L. Ungar
Director, Government Business Operations Issues
General Government Division

and

Robert H. Hast
Acting Assistant Comptroller General
for Special Investigations



Summary

Security Protection: Standardization Issues Regarding Protection of Executive Branch Officials

Security protection for executive branch officials is currently being conducted in a decentralized fashion. Most agencies protect their own officials, although some officials are protected by other agencies, such as the U.S. Secret Service and the U.S. Marshals Service. From fiscal years 1997 through 1999, agencies reported that security protection was being provided for 42 positions at 31 executive branch agencies. To protect these officials, agencies reported spending \$19.1 million in fiscal year 1997, \$26.1 million in fiscal year 1998, and \$28.5 million in fiscal year 1999—a 49-percent increase in those 3 years. They also reported that the number of full-time personnel employed to protect these officials increased by 73 percent during that 3-year period.

Our review indicated that some of the government's highest ranking officials were being protected by personnel who said they did not have sufficient access to protective intelligence and training. We found that three-fourths of the agencies did not have detailed, written threat assessments justifying their decisions to protect officials. Without assessments that link the level of threat to the size of the protective force, it would be difficult to determine whether the level of protection provided and the amount of money spent on protection were appropriate. Further, some agencies said they lacked the legal authority to make arrests and conduct threat investigations to protect their officials. Some security officials also raised questions about potential conflicts of interest that could result from using protective personnel from agencies' offices of inspectors general. Most agencies opposed centralizing security protection services under one agency. We believe that additional sharing of protective intelligence, establishing a standardized protection training program, and providing agencies with specific statutory authority to provide protection could help enhance security protection for top federal officials.

We also found that no single agency or official was responsible for handling issues relating to the routine protection of executive branch officials. This fragmentation of protective responsibilities among multiple executive branch agencies has national security implications regarding the functioning of government in part because 14 of the protected officials are in the line of presidential succession. We are recommending that the OMB Director, in consultation with the President, designate an appropriate official or group to assess security protection issues for top-level federal officials and report its recommendations to Congress for action. Once the OMB Director has submitted his recommendations to Congress, Congress should consider enacting legislation that would give whatever agency or agencies that provide protection the resources and specific statutory authority needed to effectively carry out these responsibilities.

Statement

Security Protection: Standardization Issues Regarding Protection of Executive Branch Officials

Mr. Chairman and Members of the Subcommittee:

We are pleased to be here today to discuss our report entitled Security Protection: Standardization Issues Regarding Protection of Executive Branch Officials (GAO/GGD/OSI-00-139, July 11, 2000). As you requested, this report updates our December 1994 report in which we reviewed security protection for officials at 10 of the 14 cabinet-level departments.¹ You asked that we expand our 1994 report by addressing standardization and centralization issues regarding security protection. In addition, as agreed with the Subcommittee, this report includes data on the protection of all civilian executive branch officials except the President, Vice President, Central Intelligence Agency officials, and U.S. ambassadors to foreign countries.

Our report contains information from agency security officials and protected officials on the following questions pertaining to fiscal years 1997 through 1999: (1) How many federal government officials were protected, who protected them, and how many security personnel protected them? (2) How much did it cost to protect these officials? (3) Under what legal authorities were agencies providing security protection? (4) Under what circumstances were officials protected? (5) How were agencies preparing threat assessments, and what are the implications of standardizing and centralizing threat assessments? (6) What training did protective personnel receive, and what are the implications of standardizing and centralizing security protection training? (7) What are the implications of centralizing protection services under one agency? and (8) What are the views of the protected officials regarding the need for and adequacy of their protection?

We collected this information by asking security officials from the 27 agencies that provided the protection to complete detailed questionnaires on these issues, reviewing documents, and visiting protection training facilities. We also sent letters directly to officials who were protected from fiscal years 1997 through 1999 requesting their views on their protection and on security standardization issues. Although we asked agencies for the bases of their decisions to protect officials, we did not independently assess whether particular officials should be protected or whether the level of protection being provided and resources being expended were appropriate.

¹ Security Protection: Costs of Services Provided for Selected Cabinet Officials (GAO/GGD-95-50, Dec. 30, 1994).

Due to the sensitive nature of this information, we agreed to respond in two reports. The report we are discussing today addresses all eight questions by providing aggregate data. It does not provide information by agency or identify specific protected officials. A separate, classified report addressed to you on May 31, 2000, provided specific information on the security provided by position held and agency.

Findings

From fiscal years 1997 through 1999, agency security officials said that security protection was provided to officials holding 42 positions at 31 executive branch agencies. These officials included all 14 cabinet secretaries, 4 deputy or under secretaries, and 24 other high-ranking officials (mainly heads of agencies). The 42 officials were protected by personnel from 27 different agencies. Thirty-six officials were protected by personnel from their own agencies or departments, and 6 officials were protected by personnel from other agencies or departments, such as the U.S. Secret Service and the U.S. Marshals Service.

Agencies reported that the number of full-time protective personnel increased by 73 percent in fiscal years 1997 through 1999. The 27 agencies also reported spending a total of at least \$73.7 million to protect the officials holding the 42 positions during that 3-year period. The agencies reported that they spent \$19.1 million in fiscal year 1997, \$26.1 million in fiscal year 1998, and \$28.5 million in fiscal year 1999—a 49-percent increase in 3 years. The agencies with the largest increases in costs and full-time protective personnel during those 3 years generally said that these increases were the result of increased travel by the protected officials and the provision of enhanced security to respond to potential terrorist threats.

We did not find that historically, top appointed federal officials have been frequent victims of harm. However, security officials stressed that effective security protection serves as a deterrent to harm. In addition, agencies reported receiving 134 direct threats (threat of direct physical harm, kidnapping, extortion, etc.) against their officials in fiscal years 1997 through 1999. Moreover, research on threat assessments suggests that top appointed federal officials may be vulnerable to attack. According to a 1998 study conducted by the Secret Service, many attackers and would-be attackers considered more than one target before attacking. This finding has implications for high-ranking government officials, who may become targets of attack by potentially dangerous individuals who shift their focus from one government official to another.

Legal Authorities

Only two agencies—the Secret Service and the State Department—had specific statutory authority to protect executive branch officials. The other agencies relied on a variety of other authorities in providing protection to officials, such as having their protective personnel deputized by the U.S. Marshals Service to provide them with law enforcement authority. When agencies provide protection to their officials without specific statutory authority to do so, potential problems can arise, particularly with respect to whether their protective personnel have the necessary law enforcement authorities to make arrests, conduct investigations, and use force. The military agencies in our review, for example, indicated that their protective personnel had the authority to arrest military personnel, but not civilians, and that they had only the authority to detain civilians who constitute an immediate threat to the safety of a protected official. Eight agencies also said that they did not have the authority to investigate threats made against their protected officials and referred threats for investigation to other agencies, such as the Federal Bureau of Investigation.

The primary protective personnel employed at 11 agencies, including 2 offices of inspectors general, were deputized as U.S. Marshals to provide them with needed law enforcement authorities. The Marshals Service indicated that it may not renew these deputations after January 1, 2001, to highlight the need for Congress to provide agencies' offices of inspectors general with their own statutory authority to provide protection. Further, the Marshals Service said that if Congress does not provide statutory authority to those agencies by January 2001, it might be appropriate for the Marshals Service to assume those agencies' protective responsibilities at that time.

Protective personnel at three agencies were employed by offices of inspectors general. Some security officials expressed a concern that using personnel from agencies' offices of inspectors general could represent a potential conflict of interest. They said that if offices of inspectors general were investigating officials whom they were also protecting, it could result in an atmosphere of distrust between the protective personnel and the officials. A March 2000 Department of Justice Office of Legal Counsel opinion raised similar concerns. However, officials at the agencies that employed protective personnel in offices of inspectors general disagreed, saying that potential conflicts of interest were avoided by separating the investigative and protective responsibilities within their offices.

Threat Assessments

Agencies reported that their officials received different levels and frequencies of protection and that protection was needed to respond to possible and actual threats. According to agencies with security protection

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as one of their primary missions (the Secret Service, the Marshals Service, and the State Department's Diplomatic Security Service), threat assessments form the basis for determining the need and scope of protection. The agencies with security protection as one of their primary missions, and most of the Department of Defense agencies, had prepared detailed, written threat assessments regarding their protected officials. However, nearly three-fourths of the agencies that provided protection said they had not prepared detailed, written threat analyses justifying their decisions to apply certain levels of protection and expend resources. In addition, the seven agencies that had written threat assessments did not detail how decisions were made regarding the size of the protective force needed. Without assessments that link the level of threat to the size of the protective force, it would be difficult to determine whether the level of protection provided and the amount of money spent on protection were appropriate.

Security personnel generally reported that their ability to prepare threat assessments depended in part on their access to information from other agencies about potential and actual threats against their officials. Such information is known as protective intelligence.³ Three agencies cited specific examples of instances when they had been unable to obtain timely protective intelligence from another agency about potential threats against their officials.

With regard to standardizing threat assessments, it is uncertain how agencies could obtain the protective intelligence they need from governmentwide sources in order to prepare the assessments and who would prepare them. Most agencies favored establishing a central repository of protective intelligence to facilitate the sharing of threat information about their officials. Security officials said that establishing a central repository of protective intelligence to facilitate the sharing of such information among agencies would involve determining who should administer the repository, how it would operate, whether specific statutory authority would be needed, and the cost of establishing and administering it. The agencies that favored establishing a central repository of protective intelligence said that it could provide a formal mechanism for sharing threat data, which could give agencies additional information about threats against their officials and individuals in their presence. Of the agencies that favored the establishment of a central protective intelligence repository, most favored having the Secret Service administer it. Some

³ A Secret Service official defined protective intelligence as the programs and efforts that seek to identify, assess, and manage persons and/or groups who make or pose threats to public officials.

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Protection Training	<p>security officials who opposed the central repository feared that it could result in the creation of a new bureaucracy and that valuable information could be overlooked, and questioned whether all agencies would share protective intelligence, given certain legal restrictions on the disclosure of information regarding their clients.</p> <p>The agencies in our review reported that their protective personnel received different amounts of protection training and from different sources. Generally, protective personnel from the agencies with security protection as one of their primary missions reported having more training than those employed by the other agencies. The agencies with security protection as one of their primary missions reported that their training consisted of instruction in firearms; threat assessments; emergency medical training; practical protection exercises; security advance, motorcade, airport, and foreign travel procedures; defensive driving skills; defensive tactics; and legal authorities. Further, several agencies reported that their field staff who provided protection as part of their collateral duties received less protection training than the agencies' full-time protective personnel based in Washington, D.C., or that their field staff had received no protection training. Six agencies said they had difficulty obtaining protection training for their personnel because of class availability, funding, or workload problems.</p> <p>With regard to standardizing training for protective personnel, what subjects the training should include, what agency should provide the training, and the cost would need to be considered. Most agencies favored establishing a standardized protection training program so that different agencies' protective personnel would be trained in the same procedures and would react in a similar manner in case of an emergency. Further, most of the agencies that favored a standardized protection training program said that it should be conducted by the Secret Service. The agencies that did not favor standardized training said that training was important, but that they preferred to conduct their own training tailored to address their own needs and unique environments.</p>
Centralizing Security Protection Services	<p>The issue of centralizing security protection governmentwide has many implications, including who would decide who is to be protected and the level of protection to be provided; who would provide the services; whether Congress would need to grant statutory authorities; and whether centralization would be a more cost-efficient and effective way of providing these services than the current decentralized approach. Security officials at most of the agencies in our review said that they opposed centralizing security protection under one agency. They said it was more</p>

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effective to use protective personnel who were employed by the officials' own agencies because such personnel were more knowledgeable about the agencies' culture and operations. Further, some agencies said that they would lose a measure of control over the protection of their officials if the responsibility were transferred to a single agency, and also questioned how resources would be allocated for protecting officials.

The Marshals Service was the only agency that favored centralizing security protection services. The Marshals Service said that it was interested in assuming responsibility for protecting agency officials, provided that it received the needed resources to accomplish this. In addition, the Marshals Service said that it could use well-trained personnel who would operate in a consistent and coordinated fashion governmentwide and could provide certain economies of scale in terms of resources and equipment. We were unable to determine how the costs of protection would be affected if a single agency protected agency heads because of the number of variables involved, such as the threat levels against different protected officials and the officials' preferences regarding their protection.

The Secret Service said it was not currently interested in assuming responsibility for protecting all agency heads. An official in charge of protection at the State Department said that the State Department might be interested in protecting cabinet secretaries if it received the necessary resources, and that agencies might be more comfortable with having the Diplomatic Security Service protect their officials, compared to a traditional law enforcement agency.

We contacted protected officials in our review to ask them for their views about their protection and about security protection standardization issues. Those officials who responded to our queries (or their immediate, nonsecurity staff) generally said that they were satisfied with their protection and would like to continue with the current arrangements. Most of the protected officials, or their top aides, said that the individuals holding such positions automatically should receive security protection because of their visibility and the types of issues that they handled.

Action Needed to Address Issues

The safety of the government's highest ranking officials is important to maintain the orderly functioning of government. Individuals serving in the government's highest offices can be vulnerable to threats from individuals who are opposed to their agencies' policies and actions or are emotionally unstable, and terrorists. At the same time, protection for federal officials should be based on thorough threat assessments using protective

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intelligence from governmentwide sources and documenting the need and plan for protection. Threat assessments should also show linkages between identified threats and the nature and level of protection to be provided.

Our review indicated that some of the government's highest officials were being protected by personnel who said they did not have sufficient access to protective intelligence and protection training. Further, some agencies said they lacked the legal authority to make arrests and conduct threat investigations to protect their officials. Additional sharing of protective intelligence, establishing a standardized protection training program, and providing agencies with specific statutory authority to provide protection could help enhance security protection for top federal officials.

We also found that no single agency or official was responsible for handling issues relating to the routine protection of executive branch officials. This fragmentation of protective responsibilities among multiple executive branch agencies has implications regarding the functioning of government in part because 14 of the protected officials are in the line of presidential succession. Moreover, the lack of thorough threat assessments documenting the level of protection needed makes it difficult to determine the basis for and reasonableness of the protection being given, especially considering the growth in the costs of protection in recent years.

Recommendations

We recommended in our recent report that the OMB Director, in consultation with the President, designate an appropriate official or group to assess security protection issues for top-level federal officials. At a minimum, this assessment should include such issues as

- how agencies can best obtain protective intelligence from governmentwide sources needed to prepare thorough threat assessments, including an assessment of whether a central protective intelligence repository should be established and, if so, who should administer it;
- how best to ensure that a clear linkage exists between the documented threat assessments and the need for and level of protection for the routine protection of top executive branch officials;
- what training should be provided to federal protective personnel, to what extent the training should be standardized, and who should provide it;

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- whether security protection should be centralized under one agency or, if not, whether any changes in the way protection is currently being provided should be made;
- whether agencies and/or offices of inspectors general should be provided with specific statutory authority to provide protection, and whether the Marshals Service should continue to renew its deputation of agencies' protective personnel;
- whether the administration should adopt a policy regarding the routine protection of top executive branch officials; and
- whether an official or group should be designated to oversee security protection issues for top executive branch officials on an ongoing basis.

To ensure that the benefits of this assessment are realized, we further recommended that the individual or group conducting the assessment produce an action plan that identifies any issues requiring congressional action. We also recommended that this official or group report its findings to the OMB Director and that the Director report his recommendations on these subjects to Congress.

**Matters for
Congressional
Consideration**

Once the OMB Director has submitted his recommendations to Congress, we suggested that Congress consider enacting legislation that would give whatever agency or agencies that provide protection specific statutory authority to effectively carry out these responsibilities. In addition, should it be determined that centralized protection training, threat assessment, or protection services are appropriate, we suggested that Congress consider making the needed resources available to the appropriate agency or agencies that are designated to provide these services and should make any needed legislative changes.

Agency Comments

Fifteen agencies, including OMB, provided comments on a draft of our July 11 report. The agencies generally agreed with our findings, conclusions, and recommendations. In particular, OMB agreed to conduct the assessment of security protection issues we recommended, provided that it receive sufficient resources and time to accomplish this.

Mr. Chairman, this concludes our prepared statement. We would be pleased to answer any questions you or other Members of the Subcommittee may have.

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Contacts And Acknowledgement

For further information regarding this testimony, please contact Bernard L. Ungar, Director, Government Business Operations Issues, on (202) 512-8387, or Robert H. Hast, Acting Assistant Comptroller General for Special Investigations, on (202) 512-7455. Individuals making key contributions to this testimony included Robert Homan, Thomas Wiley, and Patrick Sullivan.

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For Record

Nation

Security costs for Cabinet officials rise to \$29 million

By Lance Gay
SPECIAL TO WASH. TIMES

Federal spending on security for Cabinet officials has increased to \$29 million this year, even though there hasn't been a serious domestic terrorism threat since the end of the Civil War, investigators said yesterday.

In all, 42 Clinton administration officials are protected by armed guards, investigators told a Senate panel.

The U.S. Marshall's service defended its activities, saying a recent cream-pie attack on Agriculture Secretary Dan Glickman demonstrates the need for increased vigilance of Cabinet appointments.

The secretary of the Senate was first elected to the Senate in 1954, said he became interested in security costs when he noticed how many lower-level government officials were showing up at hearings in black suits and dark sunglasses, who were acting as security guards.

"As someone who has spent a considerable time in Washington, it recently struck me that individuals at less and less senior levels of government, being accompanied by protective details," Mr. Thurmond said.

Bernie Ungar, an investigator for the Senate Office of Inspector General, told Mr. Thurmond at a hearing that 42 government officials in 21

agencies have protective guards. Most of the guards were drawn from the payroll of agency inspectors for generals, who are deputized by the U.S. Marshall's service so they can carry guns.

Mr. Ungar does not include protection provided by the Secret Service for the president or vice president, and the guards provided to the secretary of state, which are activities specifically mentioned in the law.

Mr. Ungar said costs of providing protection for lower-level officials has increased 49 percent over the last three years, largely because Clinton administration officials appear at public events.

1865, when Secretary of State William Seward was assaulted at home at the time of President Lincoln's assassination.

In a letter to Mr. Ungar, John M. Marshall, director of the Secret Service, said he recalled that there was no specific authorization from Congress for the added security protection for lower-level officials, but it has been provided under broad authority given the need for government officials.

Mr. Marshall said the oft-mentioned need for guards and better intelligence about what protection officials appear at public events.

Special interest groups also questioned the need for the security detail. Dan Koslobsky, a policy analyst with Council for a Livable World, ridiculed Pentagon spending on armored limousines when families of GI's are drawing food stamps because of poor pay levels.

"I don't know why they can't ride in regular armored personnel carriers — they're military after all," Mr. Koslobsky said.

"The recent attack on the secretary was injured in an attack was

[EDITOR'S NOTE: The U.S. General Accounting Office Report "Security Protection Standardization Issuer Regarding Protection of Executive Branch Officials," dated July 2000, is retained in the Committee files.]

[Whereupon, at 2:33 p.m., the subcommittee was adjourned.]

APPENDIX

QUESTIONS AND ANSWERS

RESPONSES OF GAO TO QUESTIONS FROM THE SENATE JUDICIARY SUBCOMMITTEE ON CRIMINAL JUSTICE OVERSIGHT

Question 1. Some agencies have expressed concerns about one agency providing security protection because they say the protective agents should be familiar with the policies, programs, and culture of the agency they protect. This appears to be a weak explanation for the status quo. Are these factors more important than having an agency provide protection that has an extensive background and experience in protecting officials?

Answer 1. We believe that training and experience in providing security protection are generally more important than familiarity with the policies, programs, and culture of the protected official's agencies. However, a familiarity with the policies, programs, and culture of the protected officials' agencies could be helpful in cases where threats are received by individuals who are affected by those agencies' policies and programs.

Question 2. Does aggressive prosecution of someone responsible for an assault on a federal official, even if it is done as part of a political protest, play an important part in protection?

Answer 2. Aggressive prosecution could play an important role for some individuals—for example, those who are not totally committed to the cause of a protest group. However, for those individuals who threaten public officials and are mentally unstable, criminal prosecution may not deter their actions. Instead, those individuals are often referred to psychiatric facilities.

Question 3. To what extent are senior government officials using protective personnel and details to “pad” their entourages, inflate their image, and appearance of importance?

Answer 3. This issue was not an objective of our review. Thus, we did not evaluate the extent to which this may be occurring.

Question 4. How do we prioritize who truly needs protection?

Answer 4. Protection should be based on threat assessments for officials and national security considerations, such as whether officials rein the line of presidential succession. Our review found that no one in the Executive Branch is currently responsible for handling issues relating to the routine protection of Executive Branch officials overall. Therefore, we recommended that an individual or group appointed by the Director of the Office of Management and Budget consider whether the administration should adopt a policy regarding the routine protection of top Executive Branch officials.

Question 5. Who should decide the level of protection that someone receives?

Answer 5. We believe that the unit responsible for protecting officials should be responsible for deciding the level of protection to be provided.

Question 6. Even if we were to leave executive protection as a decentralized operation as it is now, it seems obvious that there will have to be some significant changes to how protective duties are executed. Issues such as authority, training, equipment, etc., all must be resolved. Can this be done without centralizing protective duties?

Answer 6. We believe that centralized training and threat assessment could be provided without centralizing protection services. Congress would need to decide

whether one or more agencies should have specific statutory authority to provide protection.

Question 7. Would the interests of Executive Branch security be served by requiring the standardization of training, tactics, threat assessments, etc.?

Answer 7. Yes, the establishment of a standardized protection training program and additional sharing of protective intelligence could enhance security protection for top federal officials. Standardized protection training could instruct federal protective personnel in the same basic techniques and procedures, which could help ensure effective coordination of protection when protective personnel from multiple agencies are working at the same event. Further, threat assessments that link the level of threat to the size of the protective force could help ensure that the level of protection provided and the amount of money spent on protection are appropriate.

Question 8. With proper time and resources to prepare, do you believe the Marshals Service has the expertise to protect Executive Branch officials, especially given the fact that the Marshals Service already has the responsibility for protecting federal judges?

Answer 8. Yes, we believe that any of the agencies with security protection as one of its primary missions, including the Marshals Service, has the expertise to protect Executive Branch officials. However, the agencies indicated that they would need additional resources to assume these additional responsibilities.

Question 9. Is the traditional model of protection, in other words, personnel with weapons body guarding the principal, still a useful way of doing business?

Answer 9. Yes, the traditional model of protection, which includes personnel with weapons, is still useful because it provides top Executive Branch officials with a certain comfort level in their interaction with the public and serves as a deterrent to harm in some cases.

Question 10. In your report, you say that the Secret Service has determined that persons who actually pose threats to public officials "often do not make threats, especially direct threats." If that is the case, what good is a threat assessment center? How does one guard against these "stealth threats"?

Answer 10. The establishment of a threat assessment center would provide a formal mechanism to facilitate the sharing of a database of protective intelligence among center members. Detecting patterns of behavior in known would-be attackers and determining whether a person of possible concern to agencies had previously come to the attention of any other agency for protective reasons would assist security personnel in preparing threat assessments for their protectees. Also, in preparing threat assessments and making the database applicable to a wide range of protected officials, information on controversial issues and events outside the normal realm of law enforcement needs to be included.

A protective intelligence information-sharing program serves as a key component of a comprehensive protection program to prevent targeted violence. Agency security officials said that the benefits of establishing a central repository of protective intelligence would be to (1) provide access to protective intelligence for agencies that cannot afford to establish their own intelligence-gathering operations, (2) provide uniformity in the dissemination of and access to intelligence, and (3) allow agencies to be informed about threats against other individuals who are in the presence of their officials.

Question 11. In your report, you cite a 1998 report by the Secret Service which says that "* * * attackers and would-be attackers often consider multiple targets, who may live in different jurisdictions * * *." Would a threat assessment center be able to gather information about a threat against a governor of a state that might become a threat against an Executive Branch official visiting that state?

Answer 11. It would depend on the authority provided to the center and the willingness of the participants to share this information. In this regard, proposed legislation in the 106th Congress, H.R. 3048, would authorize the Secret Service to establish a National Threat Assessment Center to facilitate the sharing of threat information by federal, state, and local law enforcement agencies with protective responsibilities. The House of Representatives passed this bill on June 26, 2000.

Question 12. Is there room for a consolidation of training facilities? Take for example the State Department. Is there no reason that their dignitary protection training could not be contracted out to the FBI, Army, or Secret Service?

Answer 12. Yes, consolidation of training facilities is possible. The Secret Service indicated that it was interested in providing standardized protection training for federal agencies, and that additional employees and funding would be required to create an adequate infrastructure to accommodate such an effort. A State Department training official said that the State Department could train other agencies'

protective personnel at the proposed Center for Anti-Terrorism and Security Training, an interagency facility planned for the Washington, D.C., area to be managed jointly by the Diplomatic Security Service and the Capitol Police. Marshals Service officials said they could conduct training for personnel protecting agency heads at the Federal Law Enforcement Training Center (FLETC), in Glynco, GA, but thought that the training should take place near Washington, D.C., where most of the protective personnel are located. The FLETC Director informed us that FLETC currently does not have the facilities, expertise, or funding to train all federal personnel security personnel at its Glynco facility, but expressed an interest in having FLETC coordinate personal security training at a new facility in the Washington, D.C., area. We did not obtain information from the Army or the FBI on their capacity or willingness to provide standardized protections training.

Question 13. What are the implications of receiving training from private security firms that might be made up of retired Secret Service agents, Deputy U.S. Marshals, Diplomatic Security Service, and/or those who served in the military's Special Operations Command? If there are no negative implications, is "outsourcing" Executive Branch protection training in order to assure standardization and guarantee training slots a legitimate option to consider?

Answer 13. Outsourcing Executive Branch protection training is a legitimate option for certain law enforcement agencies, provided the training is conducted by an organization with all the proper certifications and a proven track record of performance. This approach would facilitate standardization for those agencies and guarantee training slots, as needed. Further, for those agencies without training facilities, private security firms that have their own training facilities could provide protection programs that are both tailored to meet agencies' specific needs and scheduled at the convenience of the participants. A study would have to be done, however, to determine the most cost-effective approach.

Question 14. Your report stated that twenty of the twenty-seven agencies that provided protection said they relied on their field personnel to provide supplemental protection when officials leave the Washington, D.C. area. What guarantee do we have that those out in the field have any protective or other specialize training? Is the level of protection being provided by field personnel acceptable, or is it nothing more than creating an impression of security and protection?

Answer 14. The amount of protection training received by field personnel who provided protection varied considerably among the 27 agencies. Agencies with security protection as on of their primary missions indicated that their field personnel received more training and protection experience than field agents at some other agencies. During our review, three agencies reported that their field personnel who were used to provide protection had received no protection training, and two agencies reported that their field personnel received 2 to 3 days of protection training. This level of training is not acceptable because protection concepts and procedures are constantly changing. Field personnel providing protection support should understand their role as part of a cohesive protection team that is providing a secured environment for the protectee.

Question 15. Your report indicates that state and local law enforcement agencies would like to train at a central protection training facility. If such a facility were to be established, would it be able to accommodate state and local law enforcement officers assigned to dignitary details?

Answer 15. Whether a central protection training facility could accommodate state and local officers would depend on its stated mission and the amount of resources provided for its operation. The mission could include the training for state and local agencies' protective personnel. The goal of centralizing training would be to have all protective details (federal, state, and local) using the same protection concepts and procedures. This would enable the various protective details to better interact and be more cohesive while working together.

Question 16. How substantively different are the skills of someone who specializes in protection from someone who is assigned to a tactical team? Is someone who is a member of a federal tactical team in possession of the requisite skills and tactics required to protect someone?

Answer 16. The skills required for personnel who provide protection and those law enforcement officers who are members of a tactical team have some similarities, for example, in firearms training, but are substantially different. This is because the mission for protective details and tactical teams are completely different; thus, the training requirements are not the same. The primary mission of personnel assigned to protective details is to provide a secure environment for the protectee. This is accomplished through threat assessments, physical security advances, security postings, protective formations, and coordination of security with other law enforcement

agencies. The primary mission of a tactical team is to respond forcefully, if necessary, to a known or potential threat or hostile situation.

Question 17. Your report recognized ethical issues with Inspectors General providing protection to Executive Branch officials. Please outline what these issues and problems are.

Answer 17. A potential conflict of interest could exist by having protective and investigative responsibilities within the same office. For example, an Office of Inspector General (IG) may be responsible for investigating an agency official who is also being protected by IG staff. In a March 2000 legal memorandum from the Department of Justice's Office of Legal Counsel (OLC) regarding special deputation of IG personnel to protect agency heads, the OLC indicated that using IG agents to provide protection to agency officials arguably could compromise the IG's independence and objectivity in performing an agency watchdog function, and that even the appearance of conflicts of interest could undermine the effectiveness of an IG in pursuing his or her mission. Further, the OLC memorandum cautioned against using IG agents to provide protection on a long-term basis because it might appear to circumvent Congress' prohibition against vesting program operating responsibilities in the IGs.

