

Testimony

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SECURITY PROTECTION

Standardization Issues
Regarding Protection of
Executive Branch Officials

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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.

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

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.² 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

² 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.

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.

Protection Training

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.

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.

Centralizing Security Protection Services

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

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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

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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