



UNITED STATES CAPITOL POLICE OFFICE OF INSPECTOR GENERAL

Review of United States Capitol Police Member District Office Security

Report Number OIG-2021-05

February 2021

Report Restriction Language

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Abbreviations and Acronyms

Coronavirus Pandemic of 2019	COVID-19
Dignitary Protection Division	DPD
Federal Bureau of Investigation	FBI
Fiscal Year	FY
Intelligence and Interagency Coordination Division	IAD
Investigations Division	ID
Management Discussion and Analysis	MD&A
Office of Inspector General	OIG
Protective Services Bureau	PSB
Security Services Bureau	SSB
Sergeant at Arms	SAA
Standard Operating Procedures	SOPs
Threat Assessment Section	TAS
United States Capitol Police	USCP or the Department

EXECUTIVE SUMMARY

The United States Capitol Police (USCP or Department) is the law enforcement agency within the legislative branch of the U.S. Government tasked with protecting Congress—its Members, employees, visitors, and facilities—so it can fulfill its constitutional and legislative responsibilities in a safe, secure, and open environment.

In accordance with our Annual Performance Plan Fiscal Year 2020, dated October 2019, the Office of Inspector General (OIG) conducted a review of USCP security for Member district offices. Our objectives of our review were to determine (1) the types of support USCP provided for Member district offices, and (2) if any areas existed for which USCP could provide additional support to Member district offices. Our scope included Fiscal Year (FY) 2019 and FY 2020.

In the Legislative Branch Appropriations for FY 2018, Congress provided additional funding to USCP for enhanced personal security for Members of Congress in response to the shooting in Alexandria, Virginia on June 14, 2017.

As that event highlighted evolving threats include the physical targeting of Members of Congress, both off the Capitol campus and outside of official business hours. In addition to securing the Capitol campus, the Committee finds that ensuring the continuity of government must include providing the physical security of Members of Congress using a risk-based approach.

At the direction of Congress, the Department took actions for providing additional security for the Washington, D.C. (D.C.) offices of Members, Member residences, and state and district offices by conducting (1) security awareness training for Members and staff; (2) security surveys of D.C. offices and residences as well as state and district offices and residences, utilizing a risk management process "consistent with the Department of Homeland Security, ISC [Interagency Security Committee] Design-Based Threat;" and (3) threat/risk assessments for protecting the physical security of Members of Congress using a risk-based approach and addressing protection-related needs, whether directly with USCP resources or in close coordination with federal, state, and local law enforcement partners.

While USCP had established a Department-wide directive² for providing accurate data statistics to USCP stakeholders, OIG noted differences in performance outputs such as the number of coordinated notifications with local law enforcement. As a result, the Department's data statistics may have led to erroneous decisions, improper funding, or staffing levels. The Department also needs to continue updating its guidance specific to the Protective Services Bureau (PSB) to ensure processes reflect changes that have occurred over time.

According to officials from the respective Sergeant at Arms (SAA) offices, as of December 2020, there were no areas related to Member state district office security in which USCP could

Senate Report 115-137 and accompany S. 1648.	
USCP Directive	dated
December 12, 2016	

provide additional assistance. However, one SAA official stated that "regionalization" might improve USCP's effectiveness. OIG made two recommendations as shown in Appendix A. On January 28, 2021, OIG provided a draft report to the Department for comments. We incorporated the Department's comments and attached their response in its entirety in Appendix B.

BACKGROUND

The United States Capitol Police (USCP or the Department) is the law enforcement agency within the legislative branch of the U.S. Government tasked with protecting Congress—its Members, employees, visitors, and facilities—so it can fulfill its constitutional and legislative responsibilities in a safe, secure, and open environment.

Both USCP and the Federal Bureau of Investigation (FBI) have authority to investigate threats against Members of Congress, officers of Congress, and members of their families. USCP receives its authority through section 1966, title 2 of the United States Code (2 U.S.C. 1966). FBI receives its authority through 18 U.S.C. 351, as well as Department of Justice authorization to investigate threats against Federal officials pursuant to title 18 of the United States Code.

Following the June 14, 2017, shooting at a congressional baseball game practice, Congress provided additional resources to USCP for Fiscal Year (FY) 2018, 3 2019, 4 and 2020 5 to enhance security for Members both in Washington, D.C. (D.C.) and in congressional districts as shown in Table 1.

Table 1: Additional Resources Provided for USCP to Enhance Member Security

Fiscal Year Amount 2018 \$7,500,000		Purpose		
		"Within the recommendation, \$7,500,000 is included for enhanced personal security for Members of Congress in accordance with additional needs identified by the USCP in response to the shooting in Alexandria, Virginia on June 14, 2017. As that event highlighted evolving threats include the physical targeting of Members of Congress, both off the Capitol campus and outside of official business hours. In addition to securing the Capitol campus, the Committee finds that ensuring the continuity of government must include protecting the physical security of Members of Congress using a risk-based approach."		
2019	\$1,000,000	"The bill includes \$1,000,000 to enhance Member security outside of the Capitol campus in the National Capital Region, as warranted by risk-based analyses. Such funds may be used to reimburse local law enforcement and/or support additional dignitary protection teams to be assigned on a flexible and dynamic basis."		
of the Capitol campus in the National Capital based analyses. This doubles the amount prohas proven popular with Members."		"The bill provides \$2,000,000 for the Department to enhance Member security outside of the Capitol campus in the National Capital Region [NCR], as warranted by risk-based analyses. This doubles the amount provided in fiscal year 2019, as the initiative has proven popular with Members."		

Source: OIG generated from Legislative Branch Appropriations for FY 2018, FY 2019, and FY 2020.

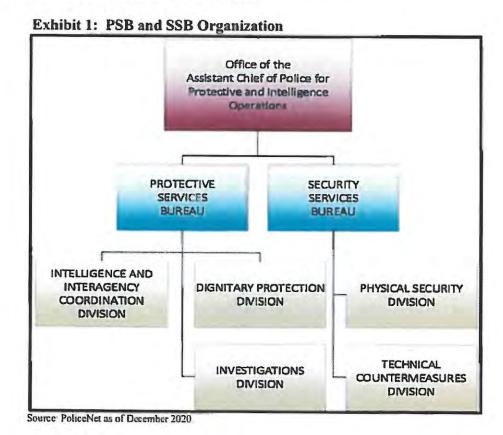
³ Senate Report 115-137 to accompany S. 1648.

⁴ Senate Report 115-274 to accompany S. 3071.

⁵ Senate Report 116-124 to accompany S. 2581.

According to the House Sergeant at Arms (SAA) budget request for FY 2019, "the increased number of threats has required an increased level of safety and security needs in Washington, D.C., and in Members' Districts. In response, the Office of the Sergeant at Arms has created and staffed an enhanced District Office Security Program."

As shown in Exhibit 1, USCP's Protective Services Bureau (PSB) and Security Services Bureau (SSB) report to the Assistant Chief of Police for Protective and Intelligence Operations. According to PoliceNet, PSB analyzes intelligence, assesses threats, and leads the delivery of protective services to Members of Congress outside the U.S. Capitol Grounds. PSB is made up of the Intelligence and Interagency Coordination Division (IAD), the Dignitary Protection Division (DPD), and the Investigations Division (ID). IAD collects classified and open-source intelligence pertaining to the protection of Members of Congress. DPD deploys protection teams at the direction of the Capitol Police Board for designated Congressional Leadership, Congressional Delegations, and Members of Congress who are victimized by specific, credible, high-concern threats that cannot be swiftly resolved through investigative action. ID investigates threats against Members of Congress, manages concerning individuals who have been reported for concerning contacts, and coordinates local law enforcement services to Members of Congress at events conducted outside the Capitol complex.



⁶ PoliceNet is the Department's intranet.

According to PoliceNet, SSB is responsible for security surveys of congressional offices; design, installation and maintenance of physical security systems; and technical security countermeasures inspections. SSB is divided into the Physical Security Division and Technical Countermeasures Division. The Physical Security Division is responsible for performing District and Residential Security Surveys for the House and Senate Members as requested; reviewing and performing Physical Security Assessments of Congressional and Member District Offices as requested.

OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with our Annual Performance Plan Fiscal Year 2020, dated October 2019, the Office of Inspector General (OIG) conducted a review of USCP's security of Member district offices to determine (1) the types of support USCP provided for Member district offices, and (2) if any areas existed for which USCP could provide additional support to Member district offices. Our scope included FY 2019 and FY 2020.

OIG took steps to understand USCP's supporting role in district office security. To determine the USCP role in district office security for Members, we researched the Department's website and PoliceNet for applicable guidance. OIG reviewed available and applicable PSB guidance and Department strategic plans related to intelligence, threat assessments, protective services, and physical security for Members outside the Capitol complex. We also reviewed the SSB standard operating procedure (SOP) the Capitol complex, dated August 27, 2019. We further reviewed USCP's Guide to Security Awareness, the Suspicious Activity Awareness Pamphlet, and the Handling Unwanted Guests Pamphlet, which create an awareness among Members of Congress and their office staffs regarding acts of violence against themselves and their offices as well as providing SOPs to be followed if a particular incident arises, and preventive measures that can be taken to avoid or counter these situations before they occur.

We researched the Congressional Research Service, Department of Justice, and Department of Homeland Security websites for guidance and reports related to district office security, including physical security of locations. Specifically, we reviewed the Committee on House Administration. Members' Congressional Handbook as of August 2020; the Department of Justice's Protective Intelligence and Threat Assessment Investigations: A Guide for State and Local Law Enforcement Officials, dated January 2000 and Managing Large-Scale Security Events: A Planning Primer for Local Law Enforcement Agencies, dated May 2013; and the Department of Homeland Security's, The Risk Management Process for Federal Facilities: An Interagency Security Committee Standard, dated November 2016.

To determine the support USCP provides for Member district security, OIG interviewed Department officials from PSB and SSB. OIG also reviewed the testimonies of USCP Chief of Police and both the House and Senate SAAs for details related to Member state and district office security. OIG further reviewed appropriations reports for the legislative branch to determine the congressional intent of funding provided to enhance security outside of the Capitol Campus.

To determine if there were areas for which USCP could provide additional support to Member state and district offices, OIG interviewed stakeholders from the SAAs of both chambers of Congress, reviewed relevant testimony, as well as a USCP June 2020⁷ draft of an informational paper on regionalization. Because we had already conducted work related to regionalization, we relied on OIG's previous work and report⁸ and to avoid duplication and did not conduct additional work in that area.

We conducted this review in Washington, D.C., from September through December 2020. We did not conduct an audit, the objective of which would be the expression of an opinion on Department programs. Accordingly, we did not express such an opinion. OIG did not conduct this review in accordance with generally accepted government auditing standards. Had we conducted an audit and followed such standards, other matters might have come to our attention.

On January 28, 2021, we provided a draft copy of this report to Department officials for comment. A list of recommendations is detailed in Appendix A. We incorporated Department comments as applicable and attached the response to the report in its entirety as Appendix B.

RESULTS

The Department routinely collaborates with the House and Senate SAAs to assess the state and district office security for Members and provide recommendations on ways of improving and enhancing security measures and practices. According to an USCP official, the Department provides security to Members' state and district offices by conducting security awareness training, security surveys, and threat/risk assessments.

According to officials from the respective SAA offices, as of December 2020, there were no areas related to Member state/district office security in which USCP could provide additional assistance. Although, one SAA official stated that "regionalization might improve USCP's effectiveness."

Types of Support Provided to Member State and District Offices

Upon request and in coordination with the respective SAAs, the Department provides security for the D.C. offices of Members and Member residences as well as state and district offices by conducting (1) security awareness training for Members and staff, (2) security surveys of D.C. offices and residences as well as district offices and residences, and (3) threat/risk assessments to

⁷ Recommended Enhancements for United States Capitol Police Protective Intelligence Services Outside of the National Capital Region, USCP Draft as of June 2020.

⁸ OIG Report: Assessment of the United States Capitol Police Threat Assessment Section, 2020-1-0006, dated September 2020.

⁹ According to PSB, "Threat Assessment and Risk Assessment are sometimes interchangeable and often appear as Threat/Risk assessment."

protect the physical security of Members of Congress by using a risk-based approach and addressing protection-related needs, whether directly with USCP resources or in close coordination with Federal, state, and local law enforcement partners. PSB should use a systematic method to verify and validate its performance output data on a routine basis for ensuring numbers are consistent and comparable when reported to stakeholders. PSB should also continue its efforts to update its policies and procedures.

Security Awareness Training

Upon request and in coordination with the respective SAAs, PSB provides security awareness training for Members of Congress and staff whether in D.C. or at district offices. The core curriculum for USCP training is the "Security Awareness Briefing," which provides written materials including the *United States Capitol Police Guide to Security Awareness* (the Guide), last revised as of April 8, 2010, as well as an oral presentation by USCP and the respective SAA office. Although the Department had not updated the Guide, we verified that phone numbers and points of contacts identified in the Guide were valid. The Guide provides the following recommendations:

The first objective of this booklet is to create an awareness among Members of Congress and their office staffs regarding the potential for acts of violence against themselves and their offices. The second objective is to provide information and standard operating procedures for the security and protection of Members of Congress, their staffs and their offices within the U.S. Capitol complex. Through a series of checklists, guidelines, and brief explanations, the Guide provides Members of Congress and office personnel with quick reference to a variety of topics such as:

- The importance of law enforcement linison
- The necessity for specific responsibility for security
- · Principles of office security
- · Principles of residential and family security
- Principles of vehicle, travel and hotel security
- Requesting physical security assessments for Members of Congress homes and offices.
- Planning for security at public appearances
- Handling concerning suspicious or inappropriate interest in Members of Congress
- Reporting threatening or otherwise or concerning communications to USCP
- Handling and opening mail safely
- · Handling suspicious packages and bomb threats
- Recognizing potential chemical, biological, or nuclear hazards
- · Safeguards for children
- Countermeasures for technical surveillance
- Avoiding and responding to personal assaults and kidnapping
- Managing abnormal behaviors by visitors
- Planning for and managing protest activity

PSB provides pamphlets to enhance security understanding. Those pamphlets are Suspicious Activity Awareness Program pamphlet and Handling Unwanted Guests, Callers, Threats and Demonstrators pamphlet.

Depending on the preference of the receiving office, PSB can provide in-person training in a Member's D.C. or state/district offices or by way of video teleconference. In fact, during the

quarantine resulting from the coronavirus pandemic of 2019 (COVID-19), PSB provided a hybrid of training in person to the Members and staff in D.C. while Members' district offices participated via video teleconferencing.

According to PSB, the Department conducted and security awareness briefings during FY 2019 and FY 2020, respectively. A PSB official stated that the drop in security awareness training for FY 2020 was "directly attributed to the COVID-19 pandemic. Member offices have adjusted postures, including closures and significant telework, resulting in the decline in requests for briefings. PSB has adapted to the pandemic posture by making Security Awareness Briefings available virtually."

In an outreach effort between October 25, 2020, and October 30, 2020, PSB contacted the office of each Member of Congress offering both a Security Awareness Briefing as well as a Residential Security Survey. The result of that outreach was that of the Member's offices (House and Senate) accepted USCP's Security Awareness Briefings and Residential Security Surveys (House and Senate). PSB has been coordinating and scheduling the training during FY 2021.

Security Surveys

SOP states that at a request or referral, SSB's Physical Security Division will conduct security surveys of Members' of Congress D.C. office and residence as well as district offices and residences. A security survey is an inspection of an entire Congressional building, facility under USCP jurisdiction, Member residence, or state/district office space outside of the Capitol campus performed to identify vulnerabilities that may exist. The survey provides recommendations for improvement, which allows the client/organization to reach a security goal that mitigates risk.

The SOP further states,



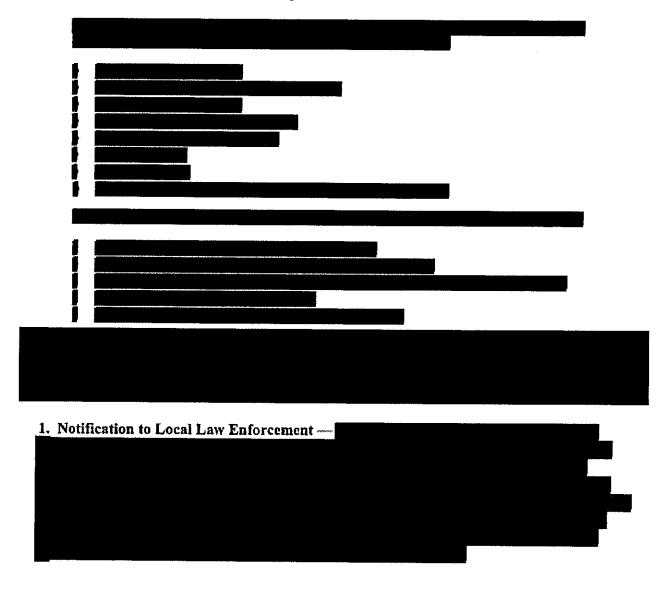
During FY 2019, SSB conducted security surveys of Members' state/district offices. And during FY 2020, SSB did not conduct any security surveys of Member state/district offices because of COVID-19. PSB's October 2020 outreach to every Member resulted in requests for security surveys (House and Senate). Those surveys are scheduled to take place throughout FY 2021.

Threat/Risk Assessments

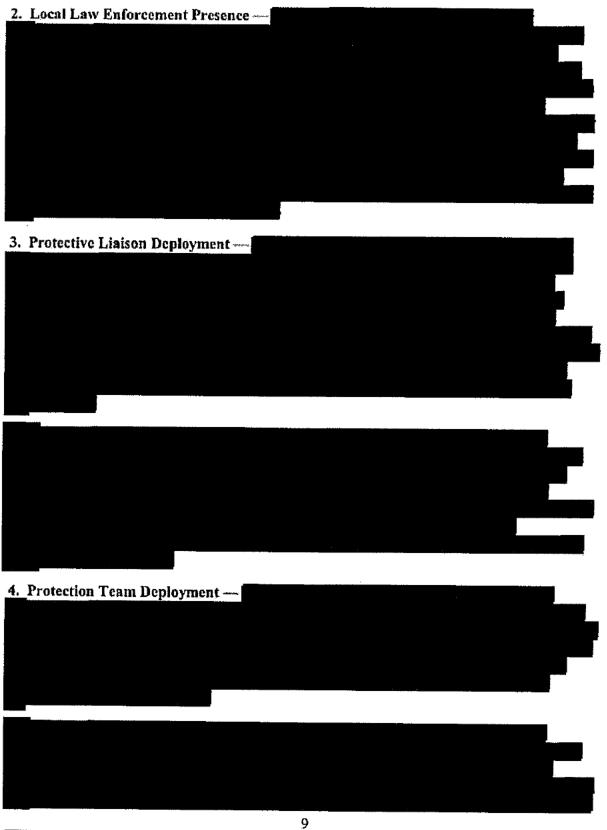
USCP works in close association with both the Senate and the House SAAs to assess risks of events and address protection-related needs concerning Members of Congress, whether directly

with USCP resources or with Federal, state, and local law enforcement partners. PSB initiates an assessment for a Member event when the Senate SAA formally notifies the Department. Once an assessment is completed, senior officials from PSB and the Senate SAA will confer and determine the specific delivery of protective services from the USCP and cooperating Federal, state and local law enforcement partners. USCP uses a similar process for House SAA referrals.

According to the Department's April 11, 2018, response to Senate Report 115-137, which required a risk-based approach and related mitigation efforts for protecting Members off campus, for responding to threats received online, and working with local law enforcement. The Department responded with the following:



¹⁰ U.S. Sennte Report 115-137, in consideration of S.1648, the Legislative Appropriations Act, 2018.



In FY 2019, PSB performed 6,514 risk assessments. In FY 2020, PSB performed 4,821 risk assessments. USCP's performance output for recommended security postures to mitigate risk is shown in Table 2.

Table 2: USCP Protocol and Security Posture to Mitigate Risk

Bureau	Protocol	Security Posture to Mitigate Risk	FY 2019	FY 2020
PSB	Total Threat/Risk Assessments Performed		6,514	4,821
PSB		Coordinated Notifications with Local Law Enforcement	6,814	6,852
PSB		Request Local Law Enforcement Presence	6,814	6,852
PSB		Protective Liaison Deployment		
PSB		Protection Team Deployment		

Source: OIG generated from information provided by PSB.

Verification and Validation of Performance Data

dated December 28, 2016, establishes the Department-wide policy "in support of the Department's Strategic Plan and implementation of a process-oriented culture of accountability and continuous improvement, the Department will adopt and utilize a systematic method for the identification, monitoring, collection, analysis, verification, and validation of its information."

Although the Department established a policy and procedures for providing accurate performance data to USCP stakeholders, PSB did not follow Directive. As a result, data may not be consistent and comparable to numbers reported in testimony, congressional reports, and its Management Discussion and Analysis (MD&A) as part of the annual audit of financial statements. For example, Senate Report 116-124¹¹ states that "in fiscal year 2019 ... the Department conducted more than [emphasis added] 1,050 law enforcement coordinations, which is 418 cases, or an increase of 65 percent, above the number of coordinations conducted in 2018." However, PSB stated it conducted 6,814 law enforcement coordinations in FY 2019, as shown in Table 2.

The numbers provided for the FY 2019 security awareness briefings also did not agree with what management reported in the Department's FY 2019 MD&A included as part of the financial statement audit. The MD&A reported 117 security awareness briefings, while PSB reported briefings to OIG. We asked about the difference, and the audit liaison stated that PSB

¹¹ Senate Report 116-124 dated September 26, 2019, to accompany S. 2581 (FY 2020, Legislative Branch Appropriations.)

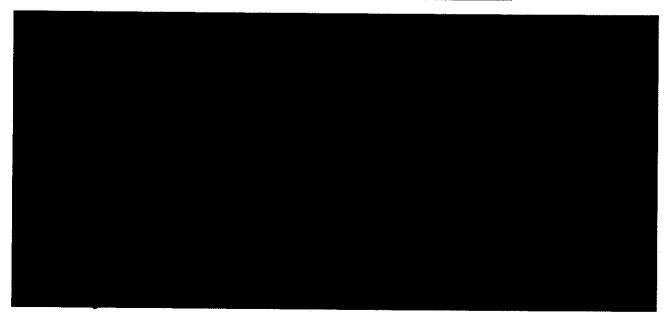
¹² Independent Auditor's Report Financial Statements For Fiscal Years 2019 and 2018, OIG-2020-04, dated December 2019.

inadvertently provided calendar year data rather than fiscal year data. The differences may have occurred because PSB was not familiar with the requirements for Directive . As a result, USCP stakeholders may not have received accurate data, which could have led to erroneous decisions. As well, such incorrect numbers may also have led to improper funding or staffing levels both in the past and in the future.

Policies and Procedures

Government Accountability Office, Standards for Internal Control in the Federal Government; Periodic Review of Control Activities state that "management periodically reviews policies, procedures, and related control activities for continued relevance and effectiveness in achieving the entity's objectives or addressing related risks."

Of the SOPs reviewed on PoliceNet, PSB's Investigations Division (ID) did not update 11 SOPs—5 since 2006, 5 since 2009, and 1 since 2011



As a result, many ID SOPs did not accurately reflect the changes in its processes that have occurred over time. For example, OIG previously reported that ID's Threat Assessment Section (TAS) "SOPs did not list all of the personal and criminal history checks TAS completes for the subjects of its investigations." During that review, PSB stated ID was reviewing and updating all its SOPs.

¹³ OIG Report: Assessment of the United States Capitol Police Threat Assessment Section, 2020-I-0006, dated September 2020.

Conclusions

Working closely with the respective SAAs, the Department provides threat assessments for Members' D.C. office and residences as well as state and district offices. The Department accomplishes that by conducting (1) security awareness training for Members and staff, (2) security surveys of D.C. offices and residences as well as district offices and residences, and (3) threat/risk assessments to protect the physical security of Members using a risk-based approach and addressing protection-related needs, whether directly with USCP resources or in close coordination with Federal, state, and local law enforcement partners.

However, the performance data reported in various documents did not always agree, and PSB's ID policies and procedures were not always up to date. Although OIG made a recommendation in a prior report to update policies and procedures for TAS, OIG recognizes the USCP process is in a constant state of evaluation and improvement, and we encourage PSB to continue its outreach efforts to stakeholders in an effort to collaboratively improve its processes. Therefore, OIG is making the following recommendations.

<u>Recommendation 1</u>: We recommend the Protective Services Bureau of the United States Capitol Police continue its efforts to update policies and procedures for the Investigations Division and Sections so they effectively communicate policies and procedures.

Recommendation 2: We recommend the Protective Services Bureau of the United States Capitol Police comply with Directive dated December 12, 2016, by adopting

and using a systematic method for the identification, monitoring, collection, analysis, verification, and validation of its performance information.

Additional Assistance for Enhancing the Security of Members' District Offices

Officials from the respective SAA offices did not have any suggestions for additional assistance or improvement of security at Members' district offices. SAA officials stated that USCP was doing a good job providing security for Member state and district offices and emphasized the value of support USCP provides regarding law enforcement coordination and threat assessments. One official stated that USCP has done an "excellent job providing security to Members' district offices especially in providing security awareness training and coordinating with the SAA office as well as federal and local law enforcement partners." Another official highlighted USCP's work in providing security awareness training and adjusting to the pandemic by providing security awareness training via video conference. Regarding improvements, a Senate SAA official stated they believe that "regionalization might improve USCP's performance."

Our review of a draft informational paper dated June 2020, showed that the Department was considering "a regional approach for threat management and district event protection by creating

Regional Field Offices. This innovative approach to threat assessment and management will provide USCP with the ability to deliver enhanced security services to Members of Congress across the county in a more efficient and effective manner."

In our prior review—Assessment of the United States Capitol Police Threat Assessment Section, 2020-I-0006—OIG found that "the Department could manage threats against protectees more efficiently and effectively with a regional approach to threat management. That change in organizational structure could reduce the Department's dependency on outside agencies in conducting critical aspects of its investigations." OIG recommended that "United States Capitol Police continue to consider and pursue a regional approach for managing threats against protectees."

Conclusions

OIG encourages the Department to continue its outreach efforts to assist Members and their state/district offices during the transition from the 116th to the 117th Congress, educating Members on the potential for acts of violence against themselves and their offices.

As OIG previously recommended, USCP should continue to consider and pursue a regional approach for managing threats against protectees. We are not making a recommendation in this area.

APPENDICES

List of Recommendations

<u>Recommendation 1:</u> We recommend the Protective Services Bureau of the United States Capitol Police continue its efforts to update policies and procedures for the Investigations Division and Sections so they effectively communicate policies and procedures.

Recommendation 2: We recommend the Protective Services Bureau of the United States Capitol Police comply with Directive dated December 12, 2016, by adopting and using a systematic method for the identification, monitoring, collection, analysis, verification, and validation of its performance information.

DEPARTMENT COMMENTS



Provide 2002 MARCH

UNITED STATES CAPITOL POLICE

OFFICE OF THE CHIEF
119 D STREET, NE
WASHINGTON, DC 22510-7218
February 9, 2021

COP 210116

MEMORANDUM

TO:

Michael A. Bolton

Inspector General

FROM:

Yogananda D. Pittman

Acting Chief of Police

SUBJECT:

Response to Office of Inspector General draft report Review of United States

Capital Police Member District Office Security (OlG-2021-05)

The purpose of this memorandum is to provide the United States Capitol Police response to the recommendations contained within the Office of Inspector General's (OIG) draft report Review of United States Capital Police Member District Office Security (OIG-2021-05).

The Department generally agrees with all of the recommendations and appreciates the opportunity to work with the OIG to further improve upon the policies and procedures in place for our investigations Division. The Department will assign Action Plans to appropriate personnel regarding each recommendation in effect in order to achieve long term resolution of these matters.

Thank you for the opportunity to respond to the OIG's draft report. Your continued support of the women and men of the United States Capitol Police is appreciated.

Very respectfully,

Yugabanda D. Pittman Acting Chief of Police

co: Acting Assistant Chief Scan Gallagher, Protective and Intelligence Operations
Assistant Chief Chad B. Thomas, Uniformed Operations

Richard L. Braddock, Chief Administrative Officer

, USCP Audit Linison

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