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CAPITOL POLICE

Administrative Improvements and Possible Merger With the Library of Congress Police

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February 28, 1991

The Honorable Martha S. Pope
Chairman, United States Capitol Police Board

Dear Ms. Pope:

This report presents the results of our review of the United States Capitol Police Force's administrative organization and of issues related to merging the Library of Congress Police Force with the Capitol Police. We undertook this review in response to Senate Appropriations Committee Report S. 101-106, dated August 3, 1989, in which the Committee directed us to conduct this study and report our findings to the United States Capitol Police Board.

In the report, we present four alternatives for dealing with the inequities caused by the Capitol Police's current dual personnel and payroll systems and point out that making the Capitol Police a separate entity in the legislative branch is the only alternative that would eliminate all these differences. Although we found that the Library of Congress and Capitol Police forces could be merged, the Congress would need to consider several statutory and personnel issues before reaching a final decision.

We are sending copies of this report to the Sergeant at Arms of the House of Representatives, the Architect of the Capitol, the Chief of the United States Capitol Police, the Librarian of Congress, and interested congressional committees. We will send copies to others upon request.

Major contributors to this report are listed in appendix VII.

Sincerely yours,

Donald H. Chapin
Assistant Comptroller General

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Executive Summary

Purpose

Because of concerns about the dual House and Senate systems under which the U.S. Capitol Police Force's payroll and personnel operations are carried out, the Senate Committee on Appropriations directed GAO to study the Force's administrative organization. The Committee also asked GAO to identify the issues related to merging the Library of Congress Police Force into the Capitol Police. Specifically, the objectives of GAO's review were to identify the differences arising from the Capitol Police being administered under dual House and Senate systems; provide suggestions as to how the Capitol Police administrative operations can be consolidated and estimate the cost of consolidating payroll operations; and study the issues involved in merging the Library of Congress Police with the Capitol Police.

Background

The Capitol Police Force has grown from a single guard in 1801 to a modern law enforcement organization of over 1,300 men and women with a budget exceeding $60 million annually. The Force's principal mission is to (1) protect the Congress, its staff, its buildings, and its visitors and (2) regulate traffic in and around the Capitol grounds.

The Force's operations are overseen by the Capitol Police Board, which consists of the House and Senate Sergeants at Arms and the Architect of the Capitol. The Chief of the Capitol Police reports directly to the Board but also receives direction from the individual Sergeants at Arms.

The dual compensation and personnel systems under which the Capitol Police operate resulted more from evolution than design. Traditionally, the House and Senate have shared Capitol Police Force salaries and expenses. But, for purposes of pay, benefits, and personnel actions, a Capitol Police Force member is treated as either a House or a Senate employee, depending on the payroll from which he or she is paid. In December 1987, the Capitol Police Board formed an Issues Task Force to study and identify issues related to officers' rights and privileges and the disciplinary measures to which they are subject.

In 1950, the Librarian of Congress was authorized to designate employees of the Library of Congress as special policemen for the purpose of policing the Library's buildings, grounds, and adjacent streets. In 1987, legislation was enacted mandating that the rank structure and pay of the Library Police be made identical to those of the Capitol Police. The Library Police Force has a complement of 120 sworn officers.

Results in Brief

Capitol Police experience some pay and benefit inequities because of differences in the dual systems under which they are paid. Inequities exist in policies related to involuntary leave. Differences also occur in areas such as the use of civilians and grievance procedures. Using a nonstatutory leave system and making promotions outside the standard promotion process are two additional issues which, while not stemming from the dual systems, have a potentially negative effect on the Force.

GAO identified four alternatives for dealing with the differences and inequities of the present dual systems. However, only one alternative—making the Capitol Police a separate entity in the legislative branch—would fully eliminate the differences between the dual systems.

GAO estimates that using the Department of Agriculture's National Finance Center in order to consolidate the Force's payroll function would cost approximately $182,000 in the first year. However, no study has been done to determine if any long-term savings could be achieved by this action. The first-year cost of consolidation, however, could be offset by replacing uniformed officers with civilians where appropriate.

GAO found that the Library of Congress and Capitol Police forces could be merged. However, several statutory and personnel issues should be addressed before the Congress makes a final decision on this matter.

Principal Findings

Differing Policies of Dual Systems Lead to Unequal Treatment

Capitol Police on the House payroll have been allowed to retire 5 years earlier than those on the Senate payroll. Capitol Police officials told GAO that their retirement benefits are inferior to those of other local law enforcement organizations. On October 15, 1990, after GAO's review was completed, the Capitol Police Retirement Act (Public Law 101-428) was enacted. This legislation eliminates the differences between House and Senate retirement provisions for members of the Force and provides for retirement that is comparable to local law enforcement organizations.

The Senate has made use of civilians, but the House has not done so. The Capitol Police Force has about 19 percent fewer civilians on the Force than the national average for law enforcement organizations. The Capitol Police estimate that $797,000 could be saved in the first year if 100

more positions were filled by civilians, and as much as $4.3 million could be saved over 5 years.

Adverse Effects of Other Structural Issues

Several issues unrelated to the dual pay and administrative structures adversely affect Capitol Police operations. Since the Capitol Police Force does not have a statutory leave system, its officers cannot transfer leave to other federal agencies. Nor can a resigning or retiring officer be removed from the payroll and paid a lump sum for unused leave. Instead, he/she remains on the payroll in terminal leave status until all leave is exhausted. As a result, the Force may have to pay overtime to other members to staff those vacant posts.

Although the Capitol Police Force has a regular competitive promotion process, promotions do occur outside the regular process. These instances generally involve noncompetitive promotions to Technician and Special Technician positions. Two studies of this issue acknowledge the lack of criteria for making promotions to these positions. Neither, however, has resulted in any criteria for selecting individuals for these positions. One study reported that the situation has caused morale problems. In March 1990, Capitol Police officers testified before a congressional subcommittee and, among other things, voiced concerns over these noncompetitive promotions.

Alternatives for Consolidating Capitol Police Administration

GAO identified four alternatives for achieving uniform Capitol Police pay and administrative functions. They range from maintaining the current dual structures with only minor policy changes to enacting comprehensive legislation to make the Capitol Police a separate entity within the legislative branch. Enactment of legislation to create a separate entity would eliminate the current dual structures and their inherent problems.

Merging Capitol and Library Police Forces

GAO found that the two police forces could be merged. Several issues, however, need to be considered before a decision is made. One of these issues is how the Librarian of Congress would exercise his statutory responsibility to protect the Library's buildings, collections, and personnel under a merged police force. Several issues regarding compensation and benefits would also need to be addressed. They include deciding (1) which payroll the Library Police would be placed on, (2) whether leave balances could be transferred and present leave accrual rates could be retained, (3) which retirement program the Library Police

would participate in, and (4) how promotions would be handled. Differences in training and recruitment practices between the Library and the Capitol Police would also need to be addressed.

While merging the Library of Congress and Capitol Police forces could be beneficial, such a consolidation should be deferred until the administrative problems of the Capitol Police are resolved.

Recommendations

GAO is not making recommendations in this report.

Agency Comments

The Capitol Police Board stated that it had previously directed a task force to study the same administrative issues discussed in this report and arrived at the same general conclusions, for the most part. Most of the comments the Board provided were intended to clarify and update observations and findings in the draft report it reviewed.

The Board, however, did not (1) address all the administrative problems identified in this report or (2) take a position on any of the alternatives offered for eliminating differences in the administrative activities of the Capitol Police. The Board concurred on the need for administrative changes before a merger of the Capitol Police and the Library of Congress Police takes place.

The Librarian of Congress commented that the draft report accurately reflected the Library's viewpoints as expressed during meetings with GAO. His two overriding concerns were that (1) the Library Police be treated fairly as part of any merger and (2) the security of the Library not be diminished in any way. He also stated that Library staff are prepared to discuss a merger of the two police forces if the Congress decides that such a merger should occur. The Librarian's comments did not address the use of civilians as part of Library security.

The comments of the Capitol Police Board and the Librarian of Congress are included in appendixes V and VI.

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Abbreviations

AFSCME	American Federation of State, County, and Municipal Employees
AOC	Architect of the Capitol
CBO	Congressional Budget Office
CRS	Congressional Research Service
EDB	Employee Development Bureau
FLETC	Federal Law Enforcement Training Center
GAO	General Accounting Office
LOC	Library of Congress
NFC	National Finance Center
OTA	Office of Technology Assessment

ntroduction

This report, initiated at the request of the Senate Appropriations Committee, discusses the differences between personnel and payroll systems of the Senate and House of Representatives used by the United States Capitol Police Force, several other personnel concerns, how these problems affect the Force, and four options for consolidating Capitol Police administrative functions. As requested, the report also discusses issues to be considered before merging the Library of Congress Police with the Capitol Police.

Background

The United States Capitol Police Force has grown from a single guard protecting the construction site of the new Capitol in 1801 to a modern law enforcement organization of over 1,300 men and women with a budget exceeding $60 million. The Force's principal mission is to (1) protect the Congress and its staff, buildings, and visitors and (2) regulate traffic within and around the Capitol grounds. Increased concern about possible terrorist activity has led to the establishment of several specialized units, such as the canine unit and the bomb squad, to enhance the Force's emergency response capability.

The Capitol Police Board, which consists of the Senate and House Sergeants at Arms and the Architect of the Capitol, oversees operations of the Force. Chairmanship of the Board rotates annually between the two Sergeants at Arms. The Chief of Police reports directly to the Capitol Police Board but also receives direction from the individual Sergeants at Arms. (See the organizational chart in appendix I.)

Evolution of Dual Personnel and Pay Systems

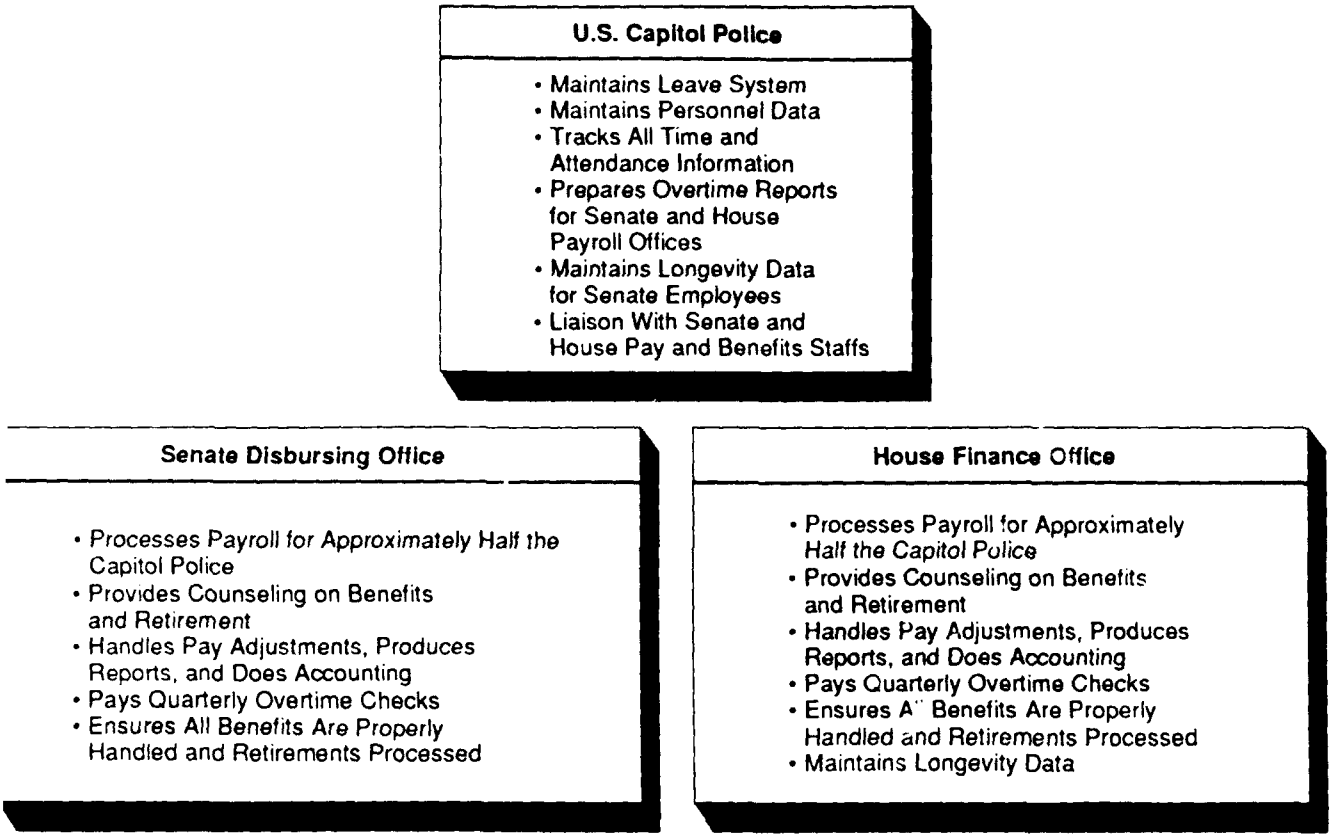
Historically, administration of Capitol Police pay and benefits has been governed by the policies of both the Senate and House. Consequently, about half of the Capitol Police are paid by the Senate and the other half are paid by the House of Representatives. As a result, the police on one payroll receive different benefits from those on the other payroll; most notably, House police have been allowed to retire 5 years earlier than Senate police. Because of the differences between the House and Senate personnel and payroll systems, and the problems they cause police employees, the Congress is considering unifying the administrative and financial operations of the Force.

The dual compensation and personnel systems used to pay and provide benefits to the Capitol Police is more the result of evolution than design. Traditionally, the Senate and House have shared salaries and expenses of the Force.

It is unclear how members of the Force were paid prior to 1857, but from 1857 until 1909 the House and Senate each paid approximately half of the expenses. In 1910, when the first Senate office building was constructed, the Congress initiated the practice of earmarking funds for three distinct contingents of the Force—the Senate, the House, and the main, or Capitol, contingents. Each house of Congress paid its own contingent and one half of the expenses of the Capitol contingent. The earmarking of separate appropriations for three separate contingents of the Capitol Police continued until 1945, when the Congress reverted to its earlier practice of a consolidated Force financed by separate House and Senate appropriations. As of January 1990, the House had 639 members of the Capitol Police Force on its payroll, and the Senate had 669. For pay, benefits, and personnel actions, members of the Capitol Police Force are treated the same as House or Senate employees, according to the payroll from which they are paid. However, this does not limit where they are assigned or the duties they perform.

The Capitol Police, the House Finance Office, and the Senate Disbursing Office perform certain personnel and payroll functions to ensure that the police officers are paid and receive the benefits to which they are entitled. Some of the functions each entity performs are depicted in figure 1.1.

ıure 1.1: Personnel and Payroll Functions Performed for the Capitol Police



Cost of Processing Capitol Police Pay and Personnel Transactions

We estimate that it cost over $5.2 million to provide a full range of personnel and payroll services to the Capitol Police Force in 1989. The cost of these services is shared by the Force, the Senate Disbursing Office, and the House Finance Office. Of the $5.2 million it cost to provide payroll and personnel services, about $1 million was spent in processing the Force's personnel and payroll transactions. The other $4.2 million was for other salary and data processing costs associated with providing payroll and personnel services to the Force.

The Force's Personnel and Information Management Divisions initiate the personnel and payroll transactions and send the information to the House Finance Office or the Senate Disbursing Office where the information is processed and paychecks are prepared. Currently, there are 26

staff assigned to the Force's Personnel Division and Information Management Division: 14 to Personnel and 12 to Information Management. Staff in these divisions perform a full range of personnel functions, including interfacing with the House and Senate personnel and payroll units, initiating personnel and payroll transactions, recruiting, maintaining personnel records, and maintaining time and attendance records. Of the 26 positions allocated to these two units, 13 staff are actively involved in oversight or actual processing of personnel and payroll transactions. The others are involved in recruiting and managing the Force's information management operations.

nsolidation of the pitol Police lministrative Operations

The idea of consolidating the Force's two payrolls is not new. It may have originated when the Congress decided to professionalize the Force during the 1970s after a bombing incident. Prior to that time, employment on the Force was based on patronage. Subsequently, the professional stature of the Force has steadily improved, but the dual payroll systems have remained.

On February 7, 1989, the Chairman of the Capitol Police Board, at a hearing before the House Subcommittee on Legislative Branch Appropriations, noted that the dual payroll systems were "one of the last vestiges of a 'patronage' police force." His written testimony also pointed out that splitting the administration of police salaries and benefits between the House and Senate resulted in a complex and inconsistent administrative infrastructure with differing administrative provisions for pay, leave, retirement, and suspensions.

The Capitol Police Board decided in January 1983 that the Force should be viewed as one entity and agreed to explore unification of the two payrolls. No significant progress toward that goal occurred until December 1987, when a Board task force issued a draft report to the Board that outlined concerns about how the Force was administered, particularly the separate payrolls. In June 1988, the Board proposed to the House and Senate that the payrolls be unified.

In September 1988, the Conference Report on the Legislative Branch Appropriation Act of 1989 directed the Capitol Police Board to submit a proposal regarding Capitol Police jurisdiction and procedures to the relevant committees by January 1989. The Board submitted its proposal to the House and Senate Legislative Branch Appropriations Subcommittees on December 21, 1988. No action was taken because a consensus could

not be reached on how to consolidate the financial and administrative elements of the Force.

Library of Congress Police

When the Library of Congress (LOC) was moved from the Capitol to a separate building in 1897 (the Jefferson Building), guarding LOC collections became the responsibility of watchmen under the administrative direction of the Superintendent of Library Buildings and Grounds. On August 4, 1950, legislation was passed (Public Law 81-659) which authorized the Librarian of Congress to designate LOC employees as special policemen to guard LOC buildings, grounds, and adjacent streets. The legislation also granted authority to the special police to enforce and make arrests for violations of laws and regulations within the LOC buildings and grounds. Additional legislation approved in 1987 (Public Law 100-135) changed the name of the special police to police and mandated that the rank structure and pay scale for police employees be made identical to that of the Capitol Police. The intention of this legislation was to create pay parity with the Capitol Police over a 4-year transition period. The Library Police Force currently has 142 authorized positions, with a complement of 120 sworn officers.

Objectives, Scope, and Methodology

In August 1989, the Senate Committee on Appropriations asked (in Senate Report 101-106) that we study the mission and administrative organization of the Capitol Police and report our findings to the Capitol Police Board by March 31, 1990. We reported our preliminary results to the Senate Subcommittee on Legislative Branch, Committee on Appropriations, on March 23, 1990.[1] In addition, we were asked to study the issues involved in merging the Library Police with the Capitol Police Force. We presented our preliminary results to the Senate Subcommittee on March 30, 1990.[2] The objectives of our review were to

- identify the differences arising from the Capitol Police being administered under dual House and Senate systems,
- obtain information on the cost of Capitol Police payroll operations and the cost of consolidating payroll operations,
- provide alternatives as to how a consolidation of administration can be achieved, and

[1] Capitol Police Pay and Personnel Systems: Dual Systems Create Differences (GAO/T-AFMD-90-12, March 23, 1990).

[2] Issues to Consider in Consolidating the Library Police Force With the Capitol Police Force (GAO/T-AFMD-90-13, March 30, 1990).

- discuss merging the Library of Congress Police with the Capitol Police.

During the course of our review we also identified and examined several other issues that adversely affect the Force.

To identify the differences caused by the dual systems, we (1) interviewed Capitol Police Board, senior Capitol Police, Senate Disbursing Office, and House Finance Office officials familiar with processing personnel and payroll transactions and (2) obtained and reviewed available documentation, such as flow charts and staff studies on payroll unification, of the differences between the House and Senate personnel and payroll systems and how police personnel and payroll transactions are processed by these systems.

To obtain information on the cost of the Capitol Police's payroll operations, we interviewed and obtained documentation from officials of the House Finance Office, Senate Disbursing Office, and Capitol Police. To compare the cost of using the Department of Agriculture's National Finance Center (NFC) to the current system, we obtained estimates from NFC. We also reviewed two GAO reports[3] on sharing personnel and payroll systems which recommended that LOC, the Architect of the Capitol (AOC), and the Government Printing Office use NFC to process their personnel and payroll data.

To develop suggestions for consolidating administration, we (1) interviewed key Capitol Police personnel familiar with the mission and organization of the Force and (2) obtained general information on how other law enforcement organizations are administratively organized from the International Association of Chiefs of Police, the Police Executive Research Forum, and the Secret Service Uniform Division. We also reviewed two GAO reports that contain information on police compensation and benefits[4] and the Report of the National Advisory Commission on Law Enforcement, which discusses federal law enforcement pay and benefits.

[3]Automated Systems: Legislative Branch Opportunity for Sharing Payroll/Personnel Systems (GAO/IMTEC-89-23, May 23, 1989).

Automated Systems: Legislative Branch's Efforts in Sharing Payroll/Personnel Systems (GAO/IMTEC-90-20, February 20, 1990)

[4]Federal Pay: U.S. Park Police Compensation Compared With That of Other Police Units (GAO/GGD-89-92, September 25,1989).

Compensation and Staffing Levels of the FAA Police Force at Washington National Airport and Washington Dulles International Airports (GAO/GGD-85-24, May 17, 1985).

To identify the issues involved in consolidating the two police forces we (1) obtained and reviewed available documentation that provided information on the organization and operation of the Library and Capitol Police forces, (2) discussed the advantages and disadvantages of a consolidation with Library of Congress officials and Library Police personnel familiar with the Force's responsibilities and operations, and (3) discussed the possibility of a consolidation with Capitol Police personnel.

Our review was conducted at the offices of the Library of Congress and the Capitol Police in Washington, D.C. Our work was conducted from September 1989 through July 1990. We did not independently verify the data provided.

The Capitol Police Board and the Librarian of Congress provided written comments on a draft of this report. These comments are presented and evaluated in chapters 2 through 4 and are included in appendixes V and VI.

This report is organized as follows: Chapter 2 provides a discussion of administrative practices and differences which affect the Capitol Police, as well as some other issues which have an impact on the Force's personnel administration. Chapter 3 provides four alternatives for consolidating Capitol Police administrative activities, and chapter 4 discusses issues to consider in consolidating the Library of Congress Police Force with the Capitol Police Force.

Administrative Differences May Cause Inequities for the Capitol Police

The Capitol Police Force experiences problems associated with its members having pay and benefits administered by two different personnel and payroll systems. In its February 1988 report to the Capitol Police Board, the Board's Issues Task Force identified a number of existing administrative disparities between the House and Senate systems related to officers' rights and privileges and the disciplinary measures to which they are subject.

Our review confirmed that significant policy and procedural differences exist between the two systems regarding retirement benefits, leave, and use of civilians. We also found less significant differences involving policies and procedures for paydays, longevity increases, payment of overtime, and appointments, as well as some concerns about the administration of police pay scales. Other issues that may affect the Force are (1) having a nonstatutory leave system, (2) making promotions outside the standard promotion process, (3) operating under ambiguous and/or obsolete statutes, and (4) not making employees aware of all grievance procedures.

Retirement Benefits and Policies Were Different

Prior to October 15, 1990, House and Senate retirement policies for the Capitol Police differed. By statute, members of the Capitol Police are either House or Senate (congressional) employees. According to statute, congressional employees covered under the Civil Service Retirement System are required to complete 30 years of service to be eligible to retire at age 55.[1] However, as a matter of custom and practice, Capitol Police on the House payroll were allowed to retire 5 years earlier than those on the Senate payroll, with a reduced annuity for each year under age 55. We examined Capitol Police retirement statistics for calendar years 1987, 1988, and 1989 to determine the extent to which officers on the House payroll retired prior to age 55 and found that only 3 of the 28 officers who retired during this period were under age 55. Although only a few officers took advantage of the early retirement option, the Capitol Police identified the difference in retirement policies as a significant problem.

On October 15, 1990, after our review was completed, the Capitol Police Retirement Act (Public Law 101-428) was enacted. The law allows Capitol Police officers to retire voluntarily at age 50 with 20 years of service, and the provisions apply to all officers, whether on the House or

[1] Federal employees hired on or after January 1, 1984, are covered by the Federal Employees Retirement System (FERS). This includes members of the Capitol Police.

Senate payroll. Implementation of this act should bring retirement uniformity to members of the Force on both payrolls and provide retirement benefits comparable to law enforcement personnel in other jurisdictions.

Different Leave Policies for Involuntary Time Off

The Senate and House differ in their handling of situations involving involuntary time off. During periods of involuntary time off, an officer on the House payroll is placed on leave-without-pay status. On the Senate side, he/she is placed on reduced pay status and receives about $125 a month, which is intended to cover the employee's share of the cost of basic benefits such as health insurance. Under the House approach, an employee who wishes to maintain basic insurance coverage must pay the cost of such coverage.

Capitol Police officials stated that these differing approaches affect their ability to administer disciplinary actions effectively. Because the Senate uses reduced pay status instead of leave without pay, suspended officers on the Senate payroll continue to receive partial pay, while officers on the House payroll receive nothing. Therefore, because these differing policies cause unequal treatment, suspension is not often applied as a means of discipline.

Policies on the Use of Civilians Are Different

The Senate permits the use of civilians to perform clerical, administrative, and other support functions, but the House does not. Use of civilians in law enforcement organizations is common. The national average for civilians in law enforcement organizations is 25 percent, and the Washington area average is 18 percent. Currently, the Senate has authorized 81 positions for civilians. All 73 positions currently occupied by civilians, about 6 percent of the Force, are funded by the Senate.

The Capitol Police Board has advocated the use of civilians since at least 1983. In February 1990, the Capitol Police Board's Force Reduction Task Force estimated that at least 114 additional positions could be assigned to civilians. Replacement of uniformed officers with civilians would result in cost savings. The Capitol Police stated that the cost difference between hiring a civilian and an officer is estimated to be $7,970 during the first year. This difference is due primarily to the increased salary and training associated with hiring police officers. Using this as a base, the Capitol Police estimated that if 100 new civilian positions were added, the cost savings associated with hiring civilians rather than

police officers would be $797,000 in the first year. Over a 5-year period, savings could be as much as $4.3 million.

In commenting on this report, the Capitol Police Board stated that both the Senate and House are interested in increasing the number of civilian employees on the Capitol Police Force. A proposal has been forwarded to the appropriate House committee to replace 50 uniformed officers on the House payroll with civilians. The Board intends to fill these positions as vacancies arise through attrition. A cost savings of $8,000 per position, or $400,000 in the first year, is anticipated by the Board. While we agree that a cost savings can be realized, we believe that actual savings would vary, depending on the cost of each civilian hired, the number hired, and the rate at which the civilians are phased into the Force.

Other Policy and Procedural Differences and Concerns

In addition to the system differences noted above, we also identified several less significant differences between the two systems. Eliminating these differences would result in police on both payrolls being treated the same.

Payroll Differences

Police on the Senate payroll are paid twice a month, while Police on the House payroll are paid once a month. Capitol Police officials stated that this is ordinarily not a problem because a person appointed to a certain payroll becomes accustomed to its schedule. However, in some instances employees must switch payrolls to accept a promotion. In calendar year 1989, nine employees switched payrolls to accept a promotion. These employees had to resign from their current payroll and then be appointed to the new payroll. If payrolls are switched, employees' paydays are changed from once a month to twice, or vice versa.

Switching payrolls may affect overtime pay. For example, when a Senate employee switches to the House payroll and is promoted during the quarter, overtime hours are paid based on the rank held at the end of the quarter. Conversely, when House employees switch to the Senate payroll, they are paid based on their rank at the time the overtime is earned.

The practice of switching payrolls for promotions creates additional paperwork for the Force and the House and Senate payroll and personnel offices. This process is inefficient and requires more work than a unified payroll and personnel system.

Longevity Increases

The House payroll system processes longevity increases automatically, but the Senate system does not. The Force's data processing staff must track when the increases are due. This information is sent to the personnel division and a payroll transaction is initiated. During calendar year 1989, 324 longevity increases were processed manually for members on the Senate payroll.

Overtime Pay

Members of the Force are paid overtime on a quarterly basis as authorized by law. Processing the Force's overtime payments creates administrative problems for the Force as well as the House Finance Office and the Senate Disbursing Office. The House and Senate systems are not set up to track time and attendance information because they both operate exception-based payroll systems. This means that unless someone is advised to the contrary, all personnel on the payroll receive full salary. The Force is required to track overtime hours and submit quarterly reports to the Senate and House so that overtime checks can be processed.

Appointment Process

While the appointment process is initially the same for Police on both the House and Senate payrolls, the process differs after the Chief of Police makes appointment recommendations. On the Senate side, if the Sergeant at Arms approves an appointment, the paperwork is sent to the Senate Disbursing Office and the candidate is put on the payroll. On the House side, however, after the Sergeant at Arms approves an appointment, the Committee on House Administration must also approve it.

Pay Scale

While the House and Senate have the same pay scale for all members of the Force, nothing mandates that the same pay scale be used. Therefore, either the House or Senate could establish a separate pay scale for the Force at any time. Similarly, with respect to overtime pay, one could choose to pay overtime in cash while the other might choose to grant compensatory time.

Budget Preparation

The Force currently prepares three budgets. Prior to 1989, the Capitol Police prepared two salary budgets, one for the Senate and another for the House. An additional joint budget was established in 1988 to pave the way for payroll unification. No action has been taken to date to unify the payrolls.

Other Issues Affecting Pay and Personnel Practices of the Capitol Police

During our review, we identified five additional issues adversely affecting the Capitol Police which are not the result of differences in the House and Senate pay and personnel policies and procedures. In addition, we estimated the cost of processing payroll and personnel transactions under the dual systems.

Capitol Police Do Not Have a Statutory Leave System

As congressional employees, the Capitol Police are exempt from the leave provisions of Title 5 of the U.S. Code. Because the Capitol Police leave system is not statutory, there is no authority for the Capitol Police to transfer accrued sick and annual leave for officers to other federal agencies. In addition, the Force cannot make lump sum payments for accrued annual leave when its members leave due to resignation, retirement, or termination. Therefore, when police officers leave the Force and still have leave on the books, they are transferred to the Force's Employee Development Bureau and placed on terminal leave. These employees remain on the payroll until their leave is used.

Because employees placed on terminal leave remain on the payroll, their positions cannot be filled until they are officially off the payroll. The Force must continue to staff the posts of those employees placed on terminal leave. Therefore, the Force may have other employees work overtime to ensure that all posts are covered. During calendar year 1989, 67 members of the Force went on terminal leave for periods ranging from 1 to 174 days and averaging about 21 days per person; terminal leave totaled about 11,000 hours for that year.

Promotions Made Outside the Competitive Promotion System

The Capitol Police Force uses written tests and oral boards for making promotions on a competitive basis. However, there are instances where employees receive promotions and pay increases outside the regular promotion process.

According to the Force's General Counsel, noncompetitive promotions are made with proper justification. For example, the House passed a resolution in 1985 making the Force's training representative at the Federal Law Enforcement Training Center (FLETC) a lieutenant rather than a sergeant. This promotion was made so that the Capitol Police's FLETC representative was at the same level as his peers at the training facility. This resolution authorized an increased rank for the position only and not for the individual holding the position. When an individual leaves a specially created position, he/she is to revert to his/her former rank. The Board advised us of its intent that these position upgrades be specific to the assignment rather than to the individual. However, we are aware of an instance where, through a House resolution, a person was promoted to a specially created position and the individual's rank was eventually made permanent. The end result was a permanent rank increase outside the competitive promotion process for this employee. Capitol Police officials stated that this type of situation has a negative effect on the morale of the Force.

Capitol Police officials stated that another type of pay increase that adversely affects the Force's morale is the use of Technician and Special Technician positions. The use of Technicians on the Force dates back to the early 1970s. Originally, 34 positions were created and assignments were distributed throughout the Force. According to General Order 1120, Technician positions were created to provide salary compensation for specific jobs within the Force requiring highly technical or administrative skills. Special Technician positions were created to enable the Force to recruit and maintain personnel with specific technical skills. As of February 6, 1990, there were 43 Technician and 10 Special Technician positions created for the Force. Special Technicians receive the same salary as Sergeants, and Technicians receive about $1,700 a year more than Privates First Class.

In January 1987 and again in July 1988, the Chief of Police asked the Employee Development Bureau (EDB) to study the use of Technicians within the Force. For the first study, EDB was asked to develop fair and consistent selection procedures for Technicians. However, a formal policy outlining how Technician vacancies would be filled was never developed.

A second study by EDB pointed out that the use of Technician positions caused substantial controversy and ill feelings within the Force and the positions were not always used as originally intended. The study stated

that staff in Technician positions were often given additional compensation for performing jobs that do not require any technical skills. For example, the Gallery Security unit has a Special Technician assigned to the detail, yet it is unclear to us how the duties of this individual differ from those of other members of the detail. The study indicated that this practice is extremely damaging to morale. It also pointed out that there are no written criteria for selecting Technicians.

In response to our query, the Commander of the Employee Development Bureau confirmed that there was no open competition for Special Technician positions and that there are no policies and procedures that govern the process. In addition, Special Technicians have an advantage in the promotion process because they have the potential to move from Private First Class to the equivalent rank of Sergeant without going through the normal promotion process. After they become Special Technicians, they qualify to compete for the rank of Lieutenant.

A further indication of morale problems associated with promotions outside the normal process was revealed on March 23, 1990, when members of the Force presented concerns about inequities in the promotion process to the Subcommittee on Personnel and Police, Committee on House Administration. In written testimony submitted for the record, the names of 18 individuals who received promotions or pay increases outside the Force's normal promotion process were listed. One individual wrote, "Too often, members of the Capitol Police Board have circumvented the established promotional process and have promoted members of this Department who are not next in line to be promoted, or, worse yet, not even on the current promotion list." Similar sentiments were shared by 26 senior officers on the Force. In testimony submitted for the record they wrote, "We continue to support a fair and equitable promotion system and resist attempts to circumvent the promotional system. A rank order list of candidates should not be deviated from except for cause."

In response to a draft of this report, the Capitol Police Board commented that some positions have been upgraded outside the established promotional process for specific organizational reasons. These upgrades reportedly occur under extremely limited circumstances and do not reduce the number of targeted vacancies for which promotional tests are given. We do not dispute the Board's statement. However, when promotions are made outside the established process, morale problems result. This is evident since many Capitol Police Force members advised

us of their concern that such upgrades in positions do not follow the established procedures.

With regard to the Technician and Special Technician positions, which are designed to enable the Capitol Police to recruit and maintain personnel with distinctive technical skills, the Board commented that detailed procedures for assigning these positions are being considered. The Board also commented that because of the current competitive market for such personnel, the increased salary for these positions is still insufficient to recruit qualified candidates and that it is seeking to civilianize many of these positions.

Ambiguous or Obsolete Statutes

Another area of concern expressed in a December 1988 study that the Capitol Police Board Issues Task Force submitted to the Board is that many statutes pertaining to the Force are ambiguous and/or obsolete. These statutes pertain to appointment (hiring) authority, authority of the Capitol Police Board, suspensions, uniforms, personnel management, and law enforcement authority. For example, 40 U.S.C. 210 provides that "belts and arms" are paid for by the Force and 40 U.S.C. 211 provides that uniforms shall be paid for by the police officers themselves. Under current appropriation act authority, the Force supplies the uniforms in addition to belts and arms.

Another example noted by the Task Force concerns appointment authority. Under 40 U.S.C. 206, the Board is authorized to appoint only the Chief. Captains and Lieutenants are jointly selected by the Sergeants at Arms, and each Sergeant at Arms selects one half of the Privates. However, 40 U.S.C. 206 is obsolete because it does not address the appointments for other ranks, such as Inspectors or Detectives.

Capitol Police Not Fully Aware of Grievance Procedures Available to Them

The Force has an internal employee grievance process set up to handle allegations of discrimination or unfair employment practices. Officers on both payrolls have access to this process. In addition, officers on both payrolls have access to external hearings of allegations of discrimination. However, some Capitol Police personnel that we spoke with were not aware of their access to external employee grievance processes.

House employees alleging discrimination are authorized to have their allegations mediated by the Office of Fair Employment Practices. If this does not result in a satisfactory resolution, the employee may file a formal complaint with the Office, which is authorized to hold hearings

and render decisions. Any decision by the Office may be reviewed by the House Fair Employment Practices Review Panel. Senate employees can file complaints with the Senate Select Committee on Ethics alleging discrimination in violation of Senate Rule 42. In both instances there is no requirement for employees to exhaust the Force's internal process prior to using the external process. Therefore, under the present system, employees can choose either to exhaust the Force's internal grievance process first and then file external complaints or bypass the internal process and file external complaints with either the House or Senate, depending on their payroll assignment.

The House discrimination complaint process has already been used successfully by one Capitol Police officer. This officer elected to use the House process instead of the Force's internal process. In a November 1989 decision, the House Fair Employment Practices Review Panel found in favor of the Capitol Police officer on a discrimination complaint.

The Force's General Orders (Numbers 2250, 2251, and 2222, dated June 1, 1989) relating to grievance procedures do not discuss either the House or Senate procedure for hearing discrimination complaints. While members of the Force were aware of the discrimination complaint hearing process available to House employees through the publicity resulting from the decision reached by the House Fair Employment Practices Review Panel, none were aware of the discrimination complaint hearing process available to Senate employees. At the time of our review, when we asked Capitol Police officials what grievance processes were available to members of the Force, none of them advised us that they were aware of the Senate Select Committee on Ethics' authority to hear employee discrimination complaints.

The Board has directed a grievance task force to analyze current procedures and make recommendations to enhance their efficiency and effectiveness. Implementation of the recommendations was deferred, pending the appointment of a Director of Employment Practices, which is expected to be made in early 1991. We believe that as changes are made to the General Orders dealing with grievance matters, information regarding all external grievance processes available to the Capitol Police should be included in the revised Orders.

Perceived Inferiority of Capitol Police Retirement Policy

The Force believed that its retirement program was inferior to that of other law enforcement organizations. Concerns about retirement comparability led to the enactment of the Capitol Police Retirement Act (Public Law 101-428) on October 15, 1990. This law makes Capitol Police retirement eligibility comparable to most law enforcement organizations in the Washington metropolitan area.

In January 1990, the previous Chairman of the Capitol Police Board testified in support of this legislation at a hearing before the Subcommittee on Legislative, House Appropriations Committee. He supported the legislation on the grounds that comparability would keep younger officers from leaving the Force to work for other law enforcement organizations. The Chairman stated that better pay and retirement benefits were one of the primary reasons these officers leave.

During 1988, the Capitol Police had an overall attrition rate of 6.4 percent, compared with an 8.4 percent rate for Washington area police departments. Between 5 and 15 percent is considered normal. Specifically, our comparison showed the following:

- Of the 77 officers who left the Force in 1989, 24 (31 percent) went to work for other law enforcement organizations. During this same period, 25 of the 102 who left the Secret Service Uniformed Division went to work for other law enforcement organizations. As indicated in appendix II, the Force's statistics are similar to those obtained from five other organizations we surveyed during our review.
- The desire to perform a different type of police work ranks at least as high on the list of reasons given for leaving as pay and retirement. We examined Capitol Police exit interview records for 22 of the 24 Capitol Police officers who left the Force in 1989. These records revealed that over half (55 percent) left because other law enforcement organizations offered different types of police work; 45 percent cited better retirement and 41 percent cited better pay as reasons for leaving. Our review of 1988 exit interviews revealed similar statistics.

Our findings show that the desire for better retirement benefits was only one of several factors frequently cited as a reason for leaving the Force.

Cost of Dual Payroll Systems

As indicated in chapter 1, the cost of providing payroll and personnel services to the Force is shared by the Force, the House Finance Office, and the Senate Disbursing Office. In fiscal year 1989, these costs totaled

about $5.2 million. Table 2.1 shows that approximately $1 million of this was associated with processing the Force's payroll and personnel transactions.

Table 2.1: Estimated Cost of Processing Capitol Police Personnel and Payroll Transactions for Fiscal Year 1989

Organization	Amount
Capitol Police	
Personnel and payroll salary and benefits processing	$531,000
Data processing equipment and support	203,000
Capitol Police total	734,000
Senate Disbursing Office	
Personnel cost	37,000
Data processing support	160,000
Senate Disbursing Office total	197,000
House Finance Office	
Personnel cost	41,000
Data processing support	67,000
House Finance Office total	108,000
Total Cost	**$1,040,006**

Note The cost figures in this table were developed from unaudited information obtained from the Senate Disbursing Office the House Finance Office and the Capitol Police

To determine the costs of consolidating the Force's payroll and personnel operations under one operation, we used the Department of Agriculture's NFC as a basis of comparison. In an earlier report to the Congress[2] regarding opportunities for sharing payroll/personnel systems, GAO determined that NFC was the most desirable of the six alternatives for system sharing reviewed because it has had extensive experience and implements a well-run, integrated payroll/personnel system.

Our examination disclosed that if NFC processes the Force's personnel and payroll transactions, first-year costs would increase by approximately $182,000. House and Senate officials advised us that they do not foresee any reduction in their operating costs if the Capitol Police payroll is processed by another entity instead of within their own operations. However, no cost study has been done to substantiate whether a

[2]Automated Systems: Legislative Branch Opportunity for Sharing Payroll/Personnel Systems (GAO/IMTEC-89-23, May 23, 1990).

cost savings could be achieved. If consolidation occurs, a study is needed to determine whether the Force, the Senate Disbursing Office, and the House Finance Office would, in fact, achieve savings as a result of this action. As discussed earlier, because it is often less costly to use civilians in place of police officers, the Force could offset the additional cost of using NFC by employing civilians to perform the pay and personnel responsibilities currently performed by sworn officers. According to the Capitol Police Board, the Force intends to use more civilians. Some of the 50 civilian positions requested for the House payroll could be used in the payroll and personnel areas. (See appendix IV for a more detailed analysis.)

Agency Comments and Our Evaluation

In commenting on a draft of this report, the Board generally concurred with our discussion of the issues surrounding differences arising from some Force officers being paid through the House payroll system while others are paid from the Senate system. As discussed in related sections of this chapter, the Board also provided information on events occurring subsequent to our audit concerning retirement benefits, civilianizing the Force, and grievance procedures. The Board also clarified its intent with respect to promotions outside the established process.

Because the Capitol Police Force functions with dual payroll and personnel systems, inequities and administrative difficulties in the treatment of its officers have arisen. The issues identified in this chapter and earlier internal Board studies underline the problems associated with maintaining the dual systems. The following chapter outlines alternatives for consolidating the systems in order to bring uniformity to the Force's payroll.

Alternatives for Eliminating Differences in Capitol Police Administrative Activities

Although two steps—a joint item budget in 1988 and a working group to develop a proposal to consolidate the dual payrolls—have been taken in an attempt to consolidate the Force's administrative support activities, the differences between House and Senate components of the Force remain. A comprehensive plan is needed to eliminate the differences and other problems associated with dual administrative structures. Consolidation of the Force's administrative operations requires careful consideration of the differences between the House and Senate administrative requirements which now govern the Force. Many of the more significant differences can be corrected by policy changes, but others will require changes in legislation.

In considering the differences between these two systems, their effects on the Force, and the Congress' desire to reduce inequities in the Force's administrative activities, we have set out four alternatives. We chose these alternatives because our analysis indicates that they represent a range of possible actions that could be taken to either reduce the differences in the two systems as they affect the Force or to eliminate the differences by unifying the Force. The first three alternatives represent a logical series of steps Congress could initiate while maintaining key elements of the current structure. Specifically, these four alternatives are to

- maintain the dual structures but make policy changes,
- maintain the dual structures but make policy and legislative changes,
- consolidate the dual pay and personnel functions but maintain key elements of the current structure, or
- create a new administrative entity.

Maintain the Dual Structures but Make Policy Changes

One course of action that could be taken to eliminate differences in the administration of the Force would require no structural changes in the Force's current operations but would require policy changes. This alternative would eliminate differences in the current structure's treatment of (1) involuntary time off, (2) use of civilians, (3) longevity increases, and (4) promotions. If changes are made, Capitol Police officers would be treated similarly by both pay systems.

The House and Senate could agree on a uniform policy regarding the use of leave without pay. This would enable the Force to use leave without pay as a disciplinary measure. A second change would be for the House to also fund civilian positions as the Senate currently does. A third area

in which a policy change could be made would require the Senate to process longevity increases automatically for the police on its payroll. This would reduce the need for the Force to maintain this information and would eliminate the cost of maintaining and processing the data. Finally, in regard to promotions, a uniform policy could be established to either prohibit promotions outside the internal process set up by the Force or, if the Force continues to use the Technician and Special Technician positions, to require that written policies and procedures be developed that clearly outline how these positions are attained and identify positions that would be designated for these slots.

The advantage of this alternative is that it requires no further legislative action and will correct three of the four most significant differences. The disadvantage is that not all of the issues discussed in chapter 2 will be corrected by making these policy changes. Correction of these problems is discussed in the next alternative.

Maintain the Dual Structures but Make Policy and Legislative Changes

As noted above, policy changes alone will not correct all of the problems associated with the personnel and pay systems. Consequently, in addition to the policy changes discussed in the first alternative, this second alternative calls for legislative changes regarding leave and updates of obsolete statutes in the Force's administrative structure.

The lack of a statutory leave system affects sick and annual leave transferability and the ability to make a lump sum payment for accrued annual leave to employees who leave the Force. Currently, leave transfer to other federal agencies is not authorized for the police. In addition, if the Force had the authority to make lump sum payments, overtime costs in 1989 might have been reduced (see chapter 4). The authority to transfer leave and make lump sum payments could be granted through legislation. Specifically, 5 U.S.C. 6308 could be amended to include both.

Currently, all members of the Force have an internal procedure available to them for resolving their grievances. In addition, those members of the Force on the House payroll have a discrimination complaint review process available to them that is separate and distinct from the discrimination complaint review process that is available to those members of the Force on the Senate payroll. The existence of two independent external review processes available to members of the Force according to which payroll they are on could result in unintended disparities in treatment of similar complaints.

As discussed in chapter 2, a number of statutes pertaining to the Capitol Police are obsolete, ambiguous, or both. Action to identify, change, or eliminate such statutes is necessary.

The advantage of this option is that it combines the policy changes outlined in the first alternative with the legislative changes necessary to bring more uniformity to the payrolls, and it would also bring the obsolete statutes up to date or eliminate them. However, these changes will not unify the administrative processes of the Force's dual pay and personnel structures.

Consolidate the Dual Pay and Personnel Functions but Maintain Key Elements of the Current Structure

This alternative addresses the administrative differences related to different paydays and the current administrative processes of the House and Senate pay and personnel systems. It provides for the consolidation of the Force's administrative processes for pay and personnel functions, possibly through the use of the Department of Agriculture's National Finance Center. Yet, it still permits flexibility in hiring and appointing Force personnel.

The Congress has moved toward payroll unification by creating a joint item account for Force salaries. Another step, initiated by the Capitol Police Board, was the creation of a working group to develop a proposal to consolidate the current dual payrolls under the Office of the Architect of the Capitol. This option may no longer be under active consideration, because the Architect's Office is considering the use of NFC to process its payroll, as we recommended.[1] On July 1, 1990, the Office of Technology Assessment (OTA), the Library of Congress (LOC), and the Congressional Budget Office (CBO) began using NFC to process their personnel and payroll transactions.

Create a New Administrative Entity

The fourth alternative provides for the creation of a new legislative branch entity. The Capitol Police Board Issues Task Force recommended in February 1988 that the Board propose that the Force's budget process be restructured by putting all fiscal responsibilities under a joint item account implemented in the fiscal year 1989 appropriation. This proposal also suggested that the Board be authorized to expend funds and to coordinate administration of the Force. In April 1988 the Congressional Research Service (CRS) conducted a study for the Board

[1] Automated Systems: Legislative Branch Opportunity for Sharing Payroll/Personnel Systems (GAO/IMTEC-89-23, May 23, 1989).

detailing how such an administrative entity could be structured to expend funds and coordinate administration, including relevant legal precedents, and a survey of administrative structures in other legislative branch agencies. As a result of its study, CRS concluded that the administrative structure used by the OTA would be the most applicable to the Force. Based on our analysis, we believe that several provisions of OTA's administrative structure could be incorporated into a new administrative entity for the Force.

In its memo replying to the Board's request, CRS provided a survey of how other legislative branch agencies are structured by statute to serve various congressional purposes. The CRS survey included the Government Printing Office, OTA, GAO, LOC, and CBO. Like the Capitol Police, these entities furnish services to the Congress as a whole. Other legislative entities, such as the Office of Legislative Counsel, were omitted because they provide service only to either the House or Senate.

In its discussion, CRS noted that legislation creating each of the existing legislative branch agencies contained provisions that could serve as a model for the governing structure of the Capitol Police. CRS pointed out that the major decisions for the Congress centered on appointment power and supervision. According to CRS, the appointment of the head of an agency may be vested in either the President, the leadership of the Congress, or a governing board or committee. Regarding supervision, CRS pointed out that the Congress has chosen to exercise its supervisory or oversight function by vesting authority in a joint committee of the Congress or by directly appointing a board of directors. CRS favored the OTA model[2] for the Capitol Police over the other models currently in operation because OTA is most similar to the Capitol Police. For instance, OTA provides services only to the legislative branch, whereas the Congressional Budget Office performs functions that affect each branch of government.

The creation of a new legislative branch entity has several advantages. First, the legislation creating this new entity could unify all previous legislation and also establish a new administrative structure. Second, under the new structure, the new board would establish policy and the

[2]OTA is governed by a Board of Directors consisting of 13 members including (1) six Senators, appointed by the President pro tempore, with three from the majority party and three from the minority, (2) six Representatives, appointed by the Speaker of the House, with three from the majority and three from the minority, and (3) the Director, who is not a voting member (2 U.S.C. 473(a)). The Director is appointed by the Board for a 6-year term but can be removed sooner by the Board (2 U.S.C. 474(a)).

Chief of Police would carry it out. This would enable the Force to develop an entire administrative structure including policies and procedures for budget preparation, budget execution, and personnel administration.

Conclusions

A comprehensive plan is needed to eliminate the inequities and other problems associated with the dual administrative structures of the Capitol Police Force. While options one through three, individually or in combination, will solve many of the problems caused by the dual structures, they represent a piecemeal approach to correcting the problems caused by dual payrolls. Option four eliminates the dual administrative structure currently in use. According to CRS, if option four were chosen, policy would be formulated and promulgated by the governing board, and the Chief of Police would carry out the policy and administer the operations of the new agency. As a separate agency, the Force would hire and pay its members using its new employment authority, enabling the authority to uniformly administer personnel matters.

The Congress could, in crafting the legislation creating this new entity, establish an oversight body and operating structure based on the OTA model or any of the other models currently used for legislative branch entities. In addition to structure and oversight, the legislation and/or regulations should cover such things as hiring and appointment authority, leave, pay scale, suspensions, procurement, police authority and powers, provisions for payment of overtime, and auditing.

Agency Comments and Our Evaluation

In commenting on a draft of this report, the Capitol Police Board did not specifically address any of the alternatives discussed in this chapter for eliminating the differences in administrative activities. The Board generally agreed with our analysis of the difficulties inherent in the Force's current dual pay and administrative structures. While the Board stated its support for some kind of consolidation, it recognized that serious institutional considerations must be addressed and resolved.

Issues to Consider in Merging the Library of Congress Police With the Capitol Police

In considering the feasibility of merging the Library Police with the Capitol Police Force, we identified six issues that need to be considered. Specifically, these issues are (1) the Librarian of Congress' authority for protecting the Library, (2) union representation of some Library Police members, (3) Library Police compensation and benefits, (4) training, (5) recruitment and selection practices, and (6) duties and responsibilities. None of these issues, however, are so significant that they cannot be overcome if the Congress decides that merger of the two forces is desirable. In addition, whether or not the Congress decides to merge the two police forces, we identified opportunities for the Library of Congress Police to obtain some cost savings by using civilian employees where appropriate and by participating in the Capitol Police's in-service training program.

Issues Related to Possible Merger

Librarian's Responsibility for Security

If the Library Police are merged with the Capitol Police, the question of the Librarian of Congress' continued authority to prescribe regulations for the protection of persons and property and for the maintenance of order in the Library of Congress' buildings and grounds by police hired for this purpose would need to be addressed.

A merger of the Library and Capitol Police forces would make the Librarian dependent upon the Capitol Police to provide security for the Library. The Associate Librarian for Management told us that the Librarian already feels that the Library needs to strengthen its security and that he would oppose any move which would make the Library less secure. In the event of a merger, the Librarian would need to have input into decisions concerning the security of the Library's buildings, collections, and personnel in order to meet his responsibility for providing adequate protection. We spoke with Library and Capitol Police officials as well as members of the Capitol Police Board about this issue. They generally agreed that adequate security and proper oversight over the Library's property could be provided if a merger took place.

Unionization

Library Police privates are represented by union Local 2477 of the American Federation of State, County, and Municipal Employees (AFSCME). Library Police supervisors and members of the Capitol Police

do not have union representation. The Capitol Police's legal counsel has stated that the Capitol Police Board does not have express authority from the Congress to recognize a union.

Although AFSCME represents all 106 Library Police privates, only about 10 percent are dues-paying members. We interviewed a random sample of Library Police personnel to determine how they felt about the union and about the possible merger of the two forces. For the most part, they felt there were more advantages than disadvantages to a merger and that losing union representation was not that important. In our discussions with union officials, we were informed that, at a minimum, they would want to ensure that their members do not lose any of their current benefits as a result of the merger.

Compensation and Benefits

We identified four compensation and benefits concerns which would need to be considered if the two police forces are merged.

Pay

As discussed in the preceding chapter, the Capitol Police operate under dual payroll systems. In the event of a merger, it is not clear whether Library Police officers would be placed on the Senate payroll, would be placed on the House payroll, or would be split between the two. This decision would affect how often they are paid, and it has leave and retirement implications as well. Consequently, if in the course of merging the Library and Capitol Police forces some of the Library's police officers were assigned to the Senate payroll and some were assigned to the House payroll, there would be a disparity in how different members of the Library Police were treated in terms of pay and benefits.

Transferability of Leave

Under current Capitol Police policy, annual leave earned by the Library Police cannot be transferred to the Capitol Police, which has a nonstatutory leave system. Should a merger occur, either some provision would need to be made to allow the leave transfer or the Library would have to make lump-sum payments for accrued annual leave. We did not determine how much it would cost to make lump sum payments to members of the Force for their accrued annual leave, but it could be significant because over half of the Library Police have 10 years or more service with the federal government and all but a few are in the 20-day or 26-day leave categories. Lump-sum payments could create budgetary problems for the Library, unless budget plans include a provision for making the payments.

The Capitol Police do not give credit for previous federal service, unless an exception is authorized by the Capitol Police Board. As indicated above, most Library Police members are earning more than the minimum annual leave they would earn as new Capitol Police members. Therefore, unless some provision were made to allow them to earn leave at their current rate, their annual leave accrual rates would drop from a rate of 20 or 26 days a year to 13 days a year.

Retirement

Library Police officers are treated as executive branch employees for purposes of retirement calculations. Capitol Police officers, as congressional employees, contribute an additional 1/2 percent of their salary toward retirement and, as a result, are eligible for an annuity based on the congressional formula. To qualify for an annuity based on the congressional personnel formula, an individual must make retirement contributions at the congressional rate for at least 5 years, unless a special provision is provided in legislation.

If the Library Police are merged with the Capitol Police, Library Police members would be required to make the additional 1/2 percent retirement contribution required of congressional employees, but only those members who contribute this amount for 5 years would qualify for a congressional personnel formula annuity. Library Police members retiring in less than 5 years after the merger would receive no additional benefits from the additional retirement contributions nor could they receive a refund for the amount of their additional 1/2 percent contribution to the fund. This may be significant since about 20 percent of the Library Police will be eligible for retirement within the next 5 years.

Promotions

Because of complaints regarding the fairness of the Library Police promotion process, an agreement was reached with the complainants and Library management in 1982 that no supervisory promotions would be made until a validated selection process was established. It was further agreed that, initially, promotions would only be offered to Library Police members. The Library Police have recently filled supervisory positions kept open since 1982 because of extensive delays in developing the selection process. Should a decision be made to merge forces, the Library believes it may be appropriate to consider how this will affect Library Police personnel who are on the roster of eligible candidates for promotion and, specifically, what will happen when supervisory positions become available before a merger with the Capitol Police.

Training

Capitol Police officials stated that they believe the Library Police are not trained as well as the Capitol Police. Training is a vital element in maintaining a professional and qualified police force. The Library frequently hires individuals with extensive police experience for its police force. If a person does not have sufficient prior police experience, he or she is sent to the Federal Law Enforcement Training Center (FLETC), but the Library Police do not have an in-service training program. In contrast, the Capitol Police generally hire younger, less experienced individuals who are all sent to FLETC. This initial training is then supplemented with in-service training. If the two forces are merged, it may not be practical to assign Library Police Force personnel to duties outside the Library until it has been determined that they have received training acceptable to the Capitol Police.

Recruitment and Selection

The recruitment and selection practices of the two police forces are different. As stated previously, the Capitol Police generally recruit young individuals and provide them with both entry-level and in-service training to compensate for their lack of experience. For instance, the Capitol Police established a maximum age limit (under 41) for police recruits. In contrast, the Library Police require at least 1-1/2 years of experience and generally recruit veteran police officers.

Recent Capitol Police hiring standards requiring that all applicants take a polygraph test, undergo a psychological assessment, and take a written examination were not retroactively applied. The Library Police officers should not be considered unqualified for Capitol Police service because they were not hired under these requirements, since a majority of Capitol Police personnel were not selected under these requirements either.

Another area of concern that Capitol Police officials and members of the Capitol Police Board expressed to us is the capability of the Library Police members to carry out the duties they may be asked to perform. In an earlier report,[1] we disclosed that the duties and responsibilities of the Library of Congress Police were not completely comparable with those of the Capitol Police. However, based on our observations, discussions with Force officials, and our review of job descriptions, we found that in many instances members of each force perform similar duties and appear to have similar responsibilities. For example, both Library and

[1]Federal Pay: U.S. Park Police Compensation Compared With That of Other Police Units (GAO/GGD-89-92, September 25, 1989).

Capitol Police control parking, check passes, make arrests, conduct preliminary investigations, patrol on foot, guard entrances and exits, and protect crime scenes. However, the Capitol Police also direct traffic, patrol by vehicle, and perform other specialized functions, such as bomb squads, for which the Library Police have no comparable responsibilities. Therefore, it may be necessary to provide additional training to Library Police personnel to familiarize them with Capitol Police operating procedures and to prepare them for duty with the Capital Police.

Potential Cost Savings Without a Consolidation of the Two Police Forces

Whether or not a merger of the police forces takes place, there are two cost-saving steps the Librarian could consider in an effort to meet security responsibilities.

One step would be to use civilian employees not trained as law enforcement police to perform some duties currently performed by Library Police. A consultant recommended in 1989 that the Library determine if its security function could be most efficiently and effectively performed by police, civilians, or a combination of both. It cited the New York Public Library as an example of an entity that uses both civilians and special police to provide protective services. As discussed in chapter 2, the use of civilians in place of sworn officers can result in cost savings, and we concur with the consultant's report recommending that the Library explore this option.

Second, with regard to training, the Library does not maintain an in-service training program for its police force and requested additional funds for fiscal year 1989 to provide such training. Because the Library does not maintain an in-service training program for its officers, their knowledge and skills for performing police work could erode over time. Whether a consolidation takes place or not, in-service training is important for the Library Police. Through in-service training, any identified deficiencies in the knowledge, skills, or abilities of the Library Police can be addressed.

The Library uses the pistol qualification course offered by the Capitol Police, and recently several members participated in a Capitol Police supervisory training course. The Commander of the Capitol Police Training Division has expressed a willingness to offer other Capitol Police training courses to the Library Police to the extent that resources are available.

Conclusions

If the Congress decides that merging the Library and Capitol Police is desirable, several issues should be considered and resolved prior to a merger of the two forces. Before such a merger can take place, the problems associated with the Capitol Police's dual pay and administrative systems should be resolved.

Whether or not the forces are merged, the Library can achieve cost savings by making use of civilians in place of sworn officers, and it can avoid other costs by using the training facilities of the Capitol Police.

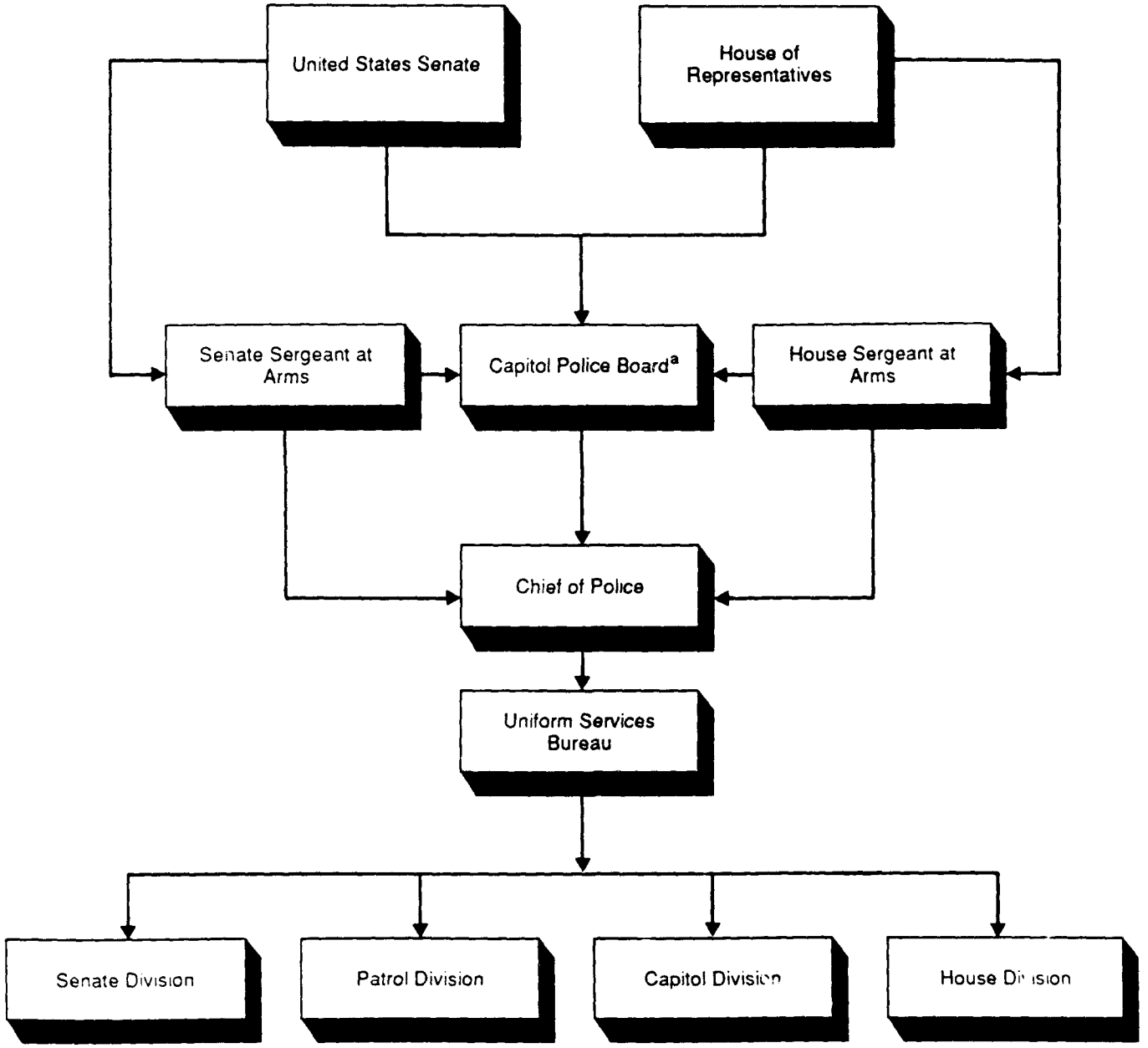
In addition, if a decision is made to consolidate the two forces, the Librarian of Congress should have responsibility, along with the Capitol Police Board, for overseeing and directing the merger.

Agency Comments and Our Evaluation

The Capitol Police Board commented that certain administrative changes should take place in both organizations before any serious consideration is given to a merger. The Board would insist on an identical standard of training for the Library Police so they would be interchangeable with the Capitol Police. Standards for recruitment and screening currently maintained by the Capitol Police must also continue for the merged force.

The Librarian of Congress stated that our report accurately reflects the viewpoints expressed by Library officials during their meetings with us. He reported that his two overriding concerns were that (1) Library Police be treated fairly as part of any merger agreement and (2) the security of the Library in no way be diminished. The Librarian did not comment on the use of civilians as part of the Library's security force. The Librarian did, however, inform us of an in-service training program that has been developed for the Library Police. This program will utilize training available at other agencies, including the Capitol Police, at no cost to the Library. The Librarian also informed us that funds will be spent to train police supervisors who can then train other members of the Library Police Force. Finally, the Librarian advised us that his staff is prepared to meet with Capitol Police Board representatives to resolve the issues discussed in this report if the Congress determines that the Library Police should be merged with the Capitol Police.

Current Administrative Structure of the Capitol Police



[a]The Board consists of the House and Senate Sergeants at Arms and the Architect of the Capitol

Police Attrition Rates

Table II.1: Attrition Rates for 1985 Through 1989 (Based on Actual Strength)

Figures in percent

Police department	Attrition rate 1989	1988	1987	1986	1985	Average
U.S. Capitol Police	6.3	6.4	5.0	11.1	9.8	7.7
Secret Service Uniform Division[a]	3.8	9.0	10.0	N/A	N/A	7.6
Fairfax County Police	N/A	6.9	7.5	7.3	6.8	7.1
Park Police[a]	4.1	3.3	4.2	3.6	4.2	3.9
Arlington Police	N/A	9.7	5.2	8.2	7.3	7.6
Metro Transit Police	N/A	6.0	6.0	4.5	5.2	5.4

[a]Rates refer to fiscal years, not calendar years

Legend: N/A = Figures not available

Table II.2: Percentage of Officers Who Left for Other Law Enforcement Agencies (Based on Overall Attrition)

Police department	Attrition rate 1989	1988	1987	1986	1985	Average
U.S. Capitol Police	31.2	38.0	20.7	20.6	20.2	26.1
Secret Service Uniform Division[a]	25.4	36.6	38.9	N/A	N/A	33.6
Fairfax County Police	N/A	25.0	25.8	16.1	23.1	22.5
Park Police[a]	23.1	13.4	12.5	5.0	13.0	13.4
Arlington Police	N/A	27.3	26.1	27.8	23.1	26.1
Metro Transit Police	N/A	36.4	66.7	27.3	28.6	39.8

[a]Rates refer to fiscal years, not calendar years

Legend: N/A = Figures not available

Estimate of Cost Savings Associated With Hiring Civilians Instead of Police Officers

Civilian	Year 1	Year 2	Year 3	Year 4	Year 5
Salary (1)	20,195	20,868	21,541	21,541	22,214
Benefits	4,443	4,591	4,739	4,739	4,887
Uniforms/Equipment (2)	168	100	100	100	100
Laundry (2)	22	22	22	22	22
Total	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

Officer	Year 1	Year 2	Year 3	Year 4	Year 5
Salary (3)	25,080	26,253	27,705	29,188	29,774
Benefits	5,518	5,776	6,095	6,421	6,550
Uniforms/Equipment	1,300	472	472	472	472
Training Cost	750	0	0	0	0
Laundry	150	150	150	150	150
Total	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

Difference	7,970	7,070	8,020	9,829	9,723

Number of Civilians	Year 1	Year 2	Year 3	Year 4	Year 5	Total
25	199,250	176,750	200,500	245,725	243,075	[illegible]
50	398,500	353,500	401,000	491,450	486,150	[illegible]
75	597,750	530,250	601,500	737,175	729,225	[illegible]
100	797,000	707,000	802,000	982,900	972,300	[illegible]
125	996,250	883,750	1,002,500	1,228,625	1,215,375	[illegible]
150	1,195,500	1,060,500	1,203,000	1,474,350	1,458,450	[illegible]
175	1,394,750	1,237,250	1,403,500	1,720,075	1,701,525	[illegible]
200	1,594,000	1,414,000	1,604,000	1,965,800	1,944,600	[illegible]

(1) This is projected average salary for civilian personnel. The majority of the civilian personnel will be hired at a base salary of $18,174 (GS-6); however, a specified number of positions will require a higher salary, i.e., mechanics and accounting specialists.

(2) Approximately one-third (1/3) of the civilians hired will be Security Aides, requiring uniforms. The majority of the remaining civilian personnel will not have a uniform requirement. However, for budgetary purposes, the cost to provide uniforms and uniform maintenance has been factored and prorated accordingly.

(3) Salary from current pay scale.

NOTES: There are costs ($9,350) involved in first year training that have not been used in determining the salary savings between civilian personnel and sworn officers. These costs include approximately $1,800 for selection and hiring, $550 for FLETC tuition cost (paid by the U. S. Treasury Department), $500 for physicals (paid by the Physician of the Capitol) and approximately $5,500 for instructor and support personnel salaries that have been prorated (factored for the number of individuals hired per year).

Included in the first year salary for an officer ($25,080), is an $8,276 salary for 18 weeks of training. Included in the first year salary for a civilian ($20,195), is a $777 salary for 2 weeks of training.

Source: United States Capitol Police.

Consolidation of the Dual Payrolls at the Department of Agriculture's National Finance Center

In an earlier report to the Congress[1] regarding opportunities for sharing payroll/personnel systems, we determined that NFC was the most desirable of the six alternatives for system sharing we reviewed because it has had extensive experience in planning, instituting, and managing agency conversions and because it implements a well-run, integrated payroll/personnel system. Table IV.1 compares selected features of NFC's system to the Force's current personnel and payroll system.

Table IV.1: Comparison of the Capitol Police Pay System With the National Finance Center's System

		Capitol Police pay system		
Function	**NFC**	**Senate**	**House**	**Capitol Police**
System	Not exception based	Exception based	Exception based	N/A
Appointments	N/A	Yes	Yes	N/A
Paydays	Bi-weekly	Semi-monthly	Monthly	N/A
Maintains time and attendance data	Yes	No	No	Yes
Maintains leave data	Yes	No	No	Yes
Leave categories:				
Sick, annual, and compensatory	Yes	No	No	Yes
Military reserves	Yes	No	No	Yes
Flexitime	Yes	No	No	N/A
Maxiflex	Yes	No	No	N/A
Longevity increases automatic	Yes	No	Yes	Tracks Senate increases
Overtime payments	Bi-weekly	Quarterly	Quarterly	No
Pay scale	Client determined	Senate determined	House determined	N/A
Budget preparation	N/A	No	No	Joint item Senate House

Legend N/A = Not applicable

As discussed above, some of the advantages of using NFC to process the Force's payroll and personnel transactions are that (1) all transactions would be processed identically, (2) paydays would be the same, (3) all longevity increases would be processed automatically, thus eliminating the need for the Force to maintain and track this information, (4) time and attendance information would be part of the system, (5) leave earnings and accruals would be part of the system, (6) overtime payments

[1]See footnote 2, chapter 2.

would be included in the bi-weekly pay checks, (7) the pay scale would, if Congress agrees, be the same, and (8) only one salary budget would need to be prepared. The NFC system includes the following additional features: the payroll system interacts with the personnel system, data entry is menu driven and personal computer-based, the system has data entry and system edits, there are preprogrammed and special reports, hardware and software are maintained by NFC, and payroll reports are NFC's responsibility. The use of NFC, coupled with the policy and legislative changes discussed above, has great potential for eliminating almost all of the differences between the House and Senate payrolls as they affect the Capitol Police.

Options for Using NFC

With the above discussion in mind, there are two options available to the Congress should it decide to use NFC to process Capitol Police personnel and payroll transactions. The House and Senate could individually contract with NFC to pay police employees, or the Congress could use the Board to contract with NFC and use the joint item salary account to pay for the service. This would take care of processing the payroll and maintenance of both personnel and payroll data. If the Congress decides to use NFC to process the Force's payroll and personnel information, the Force would still need a department to provide its members with personnel services.

The Cost of Using NFC

The cost of using NFC to process the Force's personnel and payroll transactions is difficult to determine because of the many variables involved. To estimate the cost involved in converting to NFC, we obtained information from NFC indicating that conversion costs depend on many factors, particularly the amount of programming modifications that need to be made. Recently, conversion costs for three agencies ranged from $50 to $80 per employee. NFC reported that new customers in fiscal year 1991 are paying a yearly average of $113 per employee to have their personnel and payroll transactions processed.

According to information obtained from CBO, OTA, LOC, and AOC, if NFC were used to process Capitol Police personnel and payroll transactions, there are three types of costs the Force could expect to pay: one-time conversion costs, annual recurring costs, and the annual cost of a full service personnel department. One-time conversion costs would include such things as travel, telecommunications, interagency costs, and computer hardware and software. Recurring costs would include NFC's fee for processing the personnel and payroll information and the costs of telecommunicating information to NFC. The cost of personnel services

would involve staff salaries and benefits, necessary office equipment, and other necessary items used in establishing and running a full service personnel office. To provide personnel services to the Force, the Capitol Police Board could direct the Force to develop its own internal capability or it could contract with another agency for this service.

It is difficult to provide a precise estimate of the first-year cost of using NFC to process the Force's personnel and payroll transactions. Based on the information obtained from NFC, we believe the cost will approximate the amount shown in Table IV.2.

Table IV.2: Cost Estimate of Converting Capitol Police Personnel and Payroll Information to the National Finance Center

Number of employees on payroll	1,308
One-time conversion cost	[a]
Recurring costs	
Telecommunications ($23 per employee)	$30,000
NFC processing fee ($116 per employee)	152,000
Personnel support costs	0
Total additional costs	**$182,000**

[a]We cannot accurately estimate the cost of the Force's one-time conversion costs because the Force's needs in this area have not been defined. Conversion costs are based on each entity's need to purchase hardware and/or software. The Capitol Police may not have significant conversion costs because (1) they already have most of the necessary hardware and (2) the Library of Congress and other legislative branch agencies had to have NFC modify their systems to include the 7.5 percent congressional retirement contribution and the Library Police pay scale.

As previously stated, it cost the Force about $734,000 to process its personnel and payroll transactions in fiscal year 1989. As indicated in table IV.2, we estimate that it will cost at least $182,000 the first year to have NFC process the Force's personnel and payroll transactions. This $182,000 would be in addition to the $734,000.

House and Senate officials advised us that they do not foresee any reduction in their operating costs if the Capitol Police payroll is processed by another entity. However, no cost study has been done to determine whether a cost savings could be achieved. If consolidation occurs, a study is needed to determine whether the Force, the Senate Disbursing Office, and the House Finance Office would, in fact, achieve savings as a result of this action.

Comments From the United States Capitol Police Board

Note: GAO comments supplementing those in the report text appear at the end of this appendix.

PHONE 225-2456

UNITED STATES CAPITOL POLICE BOARD
H-124 The Capitol
WASHINGTON, DC 20515

JACK RUSS, Chairman
HENRY KUUALOHA GIUGNI, Member
GEORGE M. WHITE, Member

December 21, 1990

Mr. Don Chapin
Assistant Comptroller General
Accounting and Financial Management Division
General Accounting Office
441 G Street, N.W., Room 6000
Washington, D.C. 20548

Dear Mr. Chapin:

Thank you for the opportunity to review the Draft Report, dated October 1990 and entitled "Capitol Police: Administrative Improvements and Possible Merger with the Library of Congress Police."

See comment 1

As is noted in the draft, the Board had previously directed a Task Force to study the administrative aspects of the issues addressed in the report and arrived at the same substantive general concerns and, for the most part, ultimate conclusions. The Board has always welcomed constructive recommendations designed to improve the efficiency, integrity and effectiveness of the U.S. Capitol Police (USCP) force. Your efforts toward that end are appreciated.

See comment 1

However, recent events have direct relevance to a number of the observations and recommendations made in the report. That information is provided below. Additional comments are offered with the intention of clarifying current practice and providing a more complete picture of the commitment and continuing efforts of the Board to enhance the professionalism of the force.

See comment 2

Administrative Consolidation

The Board generally agrees with GAO's analysis of the difficulties inherent in the dual pay and administrative structures under which USCP operates. To the extent possible, every effort has been made to mitigate the impact of these differences on individuals and to apply policies in a manner that would result in equity between House and Senate employees. While the Board supports consolidation of some kind, it recognizes that there are serious institutional considerations that must be addressed and resolved.

See comment 3.

Retirement

On October 15, 1990, the Capitol Police Retirement Act (P.L. 101-428) was enacted. The new law allows Capitol Police officers to retire voluntarily at age 50 with 20 years of service. The provisions apply to all officers, whether on the House or Senate payroll, and are comparable to benefits available to law enforcement personnel in other jurisdictions.

See comment 4.

Civilian Employees

Both the Senate and House have expressed an intent to increase the number of civilian employees in the Capitol Police in Committee Reports accompanying FY91 Legislative Branch Appropriations bills. In response to these directive, a proposal to replace 50 uniformed officers on the House payroll with civilian personnel has been forwarded to the appropriate House committee. Once final approval is made, the replacements would be effected as vacancies arise by attrition. Anticipated cost savings are $8,000 per position or $400,000 in the first year.

See comment 5.

Grievance Procedures

The draft report notes that there is a disparity in the availability of recourse for employment protections external to the Capitol Police structure, depending on whether an officer is on the House or Senate payroll, referring to the House Office of Fair Employment Practices (OFEP) as a resource with no counterpart in the Senate. It should be noted that had the Police officer who utilized the OFEP process been a Senate employee, he could have filed the same discrimination complain with the Senate Select Committee on Ethics under Senate Rule 42.

In addition, the enactment of the Americans With Disabilities Act of 1990 (P.L. 101-336) on July 26, 1990, provided that the rights and protections of that Act, as well as the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967 and the Rehabilitation Act of 1973 apply to all House and Senate employees. Investigation and adjudication are the responsibility of the Office of Fair Employment Practices in the House and the Select Committee on Ethics in the Senate.

Furthermore, under the direction of the Board, the Police have developed and implemented a grievance procedure patterned after generally accepted standards in the law enforcement community (Grievance Procedure: General Order 2250, June 1, 1989; Grievance Advisory Committee: General Order 2251, June 1, 1989.) Also, the USCP Disciplinary Review Board (Disciplinary Review Board: General Order 2222, June 1, 1989) conducts an appeal process, designed to afford alleged violators of police discipline the full protections of due process, including notice and a formal hearing. When questions regarding these mechanisms were raised earlier this year, the Board directed a Grievance Task Force to analyze the current procedures and to make recommendations to enhance their efficiency and effectiveness. Comments and suggestions were solicited from the USCP rank and file via a Bulletin Board Notice dated April 10, 1990. Implementation of the recommendations has been deferred, pending the appointment of a Director of Employment Practices.

H.Res. 420, adopted on June 26, 1990, established the position of Director of Employment

Practices to implement programs and assist in policy development relating to discrimination and other employment conditions within the Capitol Police. These provisions were made permanent law by the FY91 Legislative Branch Appropriations Act (P.L. 101-520). The job description cites responsibilities, including counseling, investigatory, adjudicatory and other program services. The Board has just completed interviewing candidates for this position and expects to make an appointment early in 1991.

Promotional Process

USCP employs uniform testing and promotional procedures published by General Order and supervised and implemented by an experienced civilian professional. The written examinations are developed and graded by an independent, professional personnel testing firm. Representatives from other law enforcement jurisdictions participate as evaluators in the oral exercises that are part of the examination process.

In the last three years, every promotion to an established, pre-existing rank position has been made from the list of tested applicants, who are deemed "ready" for promotion, according to these procedures.

See comment 6

In exceptional circumstances, some positions have been upgraded for specific organizational reasons outside of the established promotion process. These upgrades occur under extremely limited circumstances and do not reduce the number of targeted vacancies for which promotional tests are given. It is the current intent and understanding of the Board that these position upgrades are specific to the assignment and not the individual, who must revert to his or her former rank when reassigned.

Other positions generally filled outside of the usual promotional process include the positions of Technician and Special Technician, which were designed to enable USCP to recruit and maintain personnel with distinctive technical skills (e.g., computer programming, radio maintenance, auto mechanics). General Order 1120 (June 1, 1989) indicates that continuance in the position and rank is contingent upon assignment of responsibilities which require such technical skills. Detailed procedures for assigning these positions are being considered. Because of the current competitive market for such personnel, the increased salary accruing to the rank of Technician and Special Technician is still insufficient to recruit qualified candidates, and the Board is actively seeking to civilianize many of these positions.

Merger with Library of Congress Police

See comment 7.

The Board agrees that before any serious consideration is given to a merger, certain administrative changes should take place in both organizations. The draft report raises concerns related to the Librarian's statutory responsibility to protect the Library. The converse is also of concern: What, if any, input should the Librarian have regarding the security of the Capitol complex, protection of Members and general law enforcement?

To maintain the professionalism of the force, the Board would insist upon an identical or equally high standard of training for Library officers so as to render them prepared and

interchangeable with Capitol Police in the event of emergencies and other special events. *E.g*, during the recent Ku Klux Klan demonstration, many USCP officers usually assigned to other duties were placed on the front-lines of a potentially explosive situation, which required experience and training in crowd control and crime prevention techniques. Plans to reduce the number of uniformed positions via civilianization make it even more critical that USCP have the flexibility to reassign officers on a temporary basis to provide security for major demonstrations, events and emergencies and that those reassigned officers have the appropriate training to carry out their assignment.

It, therefore, follows that standards for recruitment and screening currently maintained by the Capitol Police must also continue to be the minimum acceptable for a merged force.

The foregoing information is provided to clarify and update the observations and findings of the draft report. It is hoped they contribute to a more balanced perspective regarding the current administrative status of USCP. We expect that the final report will be important in ongoing and future efforts to further enhance the professionalism of USCP officers and improve the operational efficiency of USCP.

Sincerely,

Jack Russ, Sergeant at Arms
U.S. House of Representatives

Henry K. Giugni, Sergeant at Arms
U.S. Senate

George M. White, Architect of the Capitol

The following are GAO's comments on the United States Capitol Police Board's letter dated December 21, 1990.

GAO Comments

1. See "Agency Comments and Our Evaluation" section of the executive summary.

2. Discussed in "Agency Comments and Our Evaluation" section of chapter 3.

3. "Retirement Benefits and Policies Are Different" section of chapter 2 revised to reflect updated information.

4. Discussed in "Policies on the Use of Civilians Are Different" section of chapter 2.

5. Report revised to reflect comments. See "Capitol Police Not Fully Aware of Grievance Procedures Available to Them" section of chapter 2.

6. Discussed in "Promotions Made Outside the Competitive Promotion System" section of chapter 2.

7. Discussed in "Agency Comments and Our Evaluation" section of chapter 4. However, the issue of whether the Librarian should have input regarding the security of the Capitol complex, protection of Members, and general law enforcement is not addressed as it was not within the scope of our report.

Comments From the Librarian of Congress

Note: GAO comments supplementing those in the report text appear at the end of this appendix.

THE LIBRARIAN OF CONGRESS

WASHINGTON, D.C. 20540

November 21, 1990

Dear Mr. Crowley:

See comment 1.

Thank you for your letter of October 15, 1990, forwarding for review and comment the draft report entitled Capitol Police: Administrative Improvements and Possible Merger with the Library of Congress Police (GAO/AFMD-91-28).

The report accurately reflects the viewpoints we expressed during our meetings. We suggest some minor corrections as noted on the attached pages. My two overriding concerns are to ensure that the Library Police are treated fairly as part of any merger agreement and that the security of the Library is not in any way diminished.

If the Congress determines that the Library's Police Force should merge with the Capitol Police, members of my staff are prepared to meet with representatives of the Capitol Police Board to discuss and resolve the administrative and operational issues outlined in your report.

I appreciate the opportunity to comment on your draft report. Please let us know if we can be of any further assistance.

Sincerely,

James H. Billington
The Librarian of Congress

Mr. Brian P. Crowley
Director of Planning and Reporting
U.S. General Accounting Office
Washington, D.C. 20548

The following is GAO's comment on the Librarian of Congress' letter dated November 21, 1990.

GAO Comment

1. Discussed in "Agency Comments and Our Evaluation" section of the executive summary and chapter 4.

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