

U. S. Senator Dianne Feinstein
Opening Statement
July 16, 2008

Good morning. Today's hearing concerns the "Administrative and Management Operations of the United States Capitol Police."

I am pleased to welcome Chief Phillip Morse, Mr. Richard Stana from the Government Accountability Office and Officer Matt Tighe, the Chairman of the U.S. Capitol Police Fraternal Order of Police. I will introduce them in a moment.

I would also like to recognize The Honorable Terrance W. Gainer. Mr. Gainer is the Senate Sergeant at Arms and our representative on the Capitol Police Board. He was the Chief of the U.S. Capitol Police for four years, from 2002 to 2006.

There is no doubt in my mind that the United States Capitol is one of the top, if not the number one, terrorist target in this country. The officers of the United States Capitol Police are on the front-line against that unseen enemy. They put their lives on the line to protect us, our staff, our constituents and visitors, every day.

If there is any doubt of this, we should all take a moment to pause and remember that next week is the 10th anniversary of the deaths of Officer Jacob Chestnut and Detective John Gibson. These two officers were shot and killed when a gunman with a history of mental illness came into the Capitol Building. With their ultimate sacrifice, they were able to save us from what could have easily been a greater tragedy.

The Capitol Police were founded in 1828, when one captain and three officers were vested with the responsibility of protecting this iconic symbol of democracy. Before that the Capitol was guarded by a lone watchman.

Today, the Department has over 2,100 sworn officers and civilian employees, and a budget of almost \$300 million. Since September 11th the Department's budget has more than doubled and over 500 new officers and civilian employees have been added.

But that expansion has not been without its growing pains.

General Focus of Hearing

At this morning's hearing, I expect to hear from the Chief about the state of the Department and the direction he plans on taking the Department over the next few years. I expect the Chief to discuss how he plans on advancing the professional development of the agency, and how he plans on anticipating and meeting future

challenges. I also expect to hear how the opening of the new Capitol Visitor Center will affect current force staffing.

Radio System

Acquiring an interoperable and secure radio system for the Capitol Police must be a key priority for the Department over the next few years.

The current radio system the Capitol Police rely on has very limited interoperability. They cannot communicate with local police and fire, or other federal law enforcement agencies. The system is not secure or encrypted, and it has several coverage “holes” or “dead spots” where the radios simply will not work. This is unacceptable.

I believe that a new system must move ahead in an expedited basis. We simply cannot be in a position where we don’t have the capability for interoperable and secure communications.

We must move forward with the plans for this system with a cost effective proposal. I believe it can and should be done as quickly as possible.

GAO Recommendations

The Government Accountability Office has had many concerns with the Capitol Police over the years and has criticized the department for lack of progress in addressing key administrative and financial shortcomings.

In 2004, the GAO first reported its serious concerns and made several recommendations. I look forward to the GAO reporting on the progress the department has made over the last 18 months.

Administrative and Technical Fixes to Capitol Police Authorizing Statutes

Over the years, Congress has enacted numerous provisions governing the administration of the U.S. Capitol Police. Some of those past provisions have technical flaws, contain drafting errors, or simply conflict with other laws on the books.

Last month, the Committee on House Administration referred legislation to us to make technical corrections and repeal obsolete or duplicative provisions of these laws. I expect the Rules Committee to act quickly on this legislation.

Personnel Issues

There has been some recent media focus concerning personnel practices for two police recruiting classes. I have been advised by the Senate Legal Counsel and the Senate Chief Counsel for Employment that since this hearing may involve personnel issues

subject to litigation, any discussion should be held in closed session. So at the appropriate time in this hearing, I will entertain a motion to go into closed session.

For the record, however, I do want to make clear that I believe the law enacted in 2003 which required the Chairmen of the Rules and Administration Committee and the House Administration Committee to approve or deny new hiring, promotions and terminations by the Capitol Police to be a mistake. This is not even an authority that is given most big city mayors – and I do not believe it is the proper function of a Member of Congress.

So I will be seeking passage in the coming months of a bill that rests that authority with the Capitol Police Board.

Closing

Before I turn to my Ranking Member, Senator Bennett, I would also like to say on both of our behalves that our prayers and wishes are with Officer Aidan Sims and his family. Officer Sims, who is assigned to the Senate division, was run down in a tragic hit-and-run accident last month outside of his home. I know that he has a long road to recovery in front of him and we wish him the best.

Thank you.

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