Embassy Security:
Background, Funding, and the Budget

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Summary

The September 11, 2001 terrorist attack on the World Trade Center and the Pentagon led to the closing the following day of 50 of the nearly 260 U.S. embassies and consulates worldwide. A week later, however, all U.S. facilities were open for business. Additionally, three embassies – in Pakistan, Yemen, and Turkmenistan – allowed for voluntary evacuations immediately after the attack. In the months prior to the attack, travel warnings were issued and embassies were put on high alert as Osama bin Laden had issued vague, but credible, threats against Americans and American interests around the world.

Earlier this year, Secretary of State Colin Powell had testified before Congress that embassy security is among his highest priorities. He made the case that the U.S. government owes State Department personnel on the front lines of diplomacy the same high level of tools and security given to our military on the front lines. The Administration requested a total of $1.3 billion for embassy security and worldwide security upgrades for FY2002. The House concurred; the Senate passed a total of $1.07 billion.

Throughout the summer 2001, the United States received credible threats against American embassies and tourists overseas. The Department of State responded by issuing a worldwide travel warning to American citizens and cancelling Independence Day celebrations at American overseas facilities.

In June 2000 the U.S. Embassy in Amman, Jordan was put on full alert after receiving “credible evidence” that Osama bin Laden followers were planning to attack it. Additionally, the Department of State advised American travelers to be mindful of the August 7th anniversary of the bombing of U.S. embassies in Kenya and Tanzania. Then, in September 2000, terrorists attacked the U.S.S. Cole Navy destroyer.

The August 7, 1998 terrorist attacks on U.S. embassies in Kenya and Tanzania resulted in a number of actions by the Administration and Congress. With evidence that bin Laden was involved in the attacks, the Administration, on July 4, 1999, imposed sanctions on the Taliban government because it refused to cooperate in his arrest. In October 1999, the UN Security Council imposed limited sanctions on the Taliban, and in August 2000 both the United States and Russia agreed to work together to tighten the sanctions.

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Background

U.S. embassy security needs have evolved and expanded over recent decades. During the 1950s, U.S. embassies were intentionally grand and highly visible to showcase the American way of life and promote democracy. It was believed then that by placing embassies in the center of foreign cities, U.S. diplomats and services would be more accessible and inviting to Americans, as well as local officials and residents. Throughout the 1960s, Vietnam-related demonstrations and attacks at embassies, mostly involving destruction of property, were on the rise; and in 1965 the United States witnessed the dawning of a new level of violence when 3 embassy employees were killed in the U.S. embassy in Saigon. The 1970s were marked by frequent terrorist attacks on embassies; the decade ended with the hostage taking in Tehran in 1979.

In response to the increasing frequency and seriousness of incidents, the State Department, with congressional support, initiated the Security Enhancement Program (SEP) in August 1980. The object of SEP was to improve protection of mission personnel, U.S. government property, and classified information at posts where the foreign government was unwilling or unable to provide effective protection. Experts were sent abroad to assess certain embassy security needs where a high, medium, or low threat of mob violence had been determined, and then recommend improvements.

The issue of embassy security again gained focus and urgency after the bombing of the U.S. embassy in Beirut, Lebanon in April 1983, the bombing of the Marine barracks in Beirut in October 1983, and the bombing of the embassy annex in Beirut in September 1984. These incidents awakened the United States to the destructive power of explosive-laden trucks and car bombs.

The bombings resulted in the passage of the 1984 Act to Combat International Terrorism (P.L. 98-533), which authorized reward payments for information leading to the arrest of individuals involved in terrorist acts against Americans or American property and $356.3 million for enhanced embassy security.

Also in the wake of the three Beirut bombings, Secretary of State George P. Shultz formed a commission—the Advisory Panel on Overseas Security—headed by Retired Admiral Bobby Inman, which reported its recommendations (sometimes referred to as the Inman report) in June 1985.1 The findings and recommendations,

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1 Report of the Secretary of State’s Advisory Panel on Overseas Security, U.S. Department (continued...
as modified by subsequent reviews, continue to be the standards (often referred to as the Inman standards) for today’s security measures.

Some of the recommendations by the Inman Panel included (1) a reorganization of the offices in the Department of State that are primarily responsible for security and counter-terrorism and consolidation of operational security offices into a new bureau for Diplomatic Security; (2) improvements in State’s protective intelligence, threat analysis, and alerting procedures; (3) improvements in the Department’s training of Foreign Service personnel and dependents to deal more effectively with terrorist threats; (4) improvements in contingency planning at the posts; (5) assigning Marine Security Guard detachments to all highly sensitive posts; (6) revising the Diplomatic Security Service physical security standards; (7) pursuing a substantial building program to correct security deficiencies; and (8) initiating a capital budgeting procedure to avoid security improvement delays due to budgetary reasons. The panel also offered a number of classified recommendations.

Contrary to widespread belief, the report specifically did not recommend a 100 foot setback for embassies and 9 foot walls—frequently cited as Inman standards. These criteria resulted from the magnitude of the Beirut bombs and the measures that would have protected those facilities at the time. The Inman panel set in motion the focus on security from which the current standards evolved.

Following the Advisory Panel report, Congress took up the issue of international terrorism and security and passed the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (P.L. 99-399). This Act became the permanent authorization (often duplicated by the biannual foreign relations authorization act) for embassy construction and security programs.

In 1985, the Advisory panel identified 126 facilities with inadequate security, 50 of them consulates. As of September 1, 1998, 49 facilities have been built or enhanced to meet new security standards. (As of September 2001, the Administration estimates that about 80% of U.S. overseas facilities do not meet minimum security requirements.)

Immediately following the bombings of U.S. embassies in Africa in August 1998, there was disagreement between the Department of State and Capitol Hill over primary responsibility for under funding embassy security over the years. Since then, Congress has sought even greater funding levels that the Clinton Administration for overseas security purposes. At the same time, State Department experts are somewhat conflicted between wanting to maintain embassy visibility and accessibility overseas, while trying to increase setbacks and barriers which would prohibit terrorist actions.

1 (...continued)
of State, June 1985.

2 Telephone conversation with Office of Legislative Affairs, Department of State, September 20, 2001.
In February, 1999, Secretary of State Albright announced the selection of the Overseas Presence Advisory Panel (OPAP) chaired by Lewis Kaden. The panel reported its recommendations in November 1999, including: 1) improving windows and barriers, warning systems, and emergency response training; 2) creating an interagency committee to determine the right size and locations for U.S. overseas presence; and 3) establishing an Overseas Facilities Authority (OFA) to manage the building, maintenance, and renovation of American overseas facilities.

In an August 3, 2000 press conference, Secretary Albright responded to a question regarding lack of success in capturing bin Laden: “We [will] never forget the victims of those bombings...We will continue to do what we must in terms of sanctions and do what we can generally with our friends and allies to try to hunt down the terrorists. Their day will come, and there is no statute of limitations and we will pursue them as necessary.”

Slightly more than a year later, after the September 11, 2001 terrorist attack on the World Trade Center and the Pentagon with more than 6,000 dead, the United States is now leading a worldwide effort to end terrorism once and for all.

### Determining Embassy Security Needs

The bombings of the U.S. embassies in Africa in August 1998 reinforced the belief that it is impossible to attain 100% security. Even though the embassies in Nairobi and Dar es Salaam did not meet Inman standards, the size of the blasts underscored the vulnerabilities of major buildings in densely populated areas. After the attacks, a number of Administration officials asserted that as bombs get bigger and more sophisticated, standards will need to be continually revised, but there can be no guarantees for complete security overseas.

Every U.S. overseas post goes through a threat assessment process authorized by the Diplomatic Security Act of 1986. The threat level associated with each post is an evaluation of threat levels for a particular time period and can be changed as events occur or when a new assessment is deemed necessary. The four threat level categories are: critical, high, medium, and low. Each post is given a threat level that helps the Department of State’s Diplomatic Security Service allocate resources for overseas security. Given that the assessed threat levels of the U.S. embassies in Kenya and Tanzania were medium to low, the State Department is reviewing its methodology for evaluating threat levels and the significance the Administration places on threat assessments in its allocation of security resources. According to

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4 Secretary of State Madeleine K. Albright and Spanish Foreign Minister Josep Pique, press conference, State Department, August 3, 2000.
Secretary of State Albright, “After the Africa bombings, we can no longer consider any post a low threat one.”

Currently, security resource needs of each post are a reflection of the potential for terrorist activity or unrest within a particular country, and other factors such as the physical location of the facility (i.e., in a city, in a rural area, close to a busy street, set far back from any streets, etc.). Security determinations are made after consultation among State’s Office of Diplomatic Security, Office of Foreign Buildings Operations, and the embassy security officer in the overseas facility. Responsibility for requesting resources for overseas post security ultimately rests with the Secretary of State, upon receiving recommendations from the Assistant Secretary of Diplomatic Security and the Deputy Assistant Secretary for Foreign Buildings in the Bureau of Administration.

### Procedures for Dealing with Terrorist Threats

One problem for U.S. security personnel is deciding how to respond to threats against U.S. facilities and personnel. Currently, according to State Department officials, 10 - 12 threats are aimed at U.S. overseas posts each day. That amounts to approximately 3,000 to 4,000 threats handled each year by the Department of State.

There is no one set procedure to handle all threats made against American overseas facilities and staff. The U.S. response might differ depending on the country, the type of facility (an embassy, consulate, or living quarters), and whether the threat comes from a walk-in or phone call. Nevertheless, State Department officials are quick to point out that all threats are taken seriously.

Generally, procedures include a first level response in which the resident security officer and the regional officer of a facility confer with officials in Washington to discuss the credibility of the threat. Subsequent discussions determine whether the local post can handle the threat alone or whether a greater response is warranted. Normally, the regional security officer seeks information from the local police to assist in determining the credibility and the nature of the threat. U.S. intelligence also tries to verify the significance of the threat. Some of the actions that the Chief of Mission can take include: closing surrounding streets (with local police concurrence), putting up concrete barriers, temporarily reducing staff size in the building, and evacuating all personnel from the area or country. State Department officials in Washington with responsibility for security say that Administration officials would not take any action against a perceived credible threat without first consulting with the Chief of Mission.

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**History of Congressional Action on Embassy Security Funding**

Congress provides the bulk of funds for overseas facility and personnel security in the Commerce, Justice, State (CJ S) appropriations for State’s Security and Maintenance of U.S. Missions, Diplomatic Security, and regional bureau accounts. (See Table 1 and Table 2.) Smaller amounts are contained in the Foreign Operations appropriations (for U.S. Agency for International Development security funding, for example) and Department of Defense appropriations (for salaries and expenses and some housing funds for the Marine guards stationed at the embassies).

In 1980 the State Department had estimated SEP funding needs for the next five years to be $191 million. Congress appropriated a total of $136.3 million from FY1980 - FY1984 for the program.

Following the 1983/84 Beirut attacks, President Reagan submitted a request for a new supplemental appropriation of $110.2 million only for FY1985. This reportedly was the difference between the State Department’s own budget request and that agreed to by the Office of Management and Budget (OMB) for submission to Congress in the FY1985 President’s budget. The $110.2 million was part of a larger authorization request—the 1984 Act to Combat International Terrorism (P.L. 98-533) that, among other things, included $356.3 million program for increased security for U.S. diplomatic missions overseas. The supplemental request was in addition to funds already set aside in 1984 for the SEP.

The Inman study, completed in June 1985, recommended $3.5 billion to meet security needs overseas. A subsequent landmark authorization measure, the Omnibus Diplomatic Security and Anti-Terrorism Act of 1986 (P.L. 99-399) became the basic authorization for embassy construction and security programs that are also authorized by the biannual foreign relations authorization act. Congress authorized $2.1 billion in that Act and, according to State Department officials, it has appropriated $1.2 billion for Inman-related embassy security measures. (At the same time, State Department officials acknowledge that it is impossible to identify what past funding is or is not linked to the Inman recommendations.)

In contrast, as shown in Table 1 and Table 2 below, the Administration requested $5.8 billion for security within several different State Department accounts for security from FY1987 (the first post Inman appropriation) to FY1998, while Congress appropriated $5.0 billion (excluding any rescissions of unused end-of-year funds) over the same time period. By themselves, these reductions (an average of $66.7 million annually) from the Department’s total requests for security funds do not appear to support the implication by some critics that Congress has failed to support

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7 Formerly the Acquisition and Maintenance of U.S. Buildings account and currently referred to as the Embassy Security, Construction, and Maintenance (ESCM) account. Sub-accounts holding security funding include Capital, Physical Security, Construction Security (primarily security against infiltration at construction sites), and Counter-terrorism.

8 State Department briefing on embassy security, August 24, 1998.
the Inman panel’s recommendations, especially since the cuts were often made for specific reasons related to construction delays or other practical considerations. Rather, it would appear that the State Department has not asked for funds in the magnitude necessary to implement Inman recommendations, if more than the appropriated $5 billion was necessary. Furthermore, in at least two years—FY1995 and FY1996—Congress rescinded a combined total of nearly $100 million of unobligated funds in State’s Security and Maintenance of Overseas Missions account. This suggests that the Department was not spending all the appropriations that it did receive, although some lack of spending may be attributable to such factors as delays in construction or in negotiating the purchase of property.

Neither the State Department nor congressional appropriators had highlighted embassy security upgrade programs in budgets during the early 1990s. According to State Department budget requests and appropriations conference reports between FY1985 and the embassy bombings of August 1998, only two CJS conference reports had mentioned new security requirements. The State Department budget request mentioned “new diplomatic security funds” only for the FY1987 budget request. Furthermore, neither the Administration’s budget requests nor the appropriations reports over the last 12 years connect security funding to the Inman recommendations.

In FY1996-FY1997, in addition to security funding in the Diplomatic Security account and in the Security and Maintenance of U.S. Missions account, and without a request from the Administration for such security funds, Congress earmarked funds in the Diplomatic and Consular Programs account for security—$11.6 million in FY1996 and $23.7 million for FY1997. Following Congress’ lead, the Administration requested in its FY1998 budget $23.7 million for security funds in the Diplomatic and Consular Affairs Program account.

On September 22, 1998, the President submitted to Congress a request for an FY1998 emergency supplemental appropriation amounting to $1.8 billion to address immediate expenses resulting from the embassy bombings in Kenya and Tanzania and improve U.S. security and antiterrorism efforts worldwide. State Department officials claimed that since the bills from the August 1998 bombings were paid with FY1998 appropriations and since Department officials wanted to avoid being in violation of the Balanced Budget and Emergency Deficit Control Act of 1985, the funding needed to be in the form of an FY1998 emergency supplemental (as opposed to adjusting FY1999 appropriations, which would exceed FY1999 spending caps). The Administration also pointed out that any increased hiring for improved worldwide embassy security as a result of an FY1998 supplemental would increase the State Department out year budget needs beginning in FY2000.

Of the amended $1.9 billion in the enacted emergency supplemental (P.L. 105-277), $1.56 billion came within the foreign affairs 150 budget account for the Department of State. The levels Congress enacted in the omnibus appropriation emergency supplemental provisions to the Department of State follow:

- Congress provided $790.8 million for the Diplomatic and Consular Programs Account, $748 million for reestablishing embassy functions in Kenya and Tanzania and for security improvements overseas, as
H.R. 4328 was signed into law October 21, 1998.

- Congress provided $677.5 million in the Security and Maintenance Account primarily for rebuilding or relocating the embassy facilities in Kenya and Tanzania.

- In the omnibus budget act, Congress provided $12 million for the Salaries and Expenses Account for security improvements and for a security review panel.

- Congress agreed to the $12.9 million requested for the Emergencies in the Diplomatic and Consular Affairs Account for emergency expenditures related to the embassy bombings, including expenses for evacuations, rewards, and medical needs of employees.

- Congress provided $1 million for State’s Office of Inspector General, as requested, to enable the Inspector General to carry out additional security oversight and inspections.

In the omnibus appropriation for FY1999 (H.R. 4328/P.L. 105-277), Congress provided regular appropriations of $403.6 million for the Security and Maintenance account and $25.7 million (within the supplemental provisions) in the Diplomatic and Consular Programs account for overseas security. Congress did not set appropriation levels for Diplomatic Security, as it is not a specific line item in the budget.

During the early consideration of the FY2000 State Department budget request, Congress criticized the Administration for requesting inadequate funds (a total of $303 million) for worldwide security upgrades. The Administration had testified that much of the emergency supplemental funds was still in the pipeline to be spent on security needs. On November 19, 1999, after the Administration had resubmitted its request increasing security funding, Congress approved the FY2000 State Department appropriation (H.R. 3421) which included a total of $568 million specifically for overseas security. State’s FY2000 Diplomatic and Consular Programs account included $254 million for worldwide security upgrades, and the Embassy Security, Construction and Maintenance (ESCM) account contained $313.6 million for worldwide security upgrades. Some additional funds were also available in other accounts for overseas security.

Congress also passed the Foreign Relations Authorization bill (H.R. 3427), which authorizes $900 million for overseas security from FY2000 through FY2004—a total of $4.5 billion. For comparison, the Crowe Accountability Review Board report (submitted in January 1999) recommended $1.4 billion be spent annually over the next

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9 H.R. 4328 was signed into law October 21, 1998.
ten years. Congress increased security funding for State in FY2001 to a total of $1.07 billion–$661.2 million in Embassy, Security, Construction, and Maintenance, and $409.1 million in Diplomatic and Consular Programs.

**The FY2002 Budget Request for Embassy Security**

The Bush Administration FY2002 State Department budget request emphasized three goals: improving information technology, embassy security and construction, and additional hiring of Foreign and Civil Service, as well as security personnel. Each of these priorities would contribute to improved security at Department facilities around the world. The overall State Department budget request for FY2002 represents a 13% increase over the FY2001 enacted level. For specific embassy security accounts, the request consists of $487.7 million within the Diplomatic and Consular Programs account and $816 million within the Embassy, Security, Construction, and Maintenance account. The House agrees with the Administration request, while the Senate passed $409.4 million within the Diplomatic and Consular Programs account and $661.6 million for the Embassy, Security, Construction, and Maintenance account.

After the September 11, 2001 terrorist attack on the World Trade Center and the Pentagon, Congress passed the Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States, FY2001 (P.L. 107-38). This law includes $390,000 for the Diplomatic and Consular Programs account, $7.5 million for the Capital Investment Fund (for emergency communications technology, and $41 million for the Emergencies in the Diplomatic and Consular Service account, largely for evacuations and reward money to help apprehend terrorists.

**Accountability Review Boards**

Prompted by the August 1998 embassy bombings, Secretary of State Madeline K. Albright and CIA Director George Tenet appointed an accountability review board, required by law after such fatal terrorist attacks, headed by retired Admiral William J. Crowe, former Chairman of the Joint Chiefs of Staff. The report, submitted in early January 1999, cited Administration agencies and Congress as sharing the responsibility for embassies being inadequately prepared for terrorist attacks. The report recommended that the U.S. government spend $1.4 billion a year over 10 years to improve security at U.S. overseas facilities. Numerous specific recommendations in the report came under three basic categories: 1) enhancement of workplace security; 2) improvement of crisis management systems and procedures; and 3) improvement of intelligence and information sharing and assessment. Additionally, the Secretary of State established the Overseas Presence Advisory Panel

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on February 23, 1999 to make recommendations on the organization of U.S. overseas posts.

In February 1999, Secretary of State Albright announced the establishment of the Overseas Presence Advisory Panel (OPAP) chaired by private sector lawyer, Lewis B. Kaden. Within America’s Overseas Presence in the 21st Century, OPAP reported in November 1999 its nine general recommendations (which included several sub-recommendations):

- Continue to implement the Accountability Review Boards’ (ARB) recommendations of upgrading windows, barriers, training of personnel, and security officers. Also, reinforce lines of accountability and responsibility;

- Establish by Executive order a new and permanent Interagency Overseas Presence Committee to determine the optimal size, mix of expertise, and location of America’s facilities abroad to maximize foreign policy effectiveness and minimize personnel risk;

- Create a new government-chartered corporation—an Overseas Facilities Authority (OFA)—to be responsible for building, renovating, maintaining, and managing the Federal government’s civilian overseas offices and residences by combining the best practices of the private sector and government;

- Develop a comprehensive human resources strategy which would include improving the quality of life for overseas employees, expand language, management, and leadership training, and improve recruiting and promotion processes;

- Immediately upgrade State Department’s information technology;

- Reinforce and expand consular services and allow the Bureau of Consular Affairs to reinvest its revenue;

- Review administrative services overseas—regionalize and upgrade some functions and assign a bigger role to foreign nationals;

- Enhance and refocus the role of the Ambassador; require mission statements and budgets, and encourage cross-agency/interdisciplinary teams;

- The President should establish an implementation mechanism by Executive order and appoint a “Coordinator for Overseas Presence Reform.” Form a partnership between the Administration and Congressional leaders to reshape U.S. overseas presence.

Some of these issues were discussed in foreign relations authorization legislation (H.R. 1646/S.1401) that Congress is considering.
Table 1. State Department Security Appropriations and Requests, FY1992-2002
(in millions of dollars; numbers in parentheses are Administration requests)

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Source: United States Department of State, Congressional Presentations, FY1986-FY1999 and appropriations reports.

1. Includes regular appropriations and an emergency supplemental (P.L. 105-277) which were passed October 21, 1999. Administration Request. n.a.= not available.
2. Estimate.
3. $30 million in unobligated balances in the Security and Maintenance account available in FY1995 were rescinded pursuant to the FY1995 Supplemental and Rescissions Act (P.L. 104-19).
4. $65.2 million in unobligated balances in the Security and Maintenance account available in FY1996 were rescinded pursuant to the Commerce, Justice, State Appropriations for FY1996 (P.L. 104-134).
5. Construction Security Account, primarily security against infiltration at construction sites, was transferred to Acquisition and Maintenance of U.S. Missions Account in FY1991.
### Table 2. Summary of State Department Regional Bureau Security Funding, FY1992-2002

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**Source:** United States Department of State, Congressional Presentations, FY1990-FY1999 and appropriations reports.

1. Estimate.
2. Administration Request.

n.a. = not available