

# 12 FAM 320

## LOCAL GUARD PROGRAM (LGP)

(TL:DS-80; 01-07-2002)

### 12 FAM 321 SCOPE AND AUTHORITY

#### 12 FAM 321.1 Policy

(TL:DS-78; 08-10-2001)

a. The host government's responsibility to protect diplomatic missions and accredited personnel is addressed in the Vienna Convention on Diplomatic Relations and Optional Protocol on Disputes (1961). Similar responsibility extends to consulates under the Vienna Convention on Consular Relations (1963). Host government support for meeting the security needs of U.S. diplomatic missions and consulates abroad is a significant factor in determining the scope and structure of local guard programs (LGPs).

b. Posts will develop a local guard program and incorporate host government police and/or security support, where applicable. LGPs may include the use of personnel in a local guard force (LGF) for access control, real property (e.g., buildings and residences) security, and, if required, for personal protection of key personnel. Another important aspect of the LGP is the Surveillance Detection Program (SDP). This is a defensive program to enhance the safety and security of U.S. Government personnel and resources under the chief of mission (COM). The SDP discreetly detects and reports on pre-operational terrorist surveillance activities directed against U.S. Government personnel and facilities.

c. Security standards used to determine the minimum acceptable level of local guard coverage for a post's threat ratings are contained in 12 FAH-6, *Security Standards*. For LGPs, the Bureau of Diplomatic Security (DS) uses the standards for the threat rating categories of political violence (includes inter-state war, civil disorder, coup and insurgency) and crime. The security standards were developed in consultation with representatives of other U.S. Government agencies through the Overseas Security Policy Board (OSPB).

d. Other factors, such as post-specific threat environment and available funding, are additional elements in determining the overall structure of LGPs. See 12 FAH-7, *Local Guard Program Handbook*, for complete information on the creation and operation of a local guard program.

## **12 FAM 321.2 Legal Authority**

*(TL:DS-78; 08-10-2001)*

The legal authority for the Bureau of Diplomatic Security is found in Section 102 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4802).

## **12 FAM 321.3 U.S. Missions and Required Security Measures**

*(TL:DS-78; 08-10-2001)*

a. U.S. missions develop their post-specific LGP and SDP in accordance with policy guidance and security standards. Post-specific proposals must be submitted to the Facility Protection Division (DS/CIS/PSP/FPD) prior to implementation. After receiving DS/CIS/PSP/FPD approval and funding, the regional security officer (RSO), with the concurrence of the chief of mission (COM), shall establish the necessary implementation measures.

b. Post requests for authorization and funding from DS/CIS/PSP/FPD for security programs which exceed Department standards must include the post's emergency action committee (EAC) recommendation and the COM or principal officer's (PO) approval.

## **12 FAM 322 HOST GOVERNMENT ROLE**

*(TL:DS-78; 08-10-2001)*

a. Posts must make formal representations to host governments for the protection of mission employees, dependents, residences, and facilities, under the terms of the Vienna Convention, before taking any measures to create or use a LGF. The relationship with the host government, the nature of the threat and the vulnerability of personnel and facilities will be the basis for the security measures requested.

b. The post must submit a copy of their formal representation and the formal host government response to DS/CIS/PSP/FPD. This should be done as part of a request for approval of an LGP and is required where there is a substantial modification or increase in the scope of an existing program. If local conditions dictate caution in requesting host government security services, the reasons and an alternative strategy must be communicated to DS/CIS/PSP/FPD by post.

c. The Surveillance Detection Program (SDP) requires host government approval and support before it can be initiated by post. Should the host government approval not be granted for new programs, or withdrawn from existing programs, DS/CIS/PSP/FPD must be notified immediately.

d. The U.S. Government provides protection for foreign missions in the United States and protective services to selected resident foreign diplomats. The level of mobile patrol, static guard and/or other protective service varies, as does the level of support provided by the host government to our missions and/or diplomats abroad. When posts anticipate or encounter reciprocity problems, they should provide details to DS/CIS/PSP/FPD with an information copy to DS/OFM.

## **12 FAM 323 PROGRAM MANAGEMENT**

### **12 FAM 323.1 Facility Protection Division Responsibilities**

*(TL:DS-78; 08-10-2001)*

a. The Director for Physical Security Programs (DS/CIS/PSP) oversees the Department's Local Guard Program (LGP), Surveillance Detection Program (SDP), and Residential Security Program (RSP). All are managed by the Chief of the Facility Protection Division (DS/CIS/PSP/FPD). **NOTE:** The Explosives Detection Program (EDP) is managed by Facility Support (DS/CIS/IST/FSE/FS).

b. DS/CIS/PSP/FPD develops policies and procedures, responds to requests for assistance and information from missions, prepares statistics, and monitors disbursement of funds for the LGP and SDP worldwide. It is also responsible for:

- (1) Assisting in training RSOs, PSOs, and others in Washington and abroad;
- (2) Approving program content and program changes;
- (3) Monitoring the implementation of program contracting and assisting in the development of solicitations for guard services and contracts, and providing assistance for contract modification actions;
- (4) Providing assistance in the design and implementation of programs;
- (5) Conducting program and financial reviews;
- (6) Allocating funds for posts' LGPs and SDPs; and
- (7) Coordinating LGP and SDP issues within DS, other Department offices and bureaus, and other U.S. Government agencies.

c. The RSO will provide post-specific program and funding information to DS/CIS/PSP/FPD. DS/CIS/PSP/FPD will, in consultation with the RSO, determine approvals of program content and funding prior to program approval.

## **12 FAM 323.2 Program Management Reviews (PMRs)**

*(TL:DS-80; 01-07-2002)*

a. DS/CIS/PSP/FPD conducts program management reviews (PMRs) at selected posts each year. The PMRs encompass the management of the LGP and SDP by the RSO. Additional elements evaluated include the contracts for guard services, explosive detection program, residential security program, budget accountability and funding management. The PMRs ensure that guard services for the post address minimum, but adequate requirements for political violence (includes inter-state war, civil disorder, coup and insurgency) and crime contained in 12 FAH-6, *Security Standards*. Guard services which are above standard must have Emergency Action Committee (EAC) approval prior to becoming permanent. During the review, officers from DS/CIS/PSP/FPD will assess all aspects of a post's DS/CIS/PSP/FPD programs and provide comments and/or recommendations for action.

b. The RSOs should periodically evaluate the post's security programs to ensure that the appropriate level of protection is being provided given the standards for the current threat ratings at post. The RSO should determine what changes may be needed in the scope and content of the programs. The evaluation should include the post's threat ratings, mission assets, security needs, responsiveness of the host government in meeting post needs, and the quality of performance of either the non-personal services (NPS) contractor or personal services agreement (PSA) provided guard services

c. The RSO will review the overall LGP and SDP in terms of its content and cost and include this information, where appropriate, when preparing post's International Cooperative Administrative Support Service (ICASS) annual budget submission.

## **12 FAM 323.3 Program Funding**

### **12 FAM 323.3-1 Post Profile and ICASS Budget Submission**

*(TL:DS-78; 08-10-2001)*

a. The LGP is primarily funded through Department appropriated funds. These funds are supplemented by other agencies based upon the use and/or distribution of guards at posts using ICASS. Missions are required to provide detailed information concerning their LGP and SDP in post's annual ICASS budget submission. This information is itemized and includes all pertinent data on the LGP and SDP at the mission and all constituent posts. Additionally, the ICASS budget submission provides estimates for the funding required in five categories affiliated with the non-ICASS LGP, ICASS LGP and SDP services:

- (1) Residential (non-ICASS LGP);
- (2) Official facilities including warehouses (ICASS and non-ICASS LGP);
- (3) Mobile patrols (non-ICASS LGP);
- (4) Bodyguards (non-ICASS LGP); and
- (5) Surveillance detection (security supplemental).

b. The post's ICASS budget submission includes the current personnel and financial requirements of the LGP and estimates for the upcoming fiscal year. Posts must provide written justification for any requested changes to their program and related costs to DS/CIS/PSP/FPD, as well as through the ICASS budget submission process.

c. The RSO is an ICASS service provider representative and attends ICASS council meetings as an ex officio member. The RSO is responsible for presenting the ICASS LGP portion of the budgets to the post ICASS council.

## **12 FAM 323.3-2 Approving Local Guard and Surveillance Detection Programs**

(TL:DS-78; 08-10-2001)

DS/CIS/PSP/FPD reviews each post's annual ICASS budget submission as well as any other formal request for program changes to ensure that the program request is in accordance with established standards. After this review, DS/CIS/PSP/FPD makes funding recommendations on ICASS funds to the ICASS Budget Committee and provides the approved funding target to post. Adjustments may have to be made if the total LGP target amount for all posts exceeds the funding appropriated by Congress for the current fiscal year. If adjustments are required, DS/CIS/PSP/FPD will notify the affected posts of the adjusted amounts.

## **12 FAM 323.3-3 Allotment of Funds**

(TL:DS-80; 01-07-2002)

a. The Financial Management Division (DS/EX/PPB/FMD) authorizes posts to obligate and expend *non-ICASS* funds. This authorization of funds allows the post to incur obligations for the fiscal year within specified amounts, under certain conditions, and for specific purposes. DS/CIS/PSP/FPD approves funding levels for all posts and forwards them to DS/EX/PPB/FMD for authorization and transmission of advices of allotment to the post.

b. Posts can request additional funds for non-ICASS local guard and surveillance detection security supplemental requirements. **NOTE:** Security supplemental funds are temporary. The SDP has been funded under security supplemental, but is to convert to *non-ICASS*. All funding requests should be sent to DS/CIS/PSP/FPD and include a full justification as well as a complete cost estimate. The DS/CIS/PSP/FPD staff will review these requests and provide increases in the LGP allotment if funds are available.

c. DS/CIS/PSP/FPD recommends ICASS LGP funding levels to the ICASS budget committee, who, in-turn, authorizes all LGP funding levels. The ICASS service center processes these funding levels through the ICASS funding mechanism and the regional bureaus issue advices of allotment to the posts.

d. Posts can request additional funds for ICASS LGP needs through the ICASS budget hearing or contingency fund process.

# **12 FAM 324 RESPONSIBILITIES AND SUPERVISION**

## **12 FAM 324.1 RSO and/or PSO Responsibilities**

*(TL:DS-78; 08-10-2001)*

a. RSOs are responsible for assessing the type and scope of guard services and surveillance detection operations provided at post per applicable security standards and policy guidelines. Where their recommendations differ from the view of the head of an agency represented at post, the post emergency action committee (EAC) should consider the issue(s) and make recommendations to the COM or PO. If the head of the agency feels that the COM or PO's decision is unacceptable, the matter should be referred to that agency's security director and the Assistant Secretary for DS through the chief of mission or principal officer, for final resolution.

b. The RSO has the responsibility for the implementation and overall management of the post's LGP and SDP. The RSO is responsible for the following:

- (1) Designing the guard and surveillance detection programs;
- (2) Maintaining liaison with host government security personnel;
- (3) Assessing the effectiveness of host government provided security services;
- (4) Acting as the contracting officer's representative (COR), assisting the mission contracting officer in the preparation of solicitations for local guard and/or surveillance detection services and evaluating offers received;
- (5) Ensuring that background checks are conducted on prospective guard personnel; and
- (6) Evaluating the contractor's performance on a recurrent basis and formally once each contract year prior to contract renewal.

c. The PSO assumes many of the same functions as the RSO at constituent posts where no RSO is resident. For all substantive matters concerning the design of the LGP and SDP, the use of host government security personnel, contracting for guard services, and evaluation of contractor's performance, the PSO takes direction from the RSO. For all program changes or funding requirements, the RSO's approval is required prior to submitting the post request to DS/CIS/PSP/FPD.

## **12 FAM 324.2 Routine Supervision**

*(TL:DS-78; 08-10-2001)*

a. Where services are provided by non-personal services (NPS) contract, the contractor's management plan will show which day-to-day activities are to be managed and supervised by the contractor.

b. The size and complexity of the LGF and SDP may warrant consideration of the services of an additional full-time employee. In such cases, after obtaining DS/CIS/PSP/FPD approval, the mission may hire an individual who is to be responsible to the RSO for:

(1) The quality of local guard and surveillance detection work performed;

(2) Investigating, at the RSO's direction, LGF or surveillance detection-related security incidents;

(3) Maintaining day-to-day contact with the contract manager, inspectors, and shift supervisors; and

(4) Supervising a PSA guard force.

c. At some posts where a guard electronic monitoring system (GEMS) is in place, posts must include language in contracts for guard services regarding the use of this equipment. (See 12 FAH-7, *Local Guard Program Handbook*.)

## **12 FAM 324.3 Personal Services Agreements (PSAs)**

*(TL:DS-78; 08-10-2001)*

a. The RSO is responsible for all implementation activities of a PSA staffed local guard and/or surveillance detection program. The RSO (or PSO) and/or other mission personnel are responsible for all administrative and management activities. (See 12 FAH-7, *Local Guard Program Handbook*.)

b. The burden of recruiting, screening, training, managing, and providing all administrative support, including maintenance of personnel files, leave records, and training records, rests with the post. The post is also responsible for the disbursement and accounting of all funds from its DS/CIS/PSP/FPD allotment, including payment of salaries, fringe benefits, bonuses, and severance pay.

## **12 FAM 325 PROGRAM CHANGES**

*(TL:DS-78; 08-10-2001)*

a. When an RSO determines that an approved LGP or SDP should be expanded or reduced, he or she will advise DS/CIS/PSP/FPD of the reasons for the change and provide specific details. The RSO will provide DS/CIS/PSP/FPD with a cost-benefit analysis that will include the following factors:

- (1) Number of guard posts and/or surveillance detection positions;
- (2) Functions;
- (3) Hours of coverage;
- (4) Cost in dollars (both for the remaining fiscal year and annualized for the subsequent fiscal year); and
- (5) Details regarding implementation.

b. When an approved change affects the post's LGP or SDP funding level, DS/CIS/PSP/FPD will adjust the post's LGP and SDP allotment and authorize the contracting officer to modify the NPS contract or the human resources officer to change the number of PSAs.

## **12 FAM 326 THROUGH 329 UNASSIGNED**

Filename: 12m0320.doc  
Directory: O:\FAM-LINDA\12fam  
Template: \\RPSIPSSNTSQ\DirOffice\Templates\FAMTEMP.DOT  
Title: 12 FAM 320 Physical Security Programs - Local Guard Program  
Subject: Subchapter Covers: General Policy, Host Government Role, Program  
Management, Responsibilities and Supervision . . . . (last updated 1-7-2001 by transmittal  
letter DS-80) . . . . .  
Author: USDOS  
Keywords: DS/CIS/PSP/FPD, Vienna Convention, ICASS  
Comments:  
Creation Date: 08/06/01 11:25 AM  
Change Number: 10  
Last Saved On: 01/08/02 9:17 AM  
Last Saved By: USDOS  
Total Editing Time: 307 Minutes  
Last Printed On: 01/08/02 9:18 AM  
As of Last Complete Printing  
Number of Pages: 9  
Number of Words: 4,266 (approx.)  
Number of Characters: 24,318 (approx.)