July 27, 2005: NORTON ASKS CAPITOL SECURITY TO RECONSIDER THEIR DECISION THAT ENDANGERS THE CAPITOL

FOR IMMEDIATE RELEASE
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THEIR DECISION THAT ENDANGERS THE CAPITOL

Washington, DC--Congresswoman Eleanor Holmes Norton today criticized language in the Interior Appropriations conference report overturning a decision of D.C. agencies that had allowed a developer to build near the Capitol grounds at a height within the law. Norton said that the “knee jerk—don’t confuse me with the security facts” decision was actually made by Senate Sergeant at Arms Bill Pickle, Architect of the Capitol Alan Hantman and the U.S. Capitol Police Board, who recommended overturning decisions of District of Columbia zoning agencies on which federal officials also sit. Norton said that the recommendation of Capitol security officials “clearly increases rather than mitigates the risks to the Capitol grounds from nearby rooftops.” She said that Pickle and other Capitol security officials “have been so obsessed with checkpoints and 19th century barriers in the streets around the Capitol that they had never taken steps to reduce what may be greater risks from a single terrorist working from the roof top of a private building. Now that such steps have been offered, they have responded like amateurs rather than professional security experts.”

In a letter to the Capitol Police Board seeking reconsideration, Norton said that fortunately the Senate language allows the Capitol Police, nevertheless, to grant the right to build as proposed if the Board determines that a change will not “negatively impact congressional authority.” The Congresswoman’s complete letter follows.

July 27, 2005

Bill Livingood
Sergeant at Arms
United States House of Representatives

William H. Pickle
Sergeant at Arms
United States Senate

Alan Hantman
Architect of the Capitol

Gentlemen:

As you are aware the JBG Companies (JBG) has purchased 51 Louisiana Ave, NWacross from the U.S. Capitol grounds. During the past year the company has ensured transparency and fair disclosure well beyond the requirements of the law regarding the intended redevelopment of the property, in addition to achieving the necessary approvals to build the planned project. As part of the disclosure process I have been briefed on the project and appreciate the security concerns associated with the height of the building you have raised. As a member of the Homeland Security Committee I know well how important it is for you to meet your obligations to protect the security of the Capitol and its campus. Of course, it is your obligation as well to examine all the options when identifying solutions to security problems.

However, because all the options were not fully considered at the time of the initial consideration, the Senate Appropriations Committee was apparently advised that the extreme last resort remedy of prohibiting construction of several floors of the building, compounded by the unprecedented action of summarily overruling a duly considered decision of expert District of Columbia agencies, was necessary. No open, democratic, free market society should turn to such a solution unless compelled after consideration of all the alternatives.

I have been briefed on a number of options. It is clear that only because of the thoughtful and careful effort and security expertise brought to this issue by the developer has a solution been proposed which would enhance rather than injure security, unlike the statutory language that ironically leaves the Senate side of the Capitol exposed to the very security issue that the JBG structure could be instrumental in remedying. The proposed structure would obstruct the dangerously accessible and open roofs of nearby buildings, and JBG is apparently willing to undertake unprecedented structural security changes as a part of the construction and, if necessary, to agree to statutory mandates requiring the secured roof be maintained in perpetuity.

The irony of the JBG proposal is that it has fostered thinking that Capitol security officials, who have been largely focused on ground security, should have been doing all along—at a minimum how to secure or encourage the securing of the roofs of privately owned structures around the Capitol and other federal sites.

I am writing to you because the new statutory language authorizes the Capital Police Board to determine whether this variance “negatively impacts congressional security.” If after full and fair consideration of all the information

and data now before you, you find that the security of the Capitol grounds could be enhanced by a structure with a secured roof to block the unsecured roof tops in question, I ask that you exercise the authority of the Capitol Police Board to give force and effect to a variance.

I look forward to an early reply.

Sincerely,

Eleanor Holmes Nortonacross from the U.S. Capitol grounds. During the past year th transparency and fair disclosure well beyond the requirements of the law regarding the intended redevelopment of the property, in addition to achieving the necessary approvals to build the planned project. As part of the disclosure process I have been briefed on the project and appreciate the security concerns associated with the height of the building you have raised. As a member of the Homeland Security Committee I know well how important it is for you to meet your obligations to protect the security of the Capitol and its campus. Of course, it is your obligation as well to examine all the options when identifying solutions to security problems. However, because all the options were not fully considered at the time of the initial consideration, the Senate Appropriations Committee was apparently advised that the extreme last resort remedy of prohibiting construction of several floors of the building, compounded by the unprecedented action of summarily overruling a duly considered decision of expert District of Columbia agencies, was necessary. No open, democratic, free market society should turn to such a solution unless compelled after consideration of all the alternatives. I have been briefed on a number of options. It is clear that only because of the thoughtful and careful effort and security expertise brought to this issue by the developer has a solution been proposed which would enhance rather than injure security, unlike the statutory language that ironically leaves the Senate side of the Capitol exposed to the very security issue that the JBG structure could be instrumental in remedying. The proposed structure would obstruct the dangerously accessible and open roofs of nearby buildings, and JBG is apparently willing to undertake unprecedented structural security changes as a part of the construction and, if necessary, to agree to statutory mandates requiring the secured roof be maintained in perpetuity. The irony of the JBG proposal is that it has fostered thinking that Capitol security officials, who have been largely focused on ground security, should have been doing all along—at a minimum how to secure or encourage the securing of the roofs of privately owned structures around the Capitol and other federal sites.I am writing to you because the new statutory language authorizes the Capital Police Board to determine whether this variance “negatively impacts congressional security.” If after full and fair consideration of all the information and data now before you, you find that the security of the Capitol grounds could be enhanced by a structure with a secured roof to block the unsecured roof tops in question, I ask that you exercise the authority of the Capitol Police Board to give force and effect to a variance. I look forward to an early reply.
Eleanor Holmes Norton