



Testimony

Richard K. Cline

Director

Federal Protective Service

Management Directorate

U.S. Department of Homeland Security

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Introduction

Chairman Peters, Ranking Member Paul, and Members of the Committee, thank you for the opportunity to testify today on behalf of the U.S. Department of Homeland Security's (DHS) Federal Protective Service (FPS) regarding FPS's critical mission to protect and secure U.S. Federal Government facilities.

My name is Kris Cline and I was appointed to serve as the Director of FPS almost a year ago. As Director, I oversee FPS's diverse and nationally dispersed workforce and coordinate with federal, state, and local public officials to ensure the protection of the buildings, grounds, and properties that are owned, occupied, or secured by the Federal Government, as well as the persons on those properties. It is my immense pride and honor to lead the great men and women of our agency; I am inspired by the dedication, innovation, and achievements they accomplish every day.

I am pleased to be joined by the Government Accountability Office (GAO), with whom FPS maintains a very positive working relationship, as well as the Cybersecurity and Infrastructure Security Agency (CISA). FPS works collaboratively with CISA's Interagency Security Committee (ISC) and leverages the great work of the ISC in many of our programs, including our Facility Security Assessment (FSA) process, conducted through our ISC-certified Modified Infrastructure Survey Tool (MIST), as well as our ISC-certified training curricula at our national training academy at the Federal Law Enforcement Training Centers.

Since our inception in 1971, FPS has protected people and property in the Federal Government by identifying and mitigating vulnerabilities through risk assessments, law enforcement, intelligence analysis, and security countermeasures. While our core mission has remained the same during our 52 years, we have made remarkable progress in our capabilities. FPS has leveraged technology, training, and partnerships to detect and deter crime before it happens. With expertise in all aspects of policing and physical security, FPS is a recognized, award-winning leader in facility protection. We also realize that as our capabilities grow, so too do those of our adversaries.

FPS personnel are located in every U.S. state and territory, charged to protect more than 8,500 federal, non-military facilities—those owned and leased by the General Services Administration (GSA)—and more than 1.4 million people who on a daily basis work, visit, or conduct business at these facilities. Our responsibility spans to both GSA and non-GSA federal property across the nation. Our mission serves 66 different federal agencies each day, ensuring safe work environments for federal employees performing the essential duties that impact the day-to-day lives of Americans. FPS continually adapts to meet threats, working with our federal, state, and local partners to ensure complete security coverage and efficient communication to protect people and property. We have well established procedures in place to address threats to federal property and have been successful in mitigating these threats.

Though our organization might not be a household name, we often assist in some of the country's most urgent and critical responses and operations, from protecting federal facilities at the U.S.-Mexico border to responding to active shooters and even assisting the U.S. Capitol Police on January 6, 2021. This level of dedication to our country's security comes with the highest of costs. Each day, our law enforcement officers risk their lives to protect and secure the government facilities of this great nation. In its history, seven sworn FPS officers and three Protective Security

Officers (PSO), who are our contracted security guard force, have died in the performance of their duties. This serves as a stark reminder that the men and women who wear the FPS uniform are prepared to sacrifice all in service to our country and government, and we must ensure they are supported in every way possible to respond to and prevent the threats against our nation's people, property, and institutions.

FPS History

In 1790, six “night watchmen” were hired to protect government buildings in the newly designated nation's capital that became Washington, D.C. Over time, the network of security guards evolved and was known as the U.S. Special Police. In 1971, the “Federal Protective Service” was established. FPS was transferred to DHS on March 1, 2003, pursuant to the *Homeland Security Act of 2002* (6 U.S.C. §§ 101 et. seq) in recognition of the role that it plays in securing the homeland. FPS now resides under the Management Directorate in DHS Headquarters. FPS is headquartered in Washington, D.C., and is organized through three zones and 11 regions across the country for mission execution.

FPS Workforce

Our law enforcement personnel—currently made up of roughly 850 men and women stationed throughout the country—are physical security experts and sworn federal law enforcement officers, trained with cutting-edge technologies and techniques that allow us to remain an effective and responsive force. These law enforcement officers perform a variety of critical functions, including conducting comprehensive security assessments to identify vulnerabilities at federal facilities, developing and implementing protective countermeasures, providing uniformed police response and investigative follow-up to crimes and threats, and other law enforcement activities in support of the FPS mission.

FPS's law enforcement mission involves responding to a range of threats and incidents, including last year's attack at the Federal Bureau of Investigation facility in Cincinnati, Ohio, where our PSOs prevented an assailant from gaining access to the facility. FPS law enforcement personnel maintain regular communication with federal, state, and local law enforcement entities across all regions and have open exchanges of information.

Within FPS, nearly 400 mission support staff are responsible for a myriad of important tasks, including outreach and engagement with critical external stakeholders (e.g., Congress and the Federal Executive Boards or FEB); human capital management; finance, budgeting, and security officer contract oversight; and security training and law enforcement.

FPS, through contracts with commercial security vendors, relies on approximately 17,000 PSOs to assist in the protection of federal facilities. Some of FPS's PSOs service providers (i.e., contractors) are experiencing staffing shortages in the post-pandemic environment. Ultimately, each contractor is responsible for planning and appropriately staffing its contract with a sufficient number of PSOs, and FPS Contracting Officers are currently working with contractors experiencing staffing shortages to ensure that they will provide a level of staffing that will meet all contractual requirements. Despite the challenge of coverage, our PSOs are often the front line of FPS and are in daily contact with our federal facility customers and visitors. They, too, put themselves at risk to accomplish our mission.

FPS Authorities

FPS has broad law enforcement authorities and jurisdiction to prevent, investigate, mitigate, and protect against threats to federal property and people on federal property. Section 1706 of the *Homeland Security Act*, 40 U.S. Code § 1315, grants FPS traditional police powers, including the authority to enforce federal law and to make arrests. In certain circumstances, FPS has the ability to enter into agreements and utilize other federal, state, and local law enforcement authorities for purposes of protecting federal property. For example, in the District of Columbia (D.C.), FPS has an agreement with the Metropolitan Police Department allowing FPS to enforce the D.C. penal code 300 feet from listed federal facilities and expanded distances from the St. Elizabeths campus and the Nebraska Avenue Complex.

The Preventing Emerging Threats Act of 2018 authorized the Secretary of Homeland Security with the statutory authority to counter credible threats from unmanned aircraft systems (UAS). This authority has been granted explicitly to FPS, U.S. Coast Guard, U.S. Customs and Border Protection, and U.S. Secret Service. Pursuant to this authority, FPS is authorized to take various actions, notwithstanding provisions of Titles 18 and 49 which would otherwise prohibit such actions, to address threats from UAS, including detecting, identifying, monitoring, and tracking the UAS; disrupting control of the UAS; seizing or exercising control of the UAS; or otherwise confiscating the UAS.

DHS's current Countering UAS (C-UAS) authority is set to expire on February 3, 2024. Ensuring that existing authorities do not lapse is vital to the Department's missions, including protecting the President and Vice President, patrolling certain designated areas along the Southwest Border, securing certain federal facilities and assets, and safeguarding the public, including at Special Event Assessment Rating (SEAR) events. Any lapse in DHS's current C-UAS authority would entail serious risks for our homeland security and FPS's missions. Specifically, FPS would have to cease or drastically curtail existing C-UAS operations. Congressional action is required to prevent any lapse in C-UAS authority on February 3, 2024.

FPS Funding Structure

FPS is completely funded by the fees it charges federal departments and agencies to execute its mission and does not receive a direct appropriation. We have established a risk-based revenue model to align basic security assessments with the security work that FPS performs. This method employs statistical analysis of operational workload data at each building to understand the key drivers of FPS's security costs. FPS uses a three-factor model to determine that operational workload data. The first factor is the total volume of service calls made to FPS and security alarm activations from each building within the portfolio. The second factor is the total number of times an emergency responder is dispatched to incidents for each FPS-protected facility. The final model factor is the total quantity of PSO posts set at each facility. FPS uses this three-factor model to determine the basic security assessments for each customer agency. This approach is equitable for assessing basic security fees because it reflects FPS's historical security workload data for each building. In addition to base security fees, agencies also work with FPS on a reimbursable basis for specific security features that the agency requires.

FPS Operations

FPS ensures safety through five vital functions:

- Facility threat and security assessments through FSAs;
- On-site facility and event security through FPS's Countermeasures and PSO program;
- Intelligence gathering and sharing through FPS's Government Facility Sector program;
- Criminal investigation through law enforcement certified Special Agents and Inspectors; and
- Incident and emergency response through deployment of law enforcement and FPS's Rapid Protection Force in times of need.

Our personnel work every single day, including during holidays and natural disasters. This means that every day of the year, FPS employees could be fulfilling any of the following duties:

- Conducting security assessments of federal facilities to identify risks;
- Designing, installing, and maintaining security countermeasures to mitigate risks;
- Providing a visible law enforcement response and presence;
- Overseeing contract security guards who conduct access control and security screening;
- Performing background suitability checks for FPS contract personnel;
- Conducting criminal investigations, including threats to federal employees and facilities;
- Monitoring security alarms via centralized communication centers;
- Protecting airspace above certain federal facilities and other approved areas to deter unauthorized drones and UAS from entering our protected areas;
- Integrating and sharing criminal intelligence for risk-informed decision making;
- Providing security during Federal Emergency Management Agency Stafford Act deployments, National Special Security Events, and Special Event Activity Rating events;
- Leading special operations, including K-9 explosive detection operations; and
- Training federal employees in active shooter response, crime prevention, and occupant emergency planning.

FSAs represent a cornerstone of FPS's approach to comprehensive security. Our inspectors are rigorously trained to identify potential facility vulnerabilities. Working with security specialists, countermeasure experts, and FPS leadership, our inspectors provide these detailed reports to Facility Security Committees and facility tenants as our FPS recommendations for adequate building security and coverage. FPS designed and implemented an award-winning computer program, MIST, to further evaluate and identify potential threats at FPS-secured locations. Using both the institutional knowledge of our inspectors with the high-performance capabilities of MIST means that our FSAs are a superior resource for providing our customers with the best possible security enhancement suggestions.

The GAO issued a report in May of this year that examined our customer agencies' perspective as to why they do not always implement FPS-recommended security measures to improve security at FPS-protected facilities. Although none of GAO's recommendations were directed to FPS, we are committed to finding new ways to help customer agencies and the various Facility Security

Committees responsible for making security measure decisions to fully understand the risks associated with not implementing FPS security recommendations. One way we are helping is by evolving the FSA process and associated training to enable our staff to develop more detailed cost estimates associated with recommended security measure improvements.

Responding to the Current Threat Environment

FPS is a Sector Risk Management Agency and co-chair of the Government Facilities Sector, one of 16 identified critical areas of national infrastructure. This sector covers facilities that are owned or leased by federal, state, local, Tribal, or territorial governments both domestically and internationally.

Over the past year, we have seen an increase of incidents at federal properties involving arson, burglary, robbery, larceny, motor vehicle thefts, assault on government employees, and threats to harm government employees.

To address the current threat environment, FPS has placed an emphasis on innovation and reinforcing our standard of excellence. Specifically, we have enhanced our protective intelligence capabilities and information sharing to ensure the safety, security, and protection of employees and visitors to government facilities, systems, and resources as well as the continuance of essential government functions and services. FPS achieves this by sharing information with stakeholders to continually enhance the security and resilience posture in collaboration with partners.

Our Partnerships:

Partnerships are essential in accomplishing FPS's mission. We rely on partnerships to achieve our common goals, solve complex problems, identify best practices, and innovate. To help build and maintain these essential partnerships, FPS has coordinated with FEB partners across the country to develop a messaging campaign to ensure that the federal workforce is provided information and best practices for safety and security when working. The messaging campaign was developed in response to the current environment and in response to requests from a number of our partner agencies. The overall messaging campaign has been well received and we are looking for additional opportunities to effectively communicate with our partners and stakeholders. Our FEB partners have ensured that this important messaging is delivered to employees across the federal departments and agencies that we serve. These tips are applicable to all Americans and are accessible on our public-facing website.

We are also an active member of the ISC, the organization that creates the standards for security measures at federal facilities. We are positioned to make defensible, risk-based decisions, while sharing best practices and critical resources with our federal, state, local, and Tribal government partners. Having a membership role on the ISC gives FPS access to and support from other leaders in the government security industry.

FPS Accomplishments

FPS continues its path of excellence and commitment to the safety and security of our customers. We undertook a significant number of criminal and threat investigations and achieved breakthroughs in countermeasure capabilities. Some additional highlights include the following:

- In Fiscal Year (FY) 2023, FPS made 1,246 arrests and citations issued under its governing authorities and criminal statutes, ensuring the safety of those employees and visitors of FPS-protected facilities while also preserving the Constitutional rights of American citizens.
- Equipped with a cadre of Special Agents, FPS opened 460 cases and investigated 362 threats to federal property and persons thereon in FY 2023. Those investigations have led to at least seven convictions, 25 arrests, and 10 citations for federal, state, and municipal penal code violations, U.S. District Court Notices of Violations, and criminal charges under Title 18 of the U.S. Code.
- In FY 2023, FPS made 4,102 recommendations to add or upgrade countermeasures at FPS-protected federal facilities, including assisting U.S. Marshals at U.S. Courthouses around the country during many high profile judicial proceedings.
- Last year, FPS conducted 1,773 FSAs, to help our stakeholders identify security requirements.
- FPS has a significant role in DHS's C-UAS program, a cutting-edge countermeasure technology that enables FPS to better protect facilities from unauthorized unmanned aircraft, just one example of how FPS evolves to meet emerging threats.
- FPS's 69 Explosive Detection Canine Teams provide specialty services throughout the Homeland, sweeping buildings, vehicles, parking lots, and other structures for potential explosives. Their presence not only helps locate potential explosives, but also serves as a deterrent to criminals. In FY 2023, FPS's Canine Teams made 112,169 total sweeps.
- Since September 2023, FPS has trained more than half of its law enforcement officers in the newly developed Public Order Policing training program to better prepare officers for managing First-Amendment-protected activities and other crowd management events in a lawful and unbiased manner while preserving public safety. Given its unique mission, FPS is perfectly positioned to serve as the expert on Public Order Policing within the broader federal law enforcement community.

Conclusion

FPS continues to demonstrate that we are more than capable of deterring and responding to any and all threats toward federal employees, visitors, and facilities.

The FPS mission must be accomplished every day to ensure the continuity of the U.S. Government and our great country. Support from Congress and our stakeholders can help us progress as a law enforcement agency responsible for securing these sacred governmental institutions.

I am very proud of all that FPS has accomplished in our rich 52-year history, and I know that our talented and committed workforce will always ensure we are ready to meet our mission as it continues to evolve.

I would like to acknowledge and thank the distinguished members of this Committee for allowing me the opportunity to testify today. I would be pleased to answer your questions.