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**STATEMENT**

**OF**

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**REGARDING A HEARING ON**

***“The Federal Protective Service: Time for Reform”***

**BEFORE THE**

**UNITED STATES SENATE  
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

**Wednesday, July 8, 2009 – 10:00 a.m.**

**342 Dirksen Senate Office Building**

**WASHINGTON, DC**

## **INTRODUCTION**

Chairman Lieberman, Ranking Member Collins, and distinguished Members of the Committee. I welcome the opportunity to appear before you today to discuss the immediate actions I have put in place to address security concerns raised by the Government Accountability Office (GAO).

## **FPS BACKGROUND**

As I have testified previously, the Federal Protective Service (FPS), which is a division of the Department of Homeland Security's (DHS) Immigration and Customs Enforcement (ICE), delivers integrated law enforcement and physical security services to Federal agencies in 9,000 facilities owned and leased by the General Services Administration (GSA) throughout the United States and its territories. FPS performs fixed-post access control, implements screening functions, and provides roving patrols of facility perimeters and communal open space. FPS is comprised of 1,225 Federal law enforcement and support staff personnel. FPS also utilizes more than 15,000 contract security guards that are employed by private companies to supplement physical security services.

FPS Law Enforcement Security Officers (LESO), also called "Inspectors," are uniformed law enforcement officers who possess the full authority and training to perform traditional police functions. Currently, FPS has approximately 600 Inspectors, who are trained as physical security experts and provide comprehensive security services such as Facility Security Assessments and implementation and testing of security measures.

## **HOW WE WORK**

FPS offers comprehensive physical security operations. From the installation of alarm systems, x-rays, magnetometers, and entry control systems, to monitoring those systems 24 hours a day, 7 days a week, and providing uniformed police response and investigative follow-up, FPS is organized to protect and serve Federal facilities. The provision of contract security guard services, crime prevention seminars tailored to individual agency and employee needs, facility security surveys, integrating intelligence gathering and sharing, and maintaining special operations capabilities all serve to make FPS a world-class security force.

FPS annually conducts nearly 2,500 Facility Security Assessments and responds to approximately 1,400 demonstrations. In Fiscal Year (FY) 2008, FPS responded to 2,571 protests and organized disturbances, made 1,888 arrests, investigated more than 2,100 accidents, investigated 1,503 larcenies, processed 248 weapons violations, and prevented the introduction of 669,810 banned items into Federal facilities with the significant assistance of contract guards. Of the approximately 9,000 buildings protected by FPS, 1,500 are categorized as Security Level III or IV (highest risk buildings).

Upon my arrival in April 2007, it was apparent FPS was experiencing some serious challenges. Since its transfer from GSA to the Department of Homeland Security in 2003 with a Full-Time Equivalent (FTE) workforce of over 1,400 spread across the country into 11 Regions, FPS needed to focus on becoming a single, standardized agency. This required a new operational construct, as well as new business practices. FPS simultaneously believed that it faced budget constraints which could have resulted in having to reduce the number of FTEs. The new collections requested in the FY 2008 President's budget supported approximately 950 FTE personnel. To avoid having to reduce the number of FTEs, FPS sought to realize savings in other areas rather than

reducing on-board personnel. Consequently, many programmatic elements such as training and equipment purchases had to be rescheduled until FPS determined that it had sufficient funding. What remained unchanged, however, was FPS's obligation to protect 9,000 GSA-owned and leased facilities, oversee 15,000 armed contract security guards and manage over 150 contracts.

During this period, FPS carefully assessed its organization and made difficult decisions based on customer input and expectations. This refocusing effort culminated in the development of a strategic plan to shape future activities. FPS now focuses on critical issues within its protective mission and is developing a sound strategic path forward focused on facility security and the safety of the occupants and visitors to those facilities.

In particular, FPS focused on standardizing its practices. Evidence of FPS's success was the 2007 Invoice Consolidation project that paid 2,200 past due invoices, some of which dated back to 1999, and reduced financial loss from prompt interest payments. This effort resulted in over \$1 million in savings in 2008.

The 2008 Consolidated Appropriations Act provided FPS a staffing floor by providing for a workforce of no less than 1,200 Federal FTEs, and the authority to raise fees to financially support that number. FPS increased its basic building security fee, and, as a result, in March 2008, embarked on its first hiring effort in more than six years. FPS now has 1,236 FTE. This monumental hiring effort presented new challenges, in addition to implementing the FPS Strategic Plan to create a standardized operation to provide daily operational support to our customers. Providing our workforce with the appropriate skills in the appropriate geographic locations will continue to be paramount on our task list and will underpin our comprehensive Mission Action Plan.

When GAO presented its findings several weeks ago, we took it very seriously. We knew we still had challenges ahead of us and had already initiated corrective action

prior to receiving the GAO briefing. Within three hours of learning of the issues identified by GAO, I instructed the Regional Directors to immediately increase the number of inspections of protected facilities in their respective regions and to report directly to FPS Headquarters the specific actions they would take to address and correct contract guard performance issues.

I promptly issued letters to Regional Directors and contract guard companies, customer agencies, FPS employees and other stakeholders to notify them of the following actions we would take to address some of the GAO findings. These actions included:

- Establishing a national study group headed by two experienced FPS Regional Directors to examine FPS's visitor and employee screening processes;
- Directing FPS Regional Directors to immediately begin to exercise recently established overt and covert inspection techniques to assess various elements of employee and visitor screening processes;
- Requiring Regional Directors to institute random searches of packages, briefcases, and bags as part of visitor and employee screening procedures and to ensure there are posted signs alerting those entering the building that they are subject to these searches.
- Instructing Regional Directors to take all necessary action to immediately increase its oversight and inspection of contract guards;
- Directing FPS employees and other stakeholders to be constantly vigilant and to immediately report poor performance of duties by the contract guard force to FPS law enforcement personnel or their supervisors;
- Reminding the contract guard companies that substandard performance by contract guards is unacceptable and will not be tolerated, and informing them that

the number and frequency of inspections of guard post and certifications will increase;

- Issuing an Information Bulletin to all inspectors and security guards to provide them with information about package screening, including examples of disguised items that may not be detected by magnetometers or X-ray equipment;
- Contacting all customer agencies and asking that they raise their security awareness and asking them to review their respective building's access procedures to ensure they meet their business and security requirements; and
- Contacting GSA, GSA Regional Administrators and Officers of Security to inform them of our activities.

Going forward, we have established a Tiger Team to aggressively attack the challenge of overseeing the contract guard program. The team is headed by a specialized group of FPS Regional Directors, managers, and staff with extensive experience in areas of developing, implementing, and monitoring facility security. Within the next 60 days, FPS will:

- Seek to identify training gaps in the contract guard force and take immediate steps to close them;
- Increase the frequency and vigilance of the inspections of guard posts and contract companies to identify guards with expired certifications and qualifications;
- Establish and develop training schedules to ensure contract guards receive current and adequate training in magnetometer and X-Ray screening operations and techniques; and
- Initiate dialogue with the DHS Science and Technology Directorate and the Transportation Security Administration (TSA) to explore the possibility of

deploying new technologies, as well as training opportunities to improve our execution of our important protective mission.

In addition to these measures, FPS has established a Policy, Compliance and Audit Directorate to ensure that these and other policies and procedures governing oversight of the contract guard force are not only standardized and implemented, but will result in the highest degree of protection of Federal facilities to safeguard their occupants. I have also directed that by July 30, the Tiger Team will provide its recommendations of immediate measures that can be taken or recommended to the Facility Security Committee.

Customer agencies (tenant agencies) must effectively balance the need for security in Federal facilities with the need for access. The public needs ready access to the Federal departments and agencies that occupy these facilities. This means that FPS needs to provide security solutions that not only provide a safe and secure environment for the occupants of Federal facilities, but it must do so in a way that is not overly burdensome for the people who require Federal services. In essence, the security measures in place at Federal facilities must not impose an unwelcoming presence that would deter people from conducting regular business. This can be achieved through the effective utilization of technologies, which mandate the use of countermeasures or dictate access control procedures.

FPS recognized the evolving nature of security and has been moving forward. We have well over 30 percent of our FTE involved in various levels of training and we are on our way to becoming a mature, experienced and well-trained organization. FPS has a full class of 24 new Inspectors currently at the Federal Law Enforcement Training Center (FLETC). The training process requires a full 32 weeks of intense training to become an Inspector. We have promulgated five new policies that will strengthen the

Contract Guard Program ranging from refinement of the contract award process to the mandatory frequency of guard post inspections. We have developed seven financial process standard operating procedures and have begun the necessary training to institutionalize the use of these processes.

FPS is in the final development stages of the Risk Assessment Management Program or RAMP, which will revolutionize the Facility Security Assessment (FSA) process and negate the need to use six disparate systems currently used by our Inspectors. It will provide accurate and timely codification of the guard training and certification process and post inspections. The Computer Aided Dispatch and Information System (CADIS) will standardize reporting procedures, consolidate crime and incident reporting, and time stamp our operations, thus providing accurate, defensible data to support future staffing models. FPS will award a contract for the Post Tracking System (PTS), which will strengthen the accuracy of post staffing and billing and will further reduce the administrative burden on our Inspectors, allowing them more time for active patrol and guard oversight. All three of these systems will come on line in FY 2010.

In addition to the technological solutions, we are focused on providing greater training and maturity to our workforce. We are dedicated to our mission, to our profession, and to improving our organization to meet the expectations of this extremely important mission. Further, we believe the transfer of FPS from ICE to the National Protection and Programs Directorate (NPPD) requested in the FY 2010 Budget will provide DHS with a single component responsible for establishing and ensuring compliance with a comprehensive infrastructure security program. The integration of FPS into NPPD enhances the Department's overarching strategy and mission to lead the unified effort to improve our nation's security.



## **CONCLUSION**

I want to express to you my personal sense of urgency and commitment to the important responsibility I share with the men and women of FPS, in keeping our nation safe. I am honored to lead the proud and professional men and women of FPS. I can tell you that they are dedicated, determined and committed to developing, implementing, and maintaining the highest level of physical security to ensure that facilities they are charged with protecting are secure and that their occupants are safe. I am confident that they can be relied upon to ensure that FPS will continue to meet the challenge of its homeland security mission.

Thank you again, Chairman Lieberman and Ranking Member Collins, for holding this important oversight hearing. I would be pleased to answer any questions you might have at this time.