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**STATEMENT**

**OF**

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U.S. DEPARTMENT OF HOMELAND SECURITY**

**REGARDING A HEARING ON**

*“Risk Based Security: Targeting Funds to  
Real Risks and Eliminating Unnecessary Security Obstacles”*

**BEFORE THE**

**U.S. HOUSE OF REPRESENTATIVES**

**COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE**

**SUBCOMMITTEE ON ECONOMIC DEVELOPMENT,  
PUBLIC BUILDINGS AND EMERGENCY MANAGEMENT**

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**2167 Rayburn House Office Building**

**WASHINGTON, DC**

## **INTRODUCTION**

Chairwoman Norton, Ranking Member Diaz-Balart, and distinguished members of the Subcommittee, thank you for the opportunity to appear before you today to discuss the Federal Protective Service (FPS). I look forward to discussing FPS' mission as well as describing the steps we have taken to address the concerns raised recently by the Government Accountability Office (GAO).

## **FPS BACKGROUND**

As I have testified previously, FPS delivers integrated law enforcement and physical security services to Federal agencies in almost 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 leverages more than 15,000 contract security guards employed by private companies to supplement its physical security services.

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

As you know, to serve customer agencies (tenant agencies) in federal facilities, FPS must effectively balance the need for security with the need for ready public access to government services. This means that FPS, in conjunction with the agencies that

occupy the facilities, must provide security solutions that ensure a safe and secure environment and that do not deter people from conducting regular business.

FPS offers comprehensive physical security operations; installs security systems (alarm systems, X-rays, magnetometers, and entry control systems), monitors those systems 24 hours a day, seven days a week; and provides uniformed police response and investigative follow-up. The provision of contract security guard services, crime prevention seminars tailored to individual agency and employee needs, facility security surveys, integrated intelligence gathering and sharing, and special operations capabilities are all part of the broad FPS mission.

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. Of the approximately 9,000 buildings protected by FPS, 1,500 are categorized as Security Level III or IV (highest risk buildings).

## **CHALLENGES AND PROGRESS**

Upon my arrival in April 2007, it was apparent FPS was experiencing some serious challenges. The agency transferred from GSA to DHS in 2003 with a full-time equivalent (FTE) workforce of over 1,400 spread across the country into 11 regions, and I saw that FPS needed to focus on becoming a single, standardized organization. This required a new operational construct and new business practices. However, FPS simultaneously faced budget constraints due, in part to poor financial and contract management, as well as fee collections requested in the President's FY 2008 budget that

supported fewer personnel than were on board at the time the budget was sent to the Congress. To avoid having to reduce the number of federal employees, FPS sought to realize savings in other areas. Consequently, many programmatic elements such as training and equipment purchases had to be rescheduled until such time that FPS could determine that it had sufficient funding. FPS of course remained obligated and dedicated to protecting almost 9,000 GSA-owned and leased facilities, overseeing 15,000 armed contract security guards and managing over 150 contracts.

During this period, FPS carefully assessed its organization and made difficult decisions. This refocusing effort culminated in the development of a strategic plan to shape future activities (published 2008). 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 of and visitors to those facilities.

In particular, FPS focused on standardizing best financial 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 via prompt interest payments. This effort resulted in over \$1 million in savings in 2008.

The 2008 Consolidated Appropriations Act created a staffing baseline for FPS by requiring 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 FTEs. Providing our workforce with the appropriate skills in the appropriate geographic locations continues to be paramount on our task list and will underpin our comprehensive Mission Action Plan.

We also are focused on providing greater training to our entire security guard workforce and I will touch on the steps taken to improve training a little later in my

testimony. We are dedicated to our mission, to our profession, and to improving our organization's execution of this extremely important mission.

Further, the transfer of FPS from U.S. Immigration and Customs Enforcement (ICE) to the National Protection and Programs Directorate (NPPD) requested in the President's FY 2010 Budget will provide DHS with a single component responsible for a comprehensive infrastructure security program. The integration of FPS into NPPD enhances DHS' overarching strategy and mission to lead the unified effort to improve our nation's security.

### **RESPONSE TO GAO'S FINDINGS**

Within 24 hours of being notified of the GAO report dated July 8, 2009, titled *"Preliminary Results Show Federal Protective Service's Ability to Protect Federal Facilities is Hampered by Weaknesses in its Contract Security Guard Program"* (GAO-09-859T), FPS took the following actions:

- Established a national study group to examine FPS' visitor and employee screening processes;
- Directed FPS Regional Directors to exercise recently established overt and covert inspection techniques to assess, verify, and validate the various elements of employee and visitor screening processes;
- Required Regional Directors to institute random searches as part of visitor and employee screening procedures;
- Instructed Regional Directors to immediately increase oversight and inspection of contract guards and authorized overtime pay to accomplish and sustain this increased tempo;

- Instructed FPS employees to be constantly vigilant and to immediately report any observation of poor performance of duties of the contract guard force to FPS law enforcement personnel or their supervisors;
- Advised guard contractors in a letter that substandard performance of contract guards is unacceptable and will not be tolerated, and put them on notice that the number and frequency of guard post and certifications inspections will increase;
- Issued an Information Bulletin to all inspectors and security guards to reinforce training techniques and to provide them with information about screening packages, including examples of disguised weapons and components of improvised explosive devices (IEDs); and
- Provided information pertinent to the situation to all FPS stakeholders, including client/tenant agencies, regarding the incident and actions being taken in letters signed by the Director of FPS.

A team of people, both internal and external to FPS (including leadership from FPS, the Transportation Security Administration, U.S. Marshals Service, and senior DHS personnel), is now working diligently to implement meaningful and lasting solutions to deliver on these immediate actions.

FPS already has taken many steps to improve the visitor and employee screening process at federal facilities, including improved training of contract guards and oversight of those guards. These steps are summarized below:

- FPS had already addressed all of the specific personnel misconduct identified in the GAO report. In all cases, the employee or guard in question was removed from FPS contracts. With regard to the security breaches involving IED components, GAO still has not identified the specific location of the breaches. As

- noted below, however, any such breaches will be dealt with by across-the-board increased training, improved oversight, and fortified inspection policies.
- To ensure FPS contract guards have the training required to identify component parts of an IED, FPS issued a training bulletin to all contract guards about proper screening methods and situations indicative of a possible concern. FPS has confirmed that each contract guard company has confirmed that all of their guards have received the bulletin.
  - All contract security guards' certification and qualification records have been reviewed and updated. FPS also has met with each guard company to review protocols and continued communication with contract guard companies to impress upon them the importance of valid certifications.
  - Regional Directors have increased the frequency and quantity of certification inspections with contract guard companies.
  - FPS has completed filming of a training video, which was sent to all guard companies during the week of August 31. A contract modification has been made where necessary to ensure guard companies are required to certify when the video has been viewed by the guards. This video addresses how to screen for possible component parts of an explosive device and detect situations that warrant additional screening and questioning. As of September 17, 74.11 percent of guards had certified viewing; by the end of this current week, any guard company that has not achieved 100 percent viewing will be required to submit a completion plan.
  - On September 16, 2009, FPS continued its efforts in training its members and contract guard force by issuing a specific Training Bulletin regarding Peroxide-

based Homemade Explosives in light of recent developments involving terrorist activity identified by the Federal Bureau of Investigation (FBI).

- FPS has increased the frequency of guard post inspections and, based on availability of funds, anticipates maintaining this operational tempo. FPS has been deploying uniformed and plain-clothed FPS officers to inspect posts. In addition, FPS has increased around-the-clock random inspections.
- By the end of July, FPS reviewed and updated certification and qualification records for 100 percent of its contract security guard force. Not only was the information updated, it was also validated to ensure that every contract security guard has the qualifications and certifications required for his or her position. FPS immediately notified, and will continue to notify, individual contract security guards and the contract security guard company of any lapses. FPS will also provide instructions for corrective actions and consequences for not complying with those actions.
- FPS has established a Covert Testing Working Group (CTWG) to enhance and complement the ongoing efforts to improve FPS' operational oversight of the contract security guard program. Covert testing is already being done. However, the CTWG will establish a national covert testing program and determine a national schedule for testing facilities. The standardized testing kits are in procurement process and should be available within 90 to 120 days. The CTWG Policy is in draft stage and will be ready for signature within 90 days, and the first CTWG teams will be deployed within the 2nd Quarter of FY 2010. The formalized process of the CTWG will be complete and deployed within 180 days.
- Over the last year, FPS developed and implemented five new policies to strengthen its oversight of the contract guard program. These policies will



improve the contract award process and establish the frequency of inspections of guard posts. As guard post inspections are critical, the inspection policy prioritizes facilities based on risk.

- Even prior to the recent GAO report, FPS has assessed monetary deductions for personnel performance violations, including the failure to maintain proper certifications. In March 2008, FPS terminated for default a contract with a guard company for having various guards standing post with improper or fraudulent certifications.

In addition to all of those actions, I believe that more work is needed to improve the training of contract guards, and additional study is required to determine whether contract guards are maintaining constant vigilance. To that end, FPS is taking steps to bolster training and performance, increase oversight and supervision (including in the form of covert inspections), and create a more uniform protection system:

1) FPS has and will continue to receive and consider recommendations from the recently established national Tiger Team led by experienced FPS regional directors to critically examine FPS' visitor and employee screening processes.

2) FPS has developed a national training plan to train or re-train contract security guards on X-ray machines, magnetometers, and IED detection. The program: will standardize screening procedures and contract guard training across FPS; will be designed to increase the ability of FPS contract security guards to detect and prevent the introduction of suspicious items, weapons, and bomb components using x-ray and magnetometer technology; and will create a cadre of x-ray and magnetometer instructors who will be capable of delivering X-ray and magnetometer screening training to the contract security guards in each FPS region.

3) FPS is completely revising the system used to ensure that contract guards have the required training and certifications. In addition, certification and training information will be monitored using the Risk Assessment and Management Program (RAMP) to revolutionize the Facility Security Assessment (FSA) process and replace the six disparate systems currently used by our inspectors. RAMP will electronically notify each contract guard company of the status of each guard's certifications and qualifications as well as post inspections. If there is a lapse, the company and the supervising FPS inspector will be notified that the guard may not perform work on the contract. RAMP should be operational by November 2009.

4) FPS is also developing the Computer Aided Dispatch and Information System (CADIS), which will standardize reporting procedures, consolidate crime and incident reporting, and time stamp our operations, thus providing accurate, data-driven support for future staffing models. We anticipate CADIS being online in FY 2010.

5) In FY 2010, FPS will procure a Post Tracking System (PTS) to ensure uncertified or improperly certified guards do not stand post. This will function as an automated timekeeping system for contract security guards. The system will not allow a disqualified guard to "clock in" and the guard company will receive notice that the post is thus unmanned. PTS will improve 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.

6) FPS continues to examine if it has the proper mix of staffing. For example, FPS determined it will staff 11 vacant Regional Training Coordinator positions with temporary promotions until permanent selections can be made. FPS has selected and installed a Director for the Policy, Compliance and Audit Directorate to ensure that

policies and procedures governing oversight of the contract security guard force are not only standardized and implemented, but also result in the highest degree of protection of federal facility occupants.

7) FPS has awarded a national contract to increase national Explosive Detector Dog teams to 75 (currently staffed at 51). The first additional trainees report to Auburn University for training this month.

8) FPS will continue to increase random searches of packages, briefcases, and bags as part of visitor and employee screening procedures and ensure that signs are posted alerting those entering the building that they are subject to these searches.

9) FPS delivers recurring messages to FPS employees and other stakeholders to be constantly vigilant and to immediately report poor performance or suspicious activity.

10) FPS will continue dialogue with the DHS Science and Technology Directorate, Transportation Security Administration, the Office of Infrastructure Protection, and the U.S. Marshals Service to explore the possibility of developing and deploying new technologies, as well as training opportunities to improve the execution of FPS' mission.

11) FPS will replace X-ray machines with improved X-ray technology. FPS recently awarded a \$25 million, five-year blanket purchase agreement to lease new advanced X-ray machines.

## **CONCLUSION**

After reviewing the problems identified by GAO, I believe the steps outlined above will redress those problems, and the proposed future steps will ensure the improved protection of the nearly 9,000 GSA owned and leased buildings protected by

the FPS workforce and contract guards. In addition, Chairwoman Norton, I applaud your leadership role in the effort to strike the right balance between security and access to our federal buildings, and look forward to working with you and this Subcommittee on addressing those challenges.

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 the facilities they are charged with protecting are secure and that their occupants are safe.

Thank you again, Chairwoman Norton and Ranking Member Diaz-Balart, for holding this important oversight hearing. I would be pleased to answer any questions you may have.