

**Statement of
The Honorable James L. Oberstar
Subcommittee on Economic Development, Public Buildings, and
Emergency Management
Hearing On
“Federal Protective Service: An Agency In Need Of Rebuilding”
June 18, 2008**

During the 110th Congress, the Committee on Transportation and Infrastructure is focusing its efforts on ensuring the safety and security of the nation’s critical infrastructure. We believe in, and are committed to, the importance of investing in the nation’s infrastructure, from highways and transit to railroads, aviation, locks, dams, levees, wastewater facilities, and Federal buildings which make up the “built” infrastructure.

Today, the Subcommittee will receive testimony from the Government Accountability Office (“GAO”) on a report that Chairwoman Norton and I requested in February 2007. At that time, we were so concerned about the condition of the Federal Protective Service (“FPS”) that we requested that GAO conduct a top-to-bottom review of the FPS. We were concerned that there were not sufficient resources for the FPS to effectively fulfill its mission to protect Federal buildings, Federal employees, and the public who use the buildings.

The FPS is an entity within Immigration and Customs Enforcement (“ICE”) of the Department of Homeland Security and its mission is to “protect Federal buildings” and includes responsibility for protection against bomb threats, bombings, vandalism, mass demonstrations, and violence against public buildings. We asked GAO to review the FPS’ mission and responsibilities, budget authority, and necessary employee levels to support the mission. We asked for a review of salaries, recruitment programs, training, and retention of personnel.

The General Services Administration owns or has a lease interest in almost 9,000 buildings nationwide. The functional replacement value of the owned inventory alone is \$41.7 billion, while the annual rent paid to lessors for leased buildings is over \$4 billion. It is an awesome responsibility to maintain and protect the one million Federal employees who work in these Federal buildings and the public who use them daily. Regrettably, it is not clear that DHS and this administration appreciate the magnitude of this responsibility to the American public and its workforce.

I have become increasingly concerned that the FPS does not have adequate resources to provide top flight protection for Federal employees and buildings, and this GAO report confirms those fears. FPS’ workforce has been drastically reduced in recent years, which is only one of many concerns raised in this alarming GAO report. This report reveals several factors that have adversely impaired the FPS’ ability to protect Federal buildings and staff, including large staff turnover, poor building security assessments, inability to investigate crimes committed in Federal buildings, and lack of functioning cameras and other equipment that prevent incidents and enhance security.

The GAO found that, since the FPS’ transfer from GSA to DHS, security at GSA facilities has diminished and the risk of crime or terrorist attacks at many GSA facilities has

increased. In the past three fiscal years (FY 2004 through FY 2007), the FPS has cut the number of police officers by 40 percent (144 police officers) and inspectors by 10 percent (59 inspectors). As a result, FPS admits that, “authorized fees and FTE [full-time equivalent] levels have not been sufficient to ensure that basic security services are available and provided to all facilities that the FPS is tasked to protect.”

In addition, the GAO report findings include:

FPS has eliminated proactive patrols at many GSA facilities which, in the past, have allowed FPS police officers and inspectors to identify and apprehend individuals that were surveilling GSA facilities;

many Federal buildings are unprotected at night or on weekends, and supervisors are often located several hours away from buildings they are tasked with overseeing;

contract guards are unable or have been directed not to get involved in emergency situations or incidents;

response times by FPS personnel can extend into hours or days; and

security equipment, such as cameras, magnetometers, X-ray machines, and FPS radios, are often broken for months or years and poorly maintained.

In typical fashion, this administration’s response is that we need to “transform” the agency and privatize its functions. Private contract guards have been hired to supplement the FPS workforce and are typically assigned to fixed posts and are not proactive in investigating threats to Federal buildings or apprehending criminals. In the report, FPS officials reported that armed contract guards took no action as a shirtless suspect wearing handcuffs ran through the lobby of a major Federal building being chased by an FPS inspector. In another instance, GAO investigators witnessed an individual attempting to enter a high-security facility with illegal weapons. The contract guards allowed the individual to leave with the weapons – in clear violation of FPS policy.

Since its transfer to DHS, the FPS it has lost the focus of its mission and the administration has been unwilling to provide the necessary budgetary resources for the agency to achieve its critical mission. It appears the administration will not act until it is too late. The FPS experience is all too reminiscent of another DHS agency – FEMA. We saw the devastating effects of DHS’ management of FEMA in response to Hurricane Katrina. We need to fix the FPS now.