

TESTIMONY

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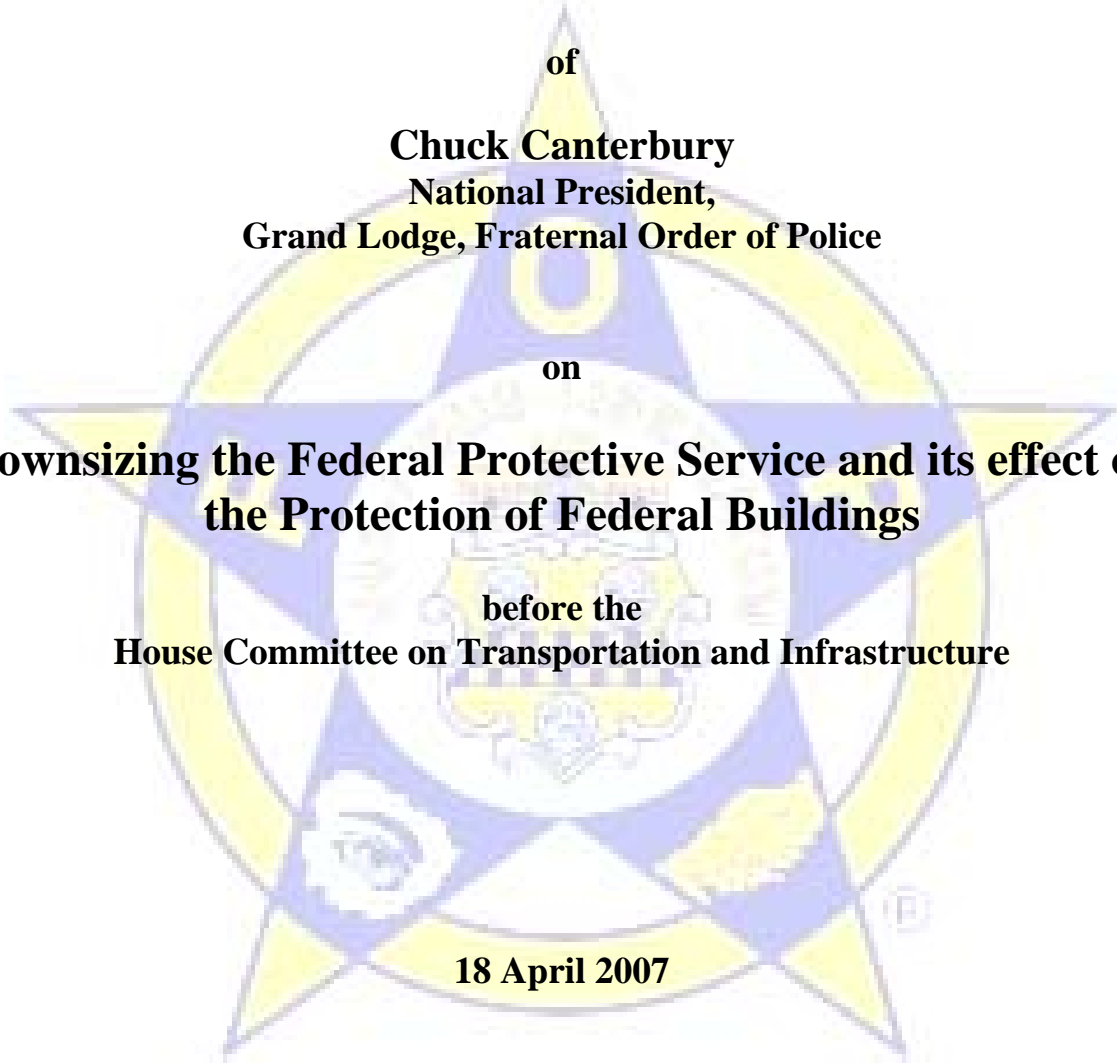
Chuck Canterbury
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on

**Downsizing the Federal Protective Service and its effect on
the Protection of Federal Buildings**

before the
House Committee on Transportation and Infrastructure

18 April 2007



Good morning, Mr. Chairman, Representative Mica, and distinguished members of the subcommittee. My name is Chuck Canterbury, and I am the National President of the Fraternal Order of Police. The FOP is the largest law enforcement labor organization in the country with 325,000 members nationwide, including members of the Federal Protective Service (FPS).

The FPS is a very distinct and highly professional law enforcement agency comprised of approximately 1,220 full-time investigators, police officers, special agents and support personnel who protect more than 8,800 Federal facilities throughout the country and the more than one million tenants and visitors to these buildings. Originally formed in 1971 as part of the Public Buildings Service of the General Services Administration (GSA), the FPS moved to the Department of Homeland Security (DHS) in March of 2003 and is now a part of the Immigration and Customs Enforcement (ICE) Bureau. In addition to protecting Federal facilities throughout the United States, the FPS is also charged with:

- Specialized emergency response capabilities, including Canine, Hazardous Materials (HAZMAT), and Weapons of Mass Destruction (WMD) Response Teams;
- Intelligence-sharing and investigative collaboration with law enforcement agencies at local, State, and Federal levels;
- Participating in Federal Anti-Terrorism Task Forces;
- Continuous monitoring of facility alarms and emergencies through four state-of-the-art “MegaCenter” remote dispatch control centers; and
- Protection support for public demonstrations, special events, including Presidential inaugurations and sporting events, such as the Olympic Games and the Kentucky Derby.

In 2005, the FPS responded to 53,527 offenses or incidents that resulted in 6,712 arrests or citations issued; detected 882,468 prohibited items; and provided law enforcement support at nearly 3,835 public demonstrations of varying size.

The FPS has done a wonderful job protecting the homeland and their service has proven to be invaluable. Since the attacks of September 11th, the threats to our nation’s facilities have multiplied, not just from foreign terrorist organizations such as Al-Qaida, but from domestic groups such as the Animal Liberation Front (ALF), organized criminal groups, and other individuals and organizations that would terrorize our nation. Hurricanes Katrina and Rita highlighted the fragile security of these facilities and the necessity to provide further protection. In June of 2005, the DHS did a survey on the threats to the facilities FPS protects. According to the survey, the FPS is actually *understaffed*. In order to fully respond to the multitude of threats that it faced, the survey recommended an increase in the total force to 1,817 inspectors and officers, 600 more than the current level. Furthermore, the survey also recommended that the number of supervisors be increased to a level of one for every five employees, far more than the current ratio of one supervisor for every *fifteen* employees.

Because of the critical role played by FPS in maintaining the security of our Federal facilities, the

FOP is deeply disturbed about media reports which cite agency officials as advocating a considerable reduction in the size of the force. The President's proposed FY 08 budget would call for a maximum of 950 Full Time Employees (FTE) at FPS, a reduction of 270 positions, mostly law enforcement and special agents. This is due to a projected \$80 million "shortfall" in the agency. Despite the reduction in FTEs, and the \$80 million "shortfall," the operating budget would increase by \$87 million. This does not seem like a prudent course of action for the agency and it will weaken security greatly at the 8,800 Federal facilities that are protected by the FPS.

If the plans to reduce FPS' size are carried out, ICE reports that security will be degraded and provided the following information:

- There will be no proactive patrol to deter attack planning and detect/deter suspicious and criminal activity. Reporting of suspicious activity will depend on Federal Employees and activity previously deterred by patrol may occur. Any pre-attack actions at a facility would only be detected by occupants or roving guards. Only reactive response will be provided;
- There will be no response to calls for police service to protect Federal employees and visitors, and investigate crimes at Federal facilities in areas where FPS will no longer have a presence. These facilities and employees will receive only the same response from local authorities as any other commercial property. Local police, particularly in large cities, respond based on a priority basis. This may mean criminal activity previously investigated may only be reported, with no investigation;
- There will be no FPS presence in approximately 50 current cities.
- Security risk assessments at 7,215 security level 1&2 facilities will be conducted every six years instead of every four years. Changes in threats and risks may not be noticed or mitigated;
- There will be no routine checks for compliance, countermeasure effectiveness or threat changes at 4,700 security level 2 facilities;
- FPS Explosive Detection Dog Teams will be stationed only in the 18 largest cities. 10 cities will no longer have the capability. Teams will be reduced from 60 to 29;
- Participation in FBI Joint Terrorism Task Forces will be reduced to 12 Special Agents from 24.
- Special Agents available to investigate serious crimes will be reduced to 14 from 58;
- There will be no night or weekend police response or service anywhere;
- The largest reductions will occur in New York and Washington DC due to proactive activity elimination; and
- States with largest percentage reductions also include Connecticut, Maine, New Hampshire and Wyoming.

If the cuts go ahead as planned, many FPS officers will be transferred to other positions in ICE. However, if their skills do not match the positions needed to be filled, a Reduction in Force (RIF) will be instituted. This means the loss of many highly trained and qualified officers. For many older officers who are limited by their age, this would mean early retirement, despite all of the years they have dedicated to the FPS. This is the wrong thing to do.

Reducing the number of GS 0083s (the GS rating for police officers) would also lead to a shift in

protective services away from these highly qualified men and women to contract security guards. Make no mistake, shifting responsibilities away from highly trained and highly qualified law enforcement officers to contract security guards is an egregious mistake, and will only serve to weaken security throughout this nation. Federal law enforcement officers are rigorously trained at one of the four Federal Law Enforcement Training Centers (FLETC) in the U.S. They go through an extensive screening process and they are highly skilled.

Contract security guards, on the other hand, are not trained at FLETC, nor are they held up to the same rigorous standards as Federal Law Enforcement Officers. Examples abound of the ineptitude of these contract security guards who have been ceded more and more responsibility of the past few years. There have been reports of fights breaking out between security guards at the Bureau of Engraving and Printing (BEP) because they could not agree on who got to go to sleep while on duty! In other instances security guards have been caught with narcotics or have even facilitated robberies at the installations they are charged to protect. Contract security is not, nor can it ever be, a replacement for fully sworn law enforcement officers. Transferring responsibility to security guards in these agencies has been the wrong thing to do, and the FPS would be wise not to follow this course of action.

What is happening to the FPS is not unique to Federal law enforcement. Over the past few years we have seen a gradual shift of responsibilities, manpower, and funding away from the highly trained and highly professional Federal law enforcement officers to unqualified and poorly trained contract security guards. This “cost-cutting” move has not only jeopardized the security of the installations where this has occurred, but has shaken the morale of the Federally sworn law enforcement officers who have seen their job responsibilities irrevocably reduced.

I can tell you from what I have heard from our officers within the DHS, especially the FPS, that many of them are disenchanted with the manner in which the Department has functioned. Their missions are oftentimes opaque and many of them are unsure of their job functions. These officers do not receive 6 (c) benefits, which are offered to most Federal law enforcement officers and enable them to retire at fifty (50) with twenty (20) years of service or at any age with twenty-five (25) years of service. They are also in a personnel system which abrogates many of the collective bargaining rights they were accustomed to before the Department’s creation. Now with these impending cuts in the FPS, their morale has been further reduced.

The proposed cuts to the FPS should be rejected, not only to ensure the security of the facilities which they protect, but also to strengthen the morale of the officers who are in the FPS, as well as that of the entire Department. Rather than reducing the number of officers in the FPS, there should be an increase, as was proposed by the Department less than two years ago. The officers also need to know that their jobs are safe and that their missions will not be compromised due to a supposed “shortfall” at the FPS if we are to maintain morale and ensure security.

Thank you for allowing me to testify on this important issue. I would now be happy to answer any questions you might have.