

**The Subcommittee on Economic Development, Public  
Buildings, & Emergency Management**

**Hearing on**

**H.R. 307- Federal Protection Service Reform Act**

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**PURPOSE**

The Subcommittee on Economic Development, Public Buildings and Emergency Management will meet at 10:00 a.m. on Thursday, September 6, 2001 in room 2253 Rayburn House Office Building to receive testimony on H.R. 307, the

Federal Protective Service Reform Act. The Subcommittee will receive testimony from the primary sponsor of the legislation, Congressman Traficant, the Commissioner of the Public Buildings Service of the General Services Administration, the Fraternal Order of Police and from the American Federation of Government Employees.

## **BACKGROUND**

The Federal Protective Service (FPS) dates back to 1790, with the enactment of legislation authorizing the President to appoint three commissioners to establish a federal territory for a permanent seat of Federal Government. The FPS has resided in a number of different agencies over the years. The Act of June 1, 1948 authorized the Administrator to appoint special policemen for duty in connection with the policing of all buildings owned and occupied by the United States. In 1949, Congress enacted the Federal Property and Administrative Services Act of 1949, which consolidated real property functions within the newly created General Services Administration (GSA). The FPS force, known at the time as the United States Special Police, came under the supervision of the Protection Division of the Public Building Service (PBS). In 1971, the Administrator of GSA signed an order formally establishing the Federal Protective Force, later known as the FPS and the Civil Service Commission authorized the special classification title of Federal Protective Officer (FPO).

Initially the main function of the FPS was protection, as an integral part of building operations. However the concept of “protection” in 1950 was dramatically different than it is today. For the most part, the force held fixed posts and performed duties that would be considered safety functions today, such as: eliminating fire and safety hazards, patrolling buildings, detecting fires, and providing the first line of defense in fighting fires; and answering visitor questions, assisting citizens, rendering first aid, and directing traffic when necessary.

The FPS mission has not drastically changed, however the concept of protection and training requirements have changed over the years. The Civil Service

Commission developed standards for applicants, which included a written examination, background investigations and physical examinations. By 1960, the FPS mission became the first line of defense against bomb threats, bombings, vandalism, mass demonstrations and violence against Federal buildings. More recently, the role of the FPS officer has undergone further changes. The FPS has shifted its emphasis from the fixed guard post concept of security to a mobile police patrol and response. FPS officers perform all duties attendant to the normal interpretation of a police officer function, including maintaining law and order, and preventing or deterring disturbances; in addition to investigating both felonies and misdemeanors.

The current FPS force is composed of both uniformed and non-uniformed officers, including criminal investigators and law enforcement and security specialists (LESO). Training for FPS officers includes eight weeks of instruction at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia, with additional periodic in-service and refresher training courses. FPS supervisors without military or local police training participate in a Leadership Academy Law Enforcement Course held at FLETC, which consists of two, two-week sessions. FPS currently has a force of approximately 564 uniformed Federal Protective Officers, which includes 116 LESO's and 448 FPO's, in addition to 54 criminal investigators and 244 physical security specialists. In 1971, total employment of FPO's exceeded 4,500. By 1995, the FPO force had been reduced to less than 500. At the same time, contract guard workforce had grown from 700, to over 2,500. The total protective force stood at 3,000, while the PBS inventory had grown by 70 million square feet of space, from 230 million square feet of space in the 1970's to over 300 million in 1995.

In the wake of the 1995 Oklahoma City Federal Building bombing, the Department of Justice (DOJ) assessed the vulnerability of Federal office buildings in the United States, particularly to acts of terrorism and other forms of violence. The United States Marshals Service coordinated the study. GSA participated, as did the FBI, DOD, Secret Service, Department of State, Social Security Administration, and Administrative Office of the U.S. Courts.

The DOJ report made several recommendations to bring each federal facility up to minimum standards recommended for its security level. Part of the recommendations centered on upgrading the Federal Protective Service. The report noted that the FPS has the experience and historical character to provide security

services for much of the Federal workforce and that FPS has limited resources to determine building security requirements to address terrorist threats and does not have the resources to respond to these requirements even if the requirements are properly articulated. Furthermore, the report stated that placement of the FPS within the organizational structure of GSA may have limited the ability of the FPS to obtain the resources to assure appropriate security in large, multi-tenant facilities, even when the security needs have been well defined. FPS, according to the report, needs to reestablish its role and take the lead in emphasizing the need for security. The recommendations reemphasized GSA's primary responsibility for implementing Federal building security.

### **H.R. 307**

H.R. 307, introduced by Congressman Traficant, amends the Act of June 1, 1948, to reform the FPS. Specifically, the bill updates the designation of police officers, wherever the term special policemen appears, changes the designation of non-uniformed special policemen to special agent, and designates uniformed guards as certain employees; provides police officers with additional authority while on duty. Such duties include carrying of firearms, petitioning Federal courts for arrest warrants, and executing arrest warrants, arresting an individual without warrant if such individual commits a crime in the officer's presence or if the officer has probable cause that the individual has committed a crime or is committing a crime, and conducting investigations, on and off the property in question of offenses that have been or may be committed against property under the control of GSA, or against persons on such property. The Administrator is authorized to enter into agreements with state and local entities to obtain authority to extend local police powers to FPO's in areas adjacent to property under the custody and control of GSA.

In addition, H.R. 307 authorizes the Administrator of GSA to create a Federal Protective Service as a separate operating service outside of PBS, to be headed by a Commissioner, appointed by the Administrator, and who shall report to the Administrator. The new Commissioner is required to have at least five years of law enforcement experience in a command or supervisory position. The Commissioner is authorized to appoint Regional Directors and Assistant Commissioners, which have at least five years of law enforcement experience, including two years of supervisory experience.

The bill directs the Office of Personnel Management (OPM) to conduct a survey of the pay and benefits of all other Federal police forces to determine disparities between the pay and benefits of such forces. The Director of OPM is to transmit the findings to Congress six months after the date of enactment. Also, within one year of enactment the minimum level of full time equivalent police officers is established at 730. The Commissioner of FPS is required to prescribe the minimum standards of suitability in contracting for security guards and will conduct a cost analysis on each security personnel contract.

Title II of H.R. 307, amends the Public Buildings Act of 1959, concerning safety and security of children enrolled in childcare facilities located in Federal buildings. The bill instructs GSA to notify the parents or guardians enrolling their children in a childcare center located in a Federal building of the current Federal agencies occupying the building, the level of security of that particular Federal building and to notify parents of any change of Federal tenants in the building. It also requires GSA to submit a comprehensive report to Congress on childcare facilities under the control of the Administrator.

## **WITNESSES**

### **Panel I**

[The Honorable Jim Traficant, Member of Congress, Ohio-17](#)

### **Panel II**

Mr. Joseph Moravec  
Commissioner  
Public Buildings Service, General Services Administration  
Accompanied by: Richard Yamamoto  
Acting Assistant Commissioner  
Federal Protective Service, Public Building Service

### **Panel III**

Mr. Bobby Harnage, Sr.  
National President  
American Federation of Government Employees, AFL-CIO

Mr. Steven Bellew  
Vice Chairman  
Fraternal Order of Police, Federal Protective Service Labor Committee

Statement of Hon. James A. Traficant, Jr.

Committee on Transportation and Infrastructure

Subcommittee on Economic Development, Public Buildings and  
Emergency Management

September 6, 2001

HR 307

The Federal Protective Service Reform Act of 2001

Mr. Chairman, Mr. Costello and Members of the Subcommittee.

I am making this statement in support of my Bill HR 307, The Federal Protective Service Reform Act of 2001. I have offered this legislation to correct serious deficiencies within GSA that threaten the lives of Americans across the nation.

When the Murrah Federal Building was attacked in 1995 it was done so after careful planning that used the holes in the federal security net to allow the massive destruction and loss of life that we have witnessed and has touched all Americans.

Sadly, there are others like Timothy McVeigh who would perpetrate another such crime, in fact my office regularly shares leads on possible terrorist activities with the law enforcement community. Those who helped Timothy McVeigh and are still at

large would no doubt help another madman or would themselves inflict massive pain and suffering on more people with little thought or conscience.

Also sadly GSA through the Public Building Service (PBS) and its Federal Protective Service are as ill equipped and ill managed to prevent such a tragedy today as they were now some six years ago.

The numbers of well-trained and motivated Police Officers has been allowed to dwindle just as it did in 1995. Morale within the Federal Protective Service is at an all-time low and good experienced officers are leaving the system out of disgust.

It is time to change the system before more Americans have to pay for this mismanagement and negligence with their own blood.

In 1994 a memo was circulated within GSA warning of problems that could occur if the number of Police Officers continued to drop. GSA ignored this warning then and they are ignoring the safety of the American Public now.

Recent actions by those within the leadership of the Federal Protective Service and the Public Building Service have shown a total disregard for sound law enforcement principles, oversight by Congress and the very regulations that are supposed to be the guidelines for operation of the Federal Protective Service. The Federal Protective Service recently initiated a condensed leadership-training program at the Federal Law Enforcement

Training Center (FLETC) in Brunswick, Georgia. This program was designed to give Law Enforcement credentials to Public Building Service personnel who had no real meaningful law enforcement experience. The goal I believe was to credential persons who were already in management positions that they were not suited for, in an attempt to make the Federal Protective Service look more like a professional law enforcement organization.

We are handing out guns and badges to people who have never spent time on the street in critical situations and giving them control over the system, literally placing life and death in their hands.

This program violates the Federal Protective Service guidelines and regulations. Moreover when I learned of this program I made inquiries only to be stonewalled. Federal Protective Service management claimed that the program had been designed and endorsed by FLETC.

FLETC on the other hand told my staff that it was the Federal Protective Service management that had requested the course and had designed the synopsis from a selection of regular courses offered at FLETC.

The last time I checked, Lying to Congress was a felony and a system that has this much total disregard for the rule of law, its' own regulations and Congressional oversight is one that should be changed as soon as possible before more innocent people die from neglect.

This is the same system, the same managers that ignored Public law 100-440, violated it by reducing the federal police force size to only 40% of what was mandated on April 19, 1995, when a complete lack of security allowed Timothy McVeigh and others to kill 168 innocent Americans with impunity.

Timothy McVeigh has been put to death for this crime, yet GSA has not been held to answer for their willful violation of the Law, which was a factor in the original planning and carrying out of the bombing.

In the aftermath of the tragedy of the bombing GAO found a disturbing and massive pattern of falsifying installation records of security upgrades on the part of PBS. Countermeasures such as x-ray scanners and metal detectors were carried on the books as installed and operational when in reality they were found by GAO auditors to be sitting in a warehouse in Washington while the warranties were expiring.

HR 307 addresses these problems by re-establishing the Federal Protective Service within GSA and requiring that competent and seasoned Law Enforcement Management veterans lead it.

HR 307 is supported by every major Law Enforcement Organization in the United States, it is supported by the labor unions who represent the employees in the facilities that under the charge of the Federal Protective Service.

HR 307 is not supported by the leadership of the Public Building

Service in part because it would eliminate the ability of that leadership to access and spend funds designated to be spent on legitimate security and law enforcement needs on other things.

HR 307 would eliminate the shortsighted firing of officers such as happened in New York City last year. While Usama Bin laden and company were threatening sites in New York, the Federal Protective Service cut the number of officers in half. Now the taxpayers are buying airline tickets and hotel rooms for officers who must be sent in on temporary details in order to bolster the weakness of the force in New York City. One of these officers will be testifying here today.

HR 307 needs to proceed through to passage in the House and Senate without delay. The lives of innocent Americans are far too important to play politics or semantic games with. Domestic terrorism is far too dangerous and the human cost too high for second chances.

As it is currently organized the Federal Protective Service cannot effectively fulfill its law enforcement mission and it is not in any sense the security advocate that it need to be for the millions of Americans who work in and visit Federal facilities everyday.

I urge you to move this legislation and help it along with all diligence for the sake of the living and most importantly out of respect for, and in memory of those innocent victims who paid for our carelessness with their lives.



**TESTIMONY**

**of**

**Steven Bellew  
Vice Chairman,  
Fraternal Order of Police –  
Federal Protective Service Labor Committee**

**on**

**H.R. 307, the “Federal Protective Service  
Reform Act”**

**Before the**

**House Committee on Transportation and  
Infrastructure,  
Subcommittee on Public Buildings and Economic  
Development**

**6 September 2001**

Good morning Mr. Chairman, Ranking Member Costello, and Members of the Subcommittee on Public Buildings and Economic Development; and thank you for giving me the opportunity to appear before you today. My name is Steven Bellow, and I am a Federal Protective Service Officer from Dallas, Texas, and Vice Chairman of the Fraternal Order of Police – FPS Labor Committee. I am here today at the request of Steve Young, National President of the Grand Lodge, Fraternal Order of Police to testify about the importance of enhancing public safety through enactment of H.R. 307, the “Federal Protective Service Reform Act.”

For several years, the F.O.P. has strongly advocated reform of the existing structures and jurisdictions of the Federal Protective Service. We know that this is an issue of the utmost importance to Members of this Subcommittee, and we thank you for holding this important hearing.

The tragic bombing of the Murrah Building in Oklahoma City in 1995 and the deaths of 168 innocent people served as a startling

reminder that the United States is not immune to acts of terrorism, and underscored the need for increased protection at America's Federal buildings provided by a highly skilled and qualified organization of law enforcement professionals. Congress listened to the concerns of FPS officers and others, and thanks to the work of the Members of this Subcommittee and the full Committee on Transportation and Infrastructure, the House of Representatives passed a version of this legislation in the 106<sup>th</sup> Congress by voice vote.

Despite the fact that since 1995 much has been done to strengthen Federal building security and public safety, we continue to view the General Services Administration and the Public Buildings Service as unwilling or unable to implement those reforms which are most necessary to address several lingering problems within the Federal Protective Service. Among these are providing clear, direct line control authority to the FPS Assistant Commissioner, ensuring law enforcement experience in front line supervisors and managers, increasing the number of fully sworn and qualified FPS police officers, and addressing the heavy reliance of GSA on the use of contract security guards to provide the bulk of protective services in America's Federal buildings.

One of the most important provisions of H.R. 307 continues to be the separation of FPS from the Public Buildings Service, and reestablishing the agency as a separate operating entity of the General Services Administration. By placing the Federal Protective Service outside of the Public Buildings Service, the legislation ensures that law enforcement will be given the same

level of consideration as property management, and not as a secondary concern of PBS. Over the years, we have heard from GSA and PBS that separating the two entities would impede the integration of the design and management of public buildings with the security of those facilities. In fact, however, providing FPS with an opportunity to provide independent review and recommendations with regard to the design and management of public buildings can only help to strengthen the security and public safety of those buildings and, in the end, save lives.

We would also direct the Subcommittee to two separate reports which support this provision of H.R. 307. In 1995, the Department of Justice, the US Marshals Service and several other Federal law enforcement agencies released the *Vulnerability Assessment of Federal Facilities*, which contained several important recommendations to upgrade the capabilities of the FPS. Specifically, the report noted that “the placement of FPS within the organizational structure of GSA [under the Public Buildings Service] may have limited the ability of FPS to obtain the resources to assure appropriate security in large, multi-tenant facilities, even when the security needs have been well-defined.” The report went on to recommend that FPS, and *not* the Public Buildings Service, should be responsible for providing security services for GSA-controlled facilities, improving the standards for contract guards, and be responsible for the implementation and maintenance of a centralized data base of all Federal office buildings.

In addition, the 1996 *Federal Operations Review Model (FORM): Federal Protective Service*, a GSA-requested study by

Arthur Anderson, concluded that of the recommendations for FPS contained in the 1995 *Vulnerability Assessment*, “elevation is most advantageous to the government as it will provide for cost savings as well as enable FPS to be self-financing.” Having recommended that FPS be elevated to a Service Line organization reporting directly to the Administrator of GSA, the study further concluded that this would recognize the priority of security in the Federal environment, ensure a direct funding mechanism for Federal security, provide savings on overhead costs, and streamline the management and reporting structure.

The Fraternal Order of Police continues to believe that separation and elevation of the Federal Protective Service is the only sure way of improving the effectiveness and the capabilities of the agency. The often used comparison of the relationship between PBS and FPS with that of the U.S. Park Police and the National Park Service used by PBS officials is not entirely accurate. We would submit that, like the Park Police, 99 percent of all Federal, State and local law enforcement agencies have the same type of command and reporting structures. For a local agency, officers on the beat report to sergeants, who in turn report to lieutenants, on up to the Chief of Police—all of whom have direct law enforcement experience. The Chief is then responsible to the Mayor and City Council. Indeed, it would be extremely odd to see a law enforcement agency independent of any civilian oversight, and would no doubt be a major source of concern to the citizenry. By the same token, we are unaware of any agency structured in a similar fashion to that of the FPS, where you have civilian PBS managers and employees interspersed throughout the command structure from the Officer up to the Assistant

Commissioner of FPS.

The most important and direct benefit of a separate law enforcement organization within GSA would be the establishment of direct line control authority for the Assistant Commissioner FPS, and a clear chain of command from the field to the headquarters level. In response to a Senate hearing in September 2000 on this issue, as well as the efforts in recent years to enact the “Federal Protective Service Reform Act,” GSA attempted to address this issue in November of last year through an administrative order. The order reassigned FPS Division Directors in the regions from reporting to the Assistant Regional Administrators for PBS to reporting directly to the Assistant Commissioner of FPS.

However, in April of this year, our Labor Committee was advised by agency management that there would be several changes to the FPS organizational structure on the regional level. Into this new structure, two new levels of civilian managers were put in place between the FPS law enforcement officers and the Deputy Regional Directors—the District Director and the Area Security Manager who, according to the new organization chart, are “trained in leadership, physical security and law enforcement.” These civilian managers would attend a newly established four-week FPS leadership academy at the Federal Law Enforcement Training Center, which is aimed at teaching the rudiments of police and physical security work to upper level managers within the agency. Upon completion of the course, they are given police authorization under 40 USC 318 to enforce laws, make arrests, and execute arrest and search

warrants. This appears to be in direct violation of established PBS policy (PBS P 5930.17C) which states that persons other than FPS police officers and Law Enforcement Security Officers (LESO) must possess one year of police experience as an FPS police officer, LESO, or state or local law enforcement officer prior to gaining 40 USC 318 authorization.

In May of this year, GSA made further moves to undo the direct line control of the FPS Assistant Commissioner when they redelegated personnel authority from the Assistant Commissioner to the FPS Regional Directors. Essentially, these Regional Directors now have authority over personnel selection, promotion, detail and reassignment; disciplinary actions, adverse actions, and actions based on unacceptable performance; grievances; training; labor relations on the regional level; and approval of budgetary obligations. And according to our information, nine of the eleven Regional Directors are former PBS employees or managers.

In addition to reestablishing FPS as a premiere Federal law enforcement agency, H.R. 307 has several other provisions vital to the future of the Service. It will clarify and enhance the authority of FPS officers, to include the carrying of firearms, petitioning Federal courts for arrest warrants, and executing those warrants; and it will further ensure that individuals throughout the chain of command have the experience and knowledge necessary to effectively command a law enforcement force. Indeed, the requirement of Section 106 regarding the qualifications of the newly created FPS Commissioner, Assistant Commissioner, and Regional Directors is in line with the

testimony of Mr. Joel Gallay of the GSA Office of Inspector General during the September 2000 Senate hearing on this legislation. Mr. Gallay noted that “law enforcement agencies which operate within larger parent organizations...are traditionally staffed by professional law enforcement personnel. This structure assures more effective oversight of the use of law enforcement authorities and consistent application of policies and procedures, particularly important with respect to matters such as jurisdiction and the use of deadly force.”

Furthermore, the provisions of H.R. 307 regarding the reestablishment of FPS will help to ensure that the Assistant Commissioner has direct control over the vital issues of funding and staffing levels at GSA facilities across the country. One example of the need for this provision is the recent situation in New York City during the World Trade Center and African embassy bombing trials in which 35 “term” police officers hired to supplement the existing force and provide enhanced security were fired at the end of Fiscal Year 2000.

In 1999, the General Services Administration planned to reduce the level of FPS officers in that region at the end of Fiscal Year 1999, effective October 1. This prompted a letter from Attorney General Janet Reno to then-Administrator David Barram requesting that GSA continue to provide the same level of protective services in the region in Fiscal Year 2000, at the previously authorized level. These were fully sworn and trained law enforcement officers who had completed the 10-week police training course at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia, and were responsible for providing law enforcement services at the Federal Civic Center; consisting

of 26 Federal Plaza, 290 Broadway, 40 Foley Square, the U.S. Court of International Trade, 1 St. Andrews Plaza, the U.S. District Court, 500 Pearl Street, the Bureau of Prisons facility at the Manhattan Correctional Center, and Federal facilities in Newark, New Jersey. While it is true that the World Trade Center bombing trials had concluded by the time of their removal, there was a potentially greater threat posed by the commencement of the African Embassy bombing trials of individuals associated with the terrorist network of Osama bin Laden.

The “Federal Protective Service Reform Act” will also address the security concerns raised by GSA’s heavy reliance on the use of contract security guards to provide the bulk of protective services in America’s Federal buildings. As a whole, private contract security guards do not receive the same level or quality of training as do FPS police officers, who are required to attend the twelve week police training course at FLETC, followed by various in-service training programs. While the use of contract guards by GSA has been steadily increasing over the years, the number of full-time police officers has declined. This decline was appropriately noted in the House Transportation and Infrastructure Committee report on H.R. 809 (H. Rpt. 106 – 676, pg. 5):

“Since 1971, the workforce of both PBS and FPS has steadily shrunk. In 1971, total employment of Federal Protective Officers (FPO’s) exceeded 4,500. By 1995, the FPO force had been reduced to less than 500. At the

same time, [the] contract guard workforce had grown from 700, to over 2,500. The total protective force stood at 3,000, while the PBS inventory had grown by 70 million square feet of space, from 230 million square feet of space in the 1970's to over 300 million in 1995. The extent of protective personnel coverage had shrunk dramatically.”

The Committee also noted that by 1995, guard functions in Oklahoma City had been so reduced, that a single contract guard, who also provided protection for two other Federal buildings, was responsible for patrolling the Murrah Building. Section 109 of the bill addresses this concern by authorizing the new Commissioner of FPS to proscribe minimum standards of suitability for employment which are to be applied by the agency in the contracting of private security guards for GSA buildings.

A second provision of H.R. 307 also speaks to this issue. Section 108 of the legislation requires that FPS hire and maintain no less than 730 full time police officers one year after enactment. Unfortunately, this provision is greatly needed due to GSA's disregard of the provisions of Public Law 100-440. Through this, Congress had attempted to require the agency to increase the number of police officers and retain an annual average of not less than 1,000 Full Time Equivalent (FTE) positions. Congress initially imposed this requirement in 1988 because of the concern that the FPS was insufficiently staffed to enable it to meet its important responsibilities to the public and

Federal employees. I am sure that there are myriad reasons why this congressional mandate was never implemented by GSA, however, I would refer the Subcommittee to the Office of Inspector General's (OIG) June 30, 1995, *Report on GSA's non-compliance with Section 10 of the General Provisions of Public Law 100-440* (Report No. A53663/A/C/F95018).

Although never being presented with a definitive explanation for the agency's refusal to implement this provision, the OIG concluded that:

- GSA management did not support the requirement for a larger uniformed protective unit, evidenced by the fact that whenever funding and FTE positions became available, these additional resources were directed into an alternative protection program—even after P.L. 100-440 was enacted;
- While agency management did not seek to increase its uniformed police force, GSA made no effort to inform or attempt to work with Congress to get the law changed until 1995;
- Despite the fact that Senate Report 100-387 (June 17, 1988) directed GSA to fund the hiring of additional Federal Protective Officers (FPO) using funds appropriated for real property operations, GSA used available funds to hire Physical Security Specialists and

*increase* contract guard services;

- In Fiscal Year 1990, the evidence indicated that the agency's internal budget directives did not provide for an increase in regional FPO positions. Not only were the FPO ranks not increased, but GSA also permitted the number of officers to decline significantly; and
- "The fact that responsible agency managers knew of the law and neither took action to comply with it nor reported non-compliance during past years' Federal Managers' Financial Integrity Act (FMFIA) processes was in itself a breach of the FMFIA and a reportable condition. Moreover, the fact that such a large circle of management was aware of the non-compliance issue and did little to address it calls into question the general state of the management environment which permitted this to happen."

In addition to highlighting the need for and the benefits of this legislation, I would also like to use the opportunity afforded by this hearing to point out several provisions which the F.O.P. believes should be amended during the future markup of H.R. 307. First, as you will recall, the bill ran into difficulty last year with several Federal law enforcement agencies and the Department of Justice over their concern that the bill could be construed to alter their authority to provide security to a number of Federal buildings throughout the country. For example, the

U.S. Marshals service was concerned about a possible conflict with their authority to provide security to the judiciary in those Federal courts located in facilities under the control of the Administrator of GSA. In order to speed passage of this legislation, we recommend that the language of current Section 106 be amended to ensure that nothing in the bill will affect the existing authority or jurisdiction of any other law enforcement agency of the Department of Justice and the Department of the Treasury.

Secondly is the issue of the “Contract Cost” study required under Section 109 of H.R. 307—an extremely important issue to the rank and file officers of the Federal Protective Service and to our membership. With the main purpose of this bill being the reestablishment of the Federal Protective Service as an elite Federal law enforcement agency, the effect of this section if enacted into law would be the exact opposite. It is our hope that through passage of this bill, the agency will be able to increase their ranks with qualified Federal law enforcement officers above and beyond the current requirements of H.R. 307. Therefore, our main concern is that this section would give GSA and PBS administrators the hard data they need to justify not increasing the number of uniformed law enforcement officers above the 730-officer requirement of Section 108 in the name of cost savings.

In addition, we do not believe that there is any study which could ever be conducted which would adequately reflect the costs and benefits of maintaining a full-time force of fully trained and sworn law enforcement officers as opposed to contract security guards. The dangers of contracting out law enforcement and

security services far outweigh any perceived benefit or cost savings. As I mentioned before, private security guards are not required to undergo the same rigorous training and do not possess the minimum skills necessary to serve as full time police officers. Furthermore, while the main concern of any police officer is the preservation of the peace and public safety, private contractors are always driven by the bottom line. For these and many other reasons, we request the Subcommittee's assistance in deleting the "Contract Cost" study from Section 109 of the legislation.

Finally, is the issue of pay and benefits under current law. One of the reasons that the FPS has been unable to obtain a better pay and benefits package in the past has been as a result of existing Title 40, Section 318 which states, "the Administrator of General Services, or officials of the General Services Administration duly authorized by the Administrator, may appoint uniformed guards of such Administration as special policemen *without additional compensation* for duty in connection with the policing of all buildings and areas owned or occupied by the United States and under the charge and control of the Administrator." Therefore, we request that the proper amendment be made to H.R. 307 to delete the phrase "without additional compensation" from current law under 40 U.S.C. 318(a).

The legislation which is before the Subcommittee again this year is an issue of the utmost concern to the Fraternal Order of Police and the officers of the Federal Protective Service. We continue to view H.R. 307 as an officer safety issue, supported by law enforcement professionals who take a great deal of pride in the

work they do and the agency they work for. As a Federal Protective Service Police Officer, I believe that the safety of Federal employees and the security of the facilities which they occupy are of vital concern to our national security; and that H.R. 307 is the best solution for the issues which I have outlined for you here today. We hope that the Subcommittee will move forward with this legislation as soon as possible, and we look forward to working with the Members of the Subcommittee to ensure House passage of this legislation prior to the end of the current Session. On behalf of National President Young, the F.O.P. wishes to thank you again Mr. Chairman for your continuing work to strengthen the Federal Protective Service and your commitment to America's Federal, State and local law enforcement officers.

I would be pleased to answer any questions you may have.