HOMELAND SECURITY

Challenges Associated with Federal Protective Service’s Contract Guards and Risk Assessments at Federal Facilities

Statement of Mark L. Goldstein, Director Physical Infrastructure Issues
HOMELAND SECURITY

Challenges Associated with Federal Protective Service’s Contract Guards and Risk Assessments at Federal Facilities

What GAO Found

The Federal Protective Service (FPS) faces challenges ensuring that contract guards have been properly trained and certified before being deployed to federal facilities around the country. In a September 2013 report, GAO found that providing active-shooter-response and screener training is a challenge for FPS. For example, according to officials at five guard companies, their contract guards have not received training on how to respond during incidents involving an active-shooter. Without ensuring that all guards receive this training, FPS has limited assurance that its guards are prepared for such a threat. Similarly, officials from one of FPS’s contract guard companies stated that 133 (about 38 percent) of its approximately 350 guards have never received screener training. As a result, those guards may be using x-ray and magnetometer equipment at federal facilities that they are not qualified to use, raising questions about their ability to properly screen access control points at federal facilities—one of their primary responsibilities. We were unable to determine the extent to which FPS’s guards have received active-shooter-response and screener training. FPS agreed with GAO’s 2013 recommendation that they take steps to identify guards that have not had required training and provide it to them. GAO also found that FPS continues to lack effective management controls to ensure its guards have met its training and certification requirements. For instance, although FPS agreed with GAO’s 2010 and 2012 recommendations that it develop a comprehensive and reliable system for managing information on guards’ training, certifications, and qualifications, it still does not have such a system. Additionally, 23 percent of the 276 guard files GAO examined (maintained by 11 of the 31 guard companies we interviewed) lacked required training and certification documentation. Examples of missing items include documentation of initial weapons and screener training and firearms qualifications.

GAO’s preliminary results indicate that several agencies, including FPS, do not use a methodology to assess risk at their facilities that aligns with the Interagency Security Committee’s (ISC) risk assessment standards. Risk assessments help decision-makers identify and evaluate security risks and implement protective measures to mitigate the risk. ISC’s standards state that agencies’ facility risk assessment methodologies must: 1) consider all of the undesirable events identified by ISC as possible risks to federal facilities, and 2) assess the threat, vulnerability, and consequence of specific undesirable events. Most commonly, agencies’ methodologies that GAO reviewed are inconsistent with ISC’s standards because they do not assess facilities’ vulnerabilities to specific undesirable events. If an agency does not know its facilities’ potential vulnerabilities to specific undesirable events, it cannot set priorities to mitigate these vulnerabilities. In addition, as GAO reported in August 2012, although federal agencies pay FPS millions of dollars to assess risk at their facilities, FPS’s risk assessment tool is not consistent with ISC’s risk assessment standards because it does not assess consequence (i.e., the level, duration, and nature of loss resulting from undesirable events). As a result, FPS and the other non-compliant agencies GAO reviewed may not have a complete understanding of the risks facing approximately 57,000 federal facilities located around the country (including the 9,600 protected by FPS).
Chairman Duncan, Ranking Member Barber, and Members of the Subcommittee:

We are pleased to be here to discuss the results of our September 2013 report, which the Subcommittee is releasing today, and the efforts of the Department of Homeland Security’s (DHS) Federal Protective Service (FPS) to protect the nearly 9,600 federal facilities that are under the control and custody of the General Services Administration (GSA). The 2012 shooting at the Anderson Federal Building in Long Beach, California, and the results of our 2009 covert testing and FPS’s ongoing penetration testing demonstrate the continued vulnerability of federal facilities. Moreover, the challenge of protecting federal facilities is one of the major reasons why we have designated federal real property management as a high-risk area.¹

FPS is authorized (1) to protect the buildings, grounds, and property that are under the control and custody of GSA, as well as the persons on the property; (2) to enforce federal laws and regulations aimed at protecting such property and persons on the property; and (3) to investigate offenses against these buildings and persons.² FPS conducts its mission by providing security services through two types of activities: (1) physical security activities—conducting security assessments and recommending countermeasures aimed at preventing incidents—and (2) law enforcement activities—proactively patrolling facilities, responding to incidents, conducting criminal investigations, and exercising arrest authority. To accomplish its mission, FPS currently has almost 1,200 full-time employees and about 13,500 contract guards deployed at federal facilities across the country. It expects to receive approximately $1.3 billion in fees for fiscal year 2013.³


² Section 1315(a) of title 40, United States Code, provides that: “To the extent provided for by transfers made pursuant to the Homeland Security Act of 2002, the Secretary of Homeland Security...shall protect the buildings, grounds, and property that are owned, occupied, or secured by the Federal Government (including any agency, instrumentality, or wholly owned or mixed-ownership corporation thereof) and the persons on the property.”

³ To fund its operations, FPS charges fees for its security services to federal tenant agencies in GSA-controlled facilities.
Since 2008, we have reported on the challenges FPS faces with carrying out its mission, including overseeing its contract guards and assessing risk at federal facilities. FPS’s contract guard program is the most visible component of the agency’s operations, and the agency relies on its guards to be its “eyes and ears” while performing their duties. However, we reported in 2010 and again in 2013 that FPS continues to experience difficulty ensuring that its guards have the required training and certifications. Before guards are assigned to a post (an area of responsibility) at a federal facility, FPS requires that they all undergo employee fitness determinations\(^4\) and complete approximately 120 hours of training provided by the contractor and FPS, including basic training and firearms training. Among other duties, contract guards are responsible for controlling access to facilities; conducting screening at access points to prevent the introduction of prohibited items, such as weapons and explosives; and responding to emergency situations involving facility safety and security.\(^5\) FPS also faces challenges assessing risks at the 9,600 facilities under the control and custody of GSA. For instance, in 2012, we reported that FPS’s ability to protect and secure federal facilities has been hampered by the absence of a risk assessment program that is consistent with federal standards.

This testimony is based on our September 2013 report, released today,\(^6\) previous reports,\(^7\) and preliminary results of work we conducted for a report that we plan to issue to the Chairman later this year.\(^8\) This

---

\(^4\) A contractor employee’s fitness determination is based on the employee’s suitability for work for or on behalf of the government based on character and conduct.

\(^5\) In general, guards may only detain, not arrest, individuals at their facility. Some guards may have arrest authority under conditions set forth by the individual states.


\(^8\) That report will contain our final evaluation and recommendations about agencies’ risk assessment methodologies.
testimony discusses (1) challenges FPS faces in ensuring contract security guards deployed to federal facilities are properly trained and certified and (2) the extent to which FPS and select federal agencies’ facility risk assessment methodologies align with federal risk assessment standards issued by the Interagency Security Committee (ISC). To identify challenges associated with ensuring FPS’s contract guards are properly trained and certified, we analyzed selected guard services contracts active as of September 2012 and FPS’s Security Guard Information Manual. We drew a non-generalizable sample of 31 contracts from FPS’s 117 guard services contracts (one contract for every guard company with which FPS has contracted for non-emergency guard services). A subset (11) of the 31 guard contracts was chosen based on geographic diversity and geographic density of contracts within FPS regions to allow us to conduct file reviews for multiple contracts during each of four site visits that we conducted. For each of these 11 contracts, we reviewed the contracts as well as a random sample of guard files associated with each contract. The remaining 20 guard services contracts we selected were the most recent contract for each of the remaining guard companies that FPS had contracted with as of November 2012. We also interviewed officials from each of the 31 contract guard companies.

To determine the extent to which contract guard companies documented compliance with FPS’s guard training and certification requirements, we examined documentation related to our non-generalizable sample of 11 contracts, as previously discussed. From these 11 contracts, we randomly selected 276 guard files to review for compliance with FPS requirements. For each guard file, we compared the file documents to a list of requirements contained in FPS’s Administrative Audit and

---

9 The Interagency Security Committee (ISC) was created pursuant to Executive Order 12977, 60 Fed. Reg. 54411 (Oct. 19, 1995), as amended by Executive Order 13286, 68 Fed. Reg. 10610 (March 5, 2003). The ISC is a permanent body established to address continuing government-wide security for federal facilities and was tasked with, among other things, developing security standards for federal facilities. The ISC is comprised of primary members from federal executive branch agencies designated by the executive order as well as associate members from other agencies and departments not designated in the executive order. The ISC is to be chaired by the Secretary of DHS or a designee of the Secretary.

10 When we chose contracts for review, FPS had a total of 117 contracts with 32 guard companies. However, 1 of the 32 companies had a contract with FPS for only emergency guard services. As such, we chose 1 contract for review for each company with which FPS had contracted for non-emergency guard services as of November 2012.
Protective Security Officer File Review Forms, which FPS uses to conduct its monthly guard file reviews.

To identify the management controls and processes FPS and the guard companies use to ensure compliance with training, certification, and qualification requirements, we reviewed FPS’s procedures for (1) conducting monthly guard file reviews; (2) documenting compliance with guard training, certification, and qualification requirements; and (3) monitoring performance. We also visited 4 of FPS’s 11 regions to discuss how regional officials ensure that guards are qualified to be deployed to federal facilities. We selected the 4 regions to provide geographic density of contracts in the region to facilitate reviews of guard files, diversity in the size of guard companies, and geographic diversity. In addition, we interviewed officials from each of FPS’s 31 guard companies regarding their policies and procedures for complying with FPS’s guard training and certification requirements. While the results of our work are not generalizeable, about 40 percent of the GSA facilities with guards are located in the four regions where we conducted our site visits and our review of guard files involved 11 of FPS’s 31 guard companies. To assess the extent to which FPS’s monthly guard-file review results identified files with missing documentation of training, certifications, and qualifications, we compared FPS’s monthly file review results from the month in which we conducted our file review for each of the 11 contracts to identify guard files that were included in both our review and FPS’s monthly review. We identified any discrepancies between the reviews and used FPS’s file review forms to examine the discrepancies.

To determine the extent to which FPS and select federal agencies’ facility risk assessment methodologies align with ISC’s risk assessment standards, we reviewed and analyzed risk assessment documentation and interviewed officials at nine federal agencies and compared each agency’s methodology to ISC’s standards. The nine selected agencies include: Department of Energy, Office of Health, Safety, and Security; Department of Interior; Department of Justice, Justice Protective Service; Department of State, Diplomatic Security; Department of Veterans Affairs; Federal Emergency Management Agency; Federal Protective Service; Nuclear Regulatory Commission; and Office of Personnel Management. These agencies were selected to achieve diversity with respect to the number and types of agencies’ facilities, as well as the agencies’ missions.

We conducted our ongoing work from August 2012 to October 2013 in accordance with generally accepted government auditing standards. Also,
our previously issued reports were done in accordance with these standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

FPS Faces Challenges Ensuring Contract Guards Have Been Properly Trained and Certified before Being Deployed to Federal Facilities

Some FPS Contract Guards Have Not Received Required Training on Responding to Active-Shooter Scenarios

According to FPS officials, since 2010 the agency has required its guards to receive training on how to respond to an active-shooter scenario. However, as our 2013 report shows, FPS faces challenges providing active-shooter response training to all of its guards. According to FPS officials, the agency provides guards with information on how they should respond during an active-shooter incident as part of the 8-hour FPS-provided orientation training. FPS officials were not able to specify how much time is devoted to this training, but said that it is a small portion of the 2-hour special situations training. According to FPS’s training documents, this training includes instructions on how to notify law enforcement personnel, secure the guard’s area of responsibility, appropriate use of force, and direct building occupants according to emergency plans.

11 GAO-13-694.

12 This training is provided during a block of training on special situations, which includes information on how guards should respond to situations other than their normal duties, such as reports of missing or abducted children, bomb threats, and active-shooter scenarios. FPS officials stated that guards hired before 2010 should have received this information during guard-company-provided training on the guards’ post orders (which outline the guards’ duties and responsibilities) as part of basic and refresher training.
However, when we asked officials from 16 of the 31 contract guard companies we spoke to if their guards had received training on how guards should respond during active-shooter incidents, responses varied. For example, of the 16 contract guard companies we interviewed about this topic:

- officials from eight contract guard companies stated that their guards have received active-shooter scenario training during FPS orientation;
- officials from five guard companies stated that FPS has not provided active-shooter scenario training to their guards during the FPS-provided orientation training; and
- officials from three guard companies stated that FPS had not provided active-shooter scenario training to their guards during the FPS-provided orientation training, but that the topic was covered at some other time.

We were unable to determine the extent to which FPS’s guards have received active-shooter response training. Without ensuring that all guards receive training on how to respond to active-shooter incidents, FPS has limited assurance that its guards are prepared for this threat. FPS agreed with our recommendation that they take immediate steps to determine which guards have not received this training and provide it to them.

As part of their 120 hours of training, guards must receive 8 hours of screener training from FPS on how to use x-ray and magnetometer equipment. However, in our September 2013 report, we found that FPS has not provided required screener training to all guards. Screener training is important because many guards control access points at federal facilities and thus must be able to properly operate x-ray and magnetometer machines and understand their results. In 2009 and 2010, we reported that FPS had not provided screener training to 1,500 contract guards in one FPS region. In response to our reports, FPS stated that it

---

13The remaining 15 guard companies did not respond to this question.

14 GAO-13-694.

planned to implement a program to train its inspectors to provide screener training to all of its contract guards. However, 3 years after our 2010 report, guards continue to be deployed to federal facilities who have never received this training. For example, an official at one contract guard company stated that 133 of its approximately 350 guards (about 38 percent) on three separate FPS contracts (awarded in 2009) have never received their initial x-ray and magnetometer training from FPS. The official stated that some of these guards are working at screening posts. Further, officials at another contract guard company in a different FPS region stated that, according to their records, 78 of 295 (about 26 percent) guards deployed under their contract have never received FPS’s x-ray and magnetometer training. These officials stated that FPS’s regional officials were informed of the problem, but allowed guards to continue to work under this contract, despite not having completed required training. Because FPS is responsible for this training, according to guard company officials no action was taken against the company. Consequently, some guards deployed to federal facilities may be using x-ray and magnetometer equipment that they are not qualified to use—thus raising questions about the ability of some guards to execute a primary responsibility to properly screen access control points at federal facilities. We were unable to determine the extent to which FPS’s guards have received screener training. FPS agreed with our recommendation that they take immediate steps to determine which guards have not received screener training and provide it to them.

In our September 2013 report, we found that FPS continues to lack effective management controls to ensure that guards have met training and certification requirements. For example, although FPS agreed with our 2010 and 2012 recommendations to develop a comprehensive and reliable system for contract guard oversight, it still does not have such a system. Without a comprehensive guard management system, FPS has no independent means of ensuring that its contract guard companies have met contract requirements, such as providing qualified guards to federal facilities. Instead, FPS requires its guard companies to maintain files containing guard-training and certification information and to provide it with a monthly report containing this information. In our September 2013 report, we found that 23 percent of the 276 guard files we reviewed (maintained by 11 of the 31 guard companies we interviewed) lacked
required training and certification documentation.\textsuperscript{16} As shown in table 1, some guard files lacked documentation of basic training, semi-annual firearms qualifications, screener training, the 40-hour refresher training (required every 3 years), and CPR certification.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Number of instances of each missing document</th>
</tr>
</thead>
<tbody>
<tr>
<td>Copy of driver’s license/State ID</td>
<td>1</td>
</tr>
<tr>
<td>Domestic Violence “Lautenberg” Form</td>
<td>1</td>
</tr>
<tr>
<td>Medical certification</td>
<td>1</td>
</tr>
<tr>
<td>Verified alien/immigration status</td>
<td>3</td>
</tr>
<tr>
<td>Current baton certification</td>
<td>3</td>
</tr>
<tr>
<td>Basic training</td>
<td>3</td>
</tr>
<tr>
<td>Firearms qualifications</td>
<td>3</td>
</tr>
<tr>
<td>First-aid certification</td>
<td>5</td>
</tr>
<tr>
<td>FPS screener training—8 hours</td>
<td>5</td>
</tr>
<tr>
<td>FPS orientation</td>
<td>8</td>
</tr>
<tr>
<td>Contractor employee fitness determination</td>
<td>12</td>
</tr>
<tr>
<td>CPR certification</td>
<td>12</td>
</tr>
<tr>
<td>AED certification</td>
<td>12</td>
</tr>
<tr>
<td>Refresher training</td>
<td>15</td>
</tr>
<tr>
<td>Pre-employment drug testing</td>
<td>16</td>
</tr>
<tr>
<td>Initial weapons training</td>
<td>17</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>117\textsuperscript{a}</td>
</tr>
</tbody>
</table>

Source: GAO analysis of contract guard company data.

Note: These results are non-generalizeable and based on a review of 276 randomly selected guard files for 11 of 117 FPS guard contracts.

\textsuperscript{a}Some of the files that did not comply with requirements were missing more than one document, for a total of 117 missing documents.

FPS has also identified guard files that did not contain required documentation. FPS’s primary tool for ensuring that guard companies

\textsuperscript{16} See GAO-13-694. During our non-generalizeable review of 276 randomly selected guard files, we found that 64 files (23 percent) were missing one or more required documents.
comply with contractual requirements for guards’ training, certifications, and qualifications is to conduct monthly reviews of guard companies’ guard files. From March 2012 through March 2013, FPS reviewed more than 23,000 guard files. It found that a majority of the guard files had the required documentation but more than 800 (about 3 percent) did not. FPS’s file reviews for that period showed files missing, for example, documentation of screener training, initial weapons training, CPR certification, and firearms qualifications. However, as our September 2013 report explains, FPS’s process for conducting monthly file reviews does not include requirements for reviewing and verifying the results, and we identified instances in which FPS’s monthly review results did not accurately reflect the contents of guard files. For instance, FPS’s review indicated that required documentation was present for some guard files, but we were not able to find documentation of training and certification, such as initial weapons training, DHS orientation, and pre-employment drug screenings. As a result of the lack of management controls, FPS is not able to ensure that guards have met training and certification requirements.

In our September 2013 report, we recommended that DHS and FPS take the following actions:

- take immediate steps to determine which guards have not had screener or active-shooter scenario training and provide it to them and, as part of developing a national curriculum, decide how and how often these trainings will be provided in the future;
- require that contract guard companies’ instructors be certified to teach basic and refresher training courses to guards and evaluate whether a standardized instructor certification process should be implemented; and
- develop and implement procedures for monthly guard-file reviews to ensure consistency in selecting files and verifying the results.

DHS and FPS agreed with our recommendations.

17 FPS has approximately 13,500 contract guards, but FPS may review a guard file more than once annually.

18 For more information on this review and our methodology, see GAO-13-694.
Preliminary Results
Indicate that FPS and Select Federal Agencies’ Risk Assessment Methodologies Do Not Align with ISC’s Risk Assessment Standards

Risk assessments help decision-makers identify and evaluate security risks and implement protective measures to mitigate the potential undesirable effects of these risks. ISC’s risk assessment standards state that agencies’ facility risk assessment methodologies must consider all of the undesirable events identified by ISC as possible risks to federal facilities, and assess the threat, vulnerability, and consequence of specific undesirable events. Preliminary results from our ongoing review of nine federal agencies’ risk assessment methodologies indicate that several agencies, including FPS, do not use a methodology that aligns with ISC’s risk assessment standards to assess federal facilities.19

Most commonly, agencies’ methodologies are not consistent with ISC’s standards because agencies do not assess their facilities’ vulnerabilities to specific undesirable events. For example, officials from one agency told us that their vulnerability assessments are based on the total number of protective measures in place at a facility, rather than how vulnerable the facility is to specific undesirable events, such as insider attacks or vehicle bombs. Because agencies’ risk assessment methodologies are inconsistent with ISC’s risk assessment standards, these agencies may not have a complete understanding of the risks facing approximately 57,000 federal facilities located around the country—including the 9,600 protected by FPS and several agencies’ headquarters facilities.20

Moreover, because risk assessments play a critical role in helping agencies tailor protective measures to reflect their facilities’ unique circumstances and risks, these agencies may not allocate security resources effectively, i.e., they may provide too much or too little protection at their facilities. Providing more protection at a facility than is needed may result in an unnecessary expenditure of government resources, while providing too little protection may leave a facility and its occupants vulnerable to attacks. For example, if an agency does not

19 ISC’s risk assessment standards define “federal facilities” as government leased or owned facilities in the United States occupied by federal employees for nonmilitary activities. Aside from intelligence-related exceptions, executive branch agencies and departments are required to cooperate and comply with ISC’s standards, including its risk assessment standards. These standards do not apply to legislative branch agencies and federal facilities occupied by military employees.

20 For example, if an agency’s methodology does not consider all the undesirable events identified by ISC, and/or it does not assess all three components of risk (threat, vulnerability, and consequence), then the agency would have an incomplete picture of risk at facilities assessed using this methodology.
know its facility’s potential vulnerabilities to specific undesirable events, it cannot set priorities to mitigate them.

In addition, we reported in 2012 that although federal agencies pay FPS millions of dollars to assess risk at their facilities, FPS’s interim facility assessment tool—the Modified Infrastructure Survey Tool (MIST)—was not consistent with federal risk assessment standards and had other limitations. Specifically, FPS’s risk assessment methodology was inconsistent with ISC’s risk assessment standards because it did not assess the consequence of possible undesirable events (i.e., the level, duration, and nature of loss resulting from undesirable events). FPS officials told us that MIST was not designed to assess consequence, and that adding this component would have required additional testing and validation. However, without a risk assessment tool that includes all three components of risk—threat, vulnerability, and consequence—as we have recommended, FPS has limited assurance that facility decision-makers can efficiently and effectively prioritize programs and allocate resources to address existing and potential security risks.\(^\text{21}\) Furthermore, because MIST also was not designed to compare risks across facilities, FPS has limited assurance that it prioritizes and mitigates critical risks within the agency’s portfolio of more than 9,600 federal facilities.

This concludes our testimony. We are pleased to answer any questions you, Ranking Member Barber, and members of the Subcommittee might have.

For further information on this testimony, please contact Mark Goldstein at (202) 512-2834 or by email at GoldsteinM@gao.gov. Individuals making key contributions to this testimony include Tammy Conquest, Assistant Director; Antoine Clark; Colin Fallon; Geoff Hamilton; Katherine Hamer; Sara Ann Moessbauer; Jaclyn Nidoh; and Travis Thomson.

\(^{21}\) FPS agreed with our 2012 recommendation, but has yet to implement it.
Related GAO Products


The Government Accountability Office, the audit, evaluation, and investigative arm of Congress, exists to support Congress in meeting its constitutional responsibilities and to help improve the performance and accountability of the federal government for the American people. GAO examines the use of public funds; evaluates federal programs and policies; and provides analyses, recommendations, and other assistance to help Congress make informed oversight, policy, and funding decisions. GAO’s commitment to good government is reflected in its core values of accountability, integrity, and reliability.

The fastest and easiest way to obtain copies of GAO documents at no cost is through GAO’s website (http://www.gao.gov). Each weekday afternoon, GAO posts on its website newly released reports, testimony, and correspondence. To have GAO e-mail you a list of newly posted products, go to http://www.gao.gov and select “E-mail Updates.”

The price of each GAO publication reflects GAO’s actual cost of production and distribution and depends on the number of pages in the publication and whether the publication is printed in color or black and white. Pricing and ordering information is posted on GAO’s website, http://www.gao.gov/ordering.htm.

Place orders by calling (202) 512-6000, toll free (866) 801-7077, or TDD (202) 512-2537.

Orders may be paid for using American Express, Discover Card, MasterCard, Visa, check, or money order. Call for additional information.

Connect with GAO on Facebook, Flickr, Twitter, and YouTube. Subscribe to our RSS Feeds or E-mail Updates. Listen to our Podcasts. Visit GAO on the web at www.gao.gov.

To Report Fraud, Waste, and Abuse in Federal Programs

Contact:
Website: http://www.gao.gov/fraudnet/fraudnet.htm
E-mail: fraudnet@gao.gov
Automated answering system: (800) 424-5454 or (202) 512-7470

Congressional Relations
Katherine Siggerud, Managing Director, siggerudk@gao.gov, (202) 512-4400, U.S. Government Accountability Office, 441 G Street NW, Room 7125, Washington, DC 20548

Public Affairs
Chuck Young, Managing Director, youngc1@gao.gov, (202) 512-4800 U.S. Government Accountability Office, 441 G Street NW, Room 7149 Washington, DC 20548