



January 2019

FEDERAL PROTECTIVE SERVICE

DHS Should Take Additional Steps to Evaluate Organizational Placement

GAO Highlights

Highlights of [GAO-19-122](#), a report to congressional requesters

Why GAO Did This Study

FPS, within DHS's NPPD, conducts physical security and law enforcement activities for about 9,000 federal facilities and the millions of employees or visitors who work in or visit these facilities. FPS moved from GSA to DHS's ICE in 2003 and to NPPD in 2009. GAO has reported that FPS faced challenges in each location. Legislation enacted in November 2018 requires DHS to review placement options for FPS and could result in FPS moving again within DHS or to another executive branch agency.

GAO was asked to review issues related to organizational placement options for FPS. This report examines (1) the potential effects of FPS's placement in selected agencies and (2) steps DHS has taken to assess placement options for FPS. GAO identified five key organizational placement criteria based on prior work and identified eight agencies as potential placement options. The agencies were selected because they have the largest number of law enforcement officers or perform physical security, among other reasons. GAO reviewed documentation and interviewed officials from FPS, selected agencies, and key stakeholders. GAO compared agencies to FPS to determine if they meet the organizational placement criteria. An agency meets the criteria if it has similarities to FPS.

What GAO Recommends

DHS should identify the expectations for changing FPS's placement and take steps to fully evaluate placement options. DHS concurred with the recommendations and outlined steps it plans to take to address them.

View [GAO-19-122](#). For more information, contact Lori Rectanus at (202) 512-2834 or rectanusl@gao.gov.

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What GAO Found

In considering organizational placement options for the Department of Homeland Security's (DHS) Federal Protective Service (FPS), GAO found that none of the eight agencies GAO selected met all the key organizational placement criteria; thus, any of the organizational placement options could result in both benefits and trade-offs. For example, keeping FPS in DHS's National Protection and Programs Directorate (NPPD) could provide FPS some benefits because FPS and NPPD have missions that include the protection of infrastructure or specific facilities, facility protection responsibilities, and access to and sharing of information related to national homeland security. However, unlike FPS, NPPD does not perform both physical security and law enforcement activities, which is a potential trade-off. In another example, the General Services Administration (GSA) and the United States Marshals Service (Marshals) could provide benefits because they currently coordinate with FPS on facility protection. However, Marshals does not have a mission or goals that explicitly focus on the protection of infrastructure or facilities and GSA does not perform law enforcement, which are potential trade-offs.

Comparison of Selected Agencies and the Federal Protective Service (FPS) to Three Key Criteria for Organizational Placement

The eight selected agencies are the Department of Homeland Security (DHS); U.S. Customs and Border Protection (CBP); U.S. Immigration and Customs Enforcement (ICE); National Protection and Programs Directorate (NPPD); United States Secret Service (USSS); General Services Administration (GSA); Department of Justice (Justice); and the U.S. Marshals Service (Marshals). GAO assumed that FPS would be a standalone entity in DHS, GSA, or Justice. At the end of GAO's review, in November 2018, NPPD was renamed the Cybersecurity and Infrastructure Security Agency. For this report, GAO continues to refer to this agency as NPPD.

Three selected key criteria for evaluating organizational placement



Mission, goals, and objectives

Selected agencies that met the key criteria

DHS
NPPD
USSS
GSA

These agencies are similar to FPS in that their mission statements or goals include an explicit focus on the protection of infrastructure or specific facilities.^a

Selected agencies that did not meet the key criteria

CBP
ICE
Justice
Marshals

These agencies do not have missions or goals that focus explicitly on infrastructure or facility protection.



Responsibilities


Facility protection responsibilities

DHS
CBP
NPPD
USSS
GSA
Justice
Marshals

Similar to FPS, DHS, nearly all of the selected agencies within DHS, GSA, Justice, and the Marshals have facility protection responsibilities.

ICE

ICE does not have any facility protection responsibilities because it pays FPS to protect its facilities.

Three selected key criteria for evaluating organizational placement	Selected agencies that met the key criteria	Selected agencies that did not meet the key criteria
<i>Physical security and law enforcement activities</i>		
	DHS CBP USSS Justice Marshals These agencies are similar to FPS because they perform both physical security and law enforcement activities.	ICE NPPD GSA These agencies perform either physical security or law enforcement activities, but not both.
<i>Contract guard responsibilities</i>		
	Marshals Marshals, like FPS, employ and oversee a large number of contract guards.	DHS CBP ICE NPPD USSS GSA Justice These agencies use FPS's contract guards, procure a limited number of guards, or use their own federal officers for facility protection.
<i>Information sharing</i>		
 <p data-bbox="711 680 820 737">Information sharing and coordination</p>	DHS CBP ICE NPPD USSS Justice Marshals DHS, all of the selected agencies in DHS, Justice and the Marshals, like FPS, have access to and can share information related to national homeland security.	GSA GSA does not have access to information related to national homeland security. However, GSA has access to information pertinent to the security of government facilities.
<i>Coordination of activities</i>		
	GSA Justice Marshals GSA and FPS have joint responsibility for protecting facilities, and these two agencies and Marshals have joint responsibility for protecting courthouses.	DHS CBP ICE NPPD USSS These agencies do not have joint responsibilities for coordinating facility protection with FPS.

Source: GAO analysis of agency documents and interviews with stakeholders; GAO (images). | GAO-19-122

Note: The organizational culture and mission support criteria are discussed in the report.

^a GSA has a statutory facility protection mission. See, e.g., 6 U.S.C. § 232(a).

DHS has not taken key steps to fully assess potential placement options. Specifically, DHS has not assessed the organizational structure of FPS, such as its placement in NPPD, even though FPS and NPPD have evolved since FPS was placed in NPPD in 2010. *Standards for Internal Control* state that agency management should establish an organizational structure to achieve the agency's objectives and that an effective management practice for attaining this outcome includes periodically evaluating the structure to ensure that it has adapted to changes. Additionally, because DHS did not analyze FPS's current placement in NPPD, DHS does not have a benchmark for comparison to other agencies. DHS recently established a working group to assess the placement of FPS. However, the group's planned activities are limited in several ways. For example, the group's draft charter does not indicate that the working group will describe what DHS expects to achieve by changing FPS's placement. Further, the draft charter does not indicate that the working group will evaluate the benefits and trade-offs of placement options. GAO has previously identified these and other steps as key to successful organizational change or analysis of alternatives. These steps would help DHS address the 2018 legislation to review placement options for FPS—including, how DHS considered the results of GAO's review. Regardless of the legislation, DHS may not be positioning itself to make an informed decision as to what organization best supports FPS.

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Abbreviations

CBP	U.S. Customs and Border Protection
CIP	Component Intelligence Program
DHS	Department of Homeland Security
EHRI	Enterprise Human Resources Integration
FEVS	Federal Employee Viewpoint Survey
FFMS	Federal Financial Management System
FLETC	Federal Law Enforcement Training Centers
FPS	Federal Protective Service
GSA	General Services Administration
ICE	Immigration and Customs Enforcement
IT	information technology
Justice	Department of Justice
Marshals	U.S. Marshals Service
NPPD	National Protection and Programs Directorate
OCSO	Office of the Chief Security Officer
OMB	Office of Management and Budget
OPM	Office of Personnel Management
PBS	Public Buildings Service
Secret Service	United States Secret Service
UFMS	Unified Financial Management System

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January 8, 2019

The Honorable Ron Johnson
United States Senate

The Honorable J. Luis Correa
House of Representatives

The Honorable Cedric Richmond
House of Representatives

For almost 50 years, the Federal Protective Service (FPS) has been charged with protecting federal facilities and the employees and individuals who work in or visit them. Specifically, FPS provides physical security and law enforcement services at about 9,000 facilities, a majority of which are held¹ or leased by the General Services Administration (GSA). In the 1970s, GSA created FPS as part of its Public Buildings Service (PBS). Since then, FPS has been moved twice—in 2003 to the Department of Homeland Security’s (DHS) Immigration and Customs Enforcement (ICE) and in 2009 to DHS’s National Protection and Programs Directorate (NPPD).²

The organizational placement of an office or agency can affect its performance and ability to meet its mission. During FPS’s current and previous organizational placements, FPS experienced a number of operational, management, and funding challenges, which had a bearing on FPS’s ability to accomplish its mission. FPS has made progress in addressing some issues, but others persist. Legislation enacted in November 2018 could lead to FPS moving again.³

¹ GSA-held facilities are federally-owned facilities under the custody and control of GSA.

² At the end our review, in November 2018, NPPD was renamed the Cybersecurity and Infrastructure Security Agency by the Cybersecurity and Infrastructure Security Agency Act of 2018, Pub. L. No. 115-278, § 2(a), 132 Stat. 4168. For the purposes of this report, we continue to refer to this agency as NPPD.

³ See, Cybersecurity and Infrastructure Security Agency Act of 2018, Pub. L. No. 115-278, § 3(b), 132 Stat. 4168. This legislation requires the Secretary of DHS to review FPS’s organizational placement and could result in FPS moving to another agency within DHS or to an agency within the executive branch of the federal government. The legislation did not mandate a specific destination agency for a potential FPS move.

Given your interest in ensuring that FPS fully addresses challenges so that it can effectively carry out its duties, as well as any statutory changes that may result in FPS moving again, you asked us to review issues related to current or future organizational placement options for FPS. This report examines:

- the potential effect of FPS’s placement in selected agencies based on key criteria for evaluating organizational placement, and
- steps DHS has taken to assess placement options for FPS.

To conduct this work, we reviewed our prior work related to organizational transformation, work in which we identified organizational and accountability criteria that Congress should consider when determining which agencies to include or exclude from the newly created DHS (at that time, 2002).⁴ The criteria are relevant to our review of FPS’s organizational placement as Congress considers whether (or where) to place FPS in various agencies within or outside it. For each criterion, we also identified elements (i.e., characteristics) that are specific to FPS based upon our review of FPS documents and our prior work on topics related to the criteria, our discussions with federal officials, an association representing federal law enforcement officers, and a former high-ranking official in NPPD with knowledge of FPS.

We applied these key criteria to eight agencies that could be potential organizational placement options for FPS.⁵ We identified these agencies based upon:

- agencies with the largest number of law enforcement officers,
- agencies that provide physical security services,

⁴ GAO, *Homeland Security: Critical Design and Implementation Issues*, [GAO-02-957T](#) (Washington D.C.: July 17, 2002). For our current review, we selected criteria identified in this 2002 testimony that are most relevant to FPS’s organizational placement. See appendix I for more formation on our scope and methodology.

⁵ For our purposes, in this report we refer these agencies collectively as “selected agencies” and individually as a “selected agency” or “agency.”

- agencies where FPS was previously, or is currently placed, or
- FPS’s management preference (see table 1).⁶

Table 1: Organizational Placement Options for the Federal Protective Service (FPS)

Department	Organizational placement options for FPS
Department of Homeland Security	<ol style="list-style-type: none"> 1. Department of Homeland Security (DHS) (for this option, FPS would be a standalone entity reporting directly to the Deputy Secretary of DHS)^a 2. U.S. Customs and Border Protection (CBP) 3. U.S. Immigration and Customs Enforcement (ICE) 4. National Protection and Programs Directorate (NPPD)^a 5. United States Secret Service (Secret Service)
General Services Administration	<ol style="list-style-type: none"> 6. General Services Administration (GSA) (for this option, FPS would be a standalone entity reporting directly to the GSA Administrator)
Department of Justice	<ol style="list-style-type: none"> 7. Department of Justice (Justice) (for this option, FPS would be a standalone entity reporting directly to the Attorney General) 8. U.S. Marshals Service (Marshals)

Source: GAO analysis. | GAO-19-122

^aFPS is currently located in DHS’s NPPD. However, for the purposes of our comparison of DHS and NPPD to FPS, we assumed that FPS was independent of both DHS and NPPD.

At FPS and each of the selected agencies, we reviewed documentation and interviewed officials to identify similarities, differences, and other considerations with regard to each of the five key criteria. For the first four key criteria—(1) mission, goals, and objectives; (2) responsibilities; (3) organizational culture; and (4) information sharing and coordination—we determined that a selected agency met the criteria if the agency or its subcomponents have any similarities to FPS. For the last criterion—mission support—we determined that a selected agency met the criterion if the agency or its subcomponents have mission support similar to FPS or could provide mission support that FPS needs. Although we used the

⁶ We also identified DHS’s Office of the Chief Security Officer (OCSO) as an office within DHS that has facility security responsibility. OCSO is a policy office within DHS’s Management Directorate that focuses on delivering security policy, oversight, threat management, technology, and training to DHS agencies. OCSO also provides security services to DHS headquarters facilities but is planning to divest these operational security responsibilities for execution by DHS agencies and components. For the purposes of our review, we did not include OCSO as a potential placement option for FPS because OCSO (1) does not have a large number of law enforcement officers, (2) has plans to divest operational security responsibilities, and (3) was not a previous, current, or FPS desired placement. Our exclusion of OCSO does not preclude DHS from assessing OCSO as a placement option for FPS.

key criteria to assess the eight agencies we selected, the criteria can be used to assess any potential placement option for FPS. Our analysis is based on the selected agencies' operations at the time of our review.

We also obtained views from stakeholders on the alignment between FPS and the selected agencies as well as on the potential placement options. These stakeholders include officials from FPS, the selected agencies, as well as:

- representatives from unions that represents NPPD employees, including FPS employees, and Protective Security Officers (i.e., contract guards);⁷
- representatives from associations of federal law enforcement officers and contract guard companies;
- officials from selected agencies that coordinate with or use FPS for facility protection:
 - Department of Justice for law enforcement coordination;
 - Internal Revenue Service and the Social Security Administration as large users of FPS facility protection;
- officials from DHS's Interagency Security Committee, which develops the security standards for non-military federal facilities; and
- staff from the Office of Management and Budget (OMB).

We also obtained views from a former high-ranking official in NPPD with knowledge of FPS. The results of these interviews are non-generalizable to all of FPS's stakeholders but provide useful examples of considerations related to various placement options.

We also reviewed *Standards for Internal Control in the Federal Government* for relevant management responsibilities, such as determining if FPS's current organizational placement in NPPD is optimal and effectively achieves the agency's objectives.⁸ And, we reviewed our prior reports on key practices and questions for organizational change

⁷ For the purposes of this report, we call Protective Security Officers "contract guards."

⁸ GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D. C.: Sept. 10, 2014).

and best practices for an analysis of alternatives process.⁹ We used practices identified in these reports as well as internal controls to assess the steps DHS has taken to assess placement options for FPS. See appendix I for more details on our scope and methodology.

We conducted this performance audit from June 2017 to January 2019 in accordance with generally accepted government auditing 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.

Background

While its core mission of protecting federal facilities has remained constant as FPS moved from one agency to another, its responsibilities have changed. While in GSA's PBS, FPS was responsible for protecting GSA held-or-leased facilities, providing both physical security and law enforcement services. To protect buildings, FPS officers developed physical security risk assessments, installed security equipment, and oversaw contract guard services. As a part of its law enforcement services, among other duties, FPS officers enforced laws and regulations aimed at protecting federal facilities and the persons in such facilities and conducted criminal investigations. Following the September 11, 2001 attacks, the Homeland Security Act of 2002¹⁰ was enacted; it created DHS and moved FPS from GSA to the new department, effective in March of 2003. Within DHS at ICE, FPS's responsibilities grew beyond solely protecting GSA buildings to include homeland security activities

⁹ GAO, *Results-Oriented Cultures: Implementation Steps to Assist Mergers and Organizational Transformations*, [GAO-03-669](#) (Washington, D.C.: July 2, 2003); *Streamlining Government: Questions to Consider When Evaluating Proposals to Consolidate Physical Infrastructure and Management Functions*, [GAO-12-542](#) (Washington, D.C.: May 23, 2012); *Amphibious Combat Vehicle: Some Acquisition Activities Demonstrate Best Practice; Attainment of Amphibious Capability to be Determined*, [GAO-16-22](#) (Washington, D. C.: Oct. 28, 2015). The best practices for the analysis of alternatives process identified in [GAO-16-22](#) update and supersede the initial set of best practices listed in *DOE and NNSA Project Management: Analysis of Alternatives Could Be Improved by Incorporating Best Practices*, [GAO-15-37](#) (Washington, D.C.: Dec. 11, 2014). The practices for the analysis of alternatives process are applicable to assessing steps DHS has taken to assess placement options for FPS because they can be applied to a wide range of activities or programs in which an alternative must be selected from a set of possible options.

¹⁰ Pub. L. No. 107-296, 116 Stat. 2135.

such as implementing homeland security directives and providing law enforcement, security, and emergency-response services during natural disasters and special events.

In 2009, DHS proposed transferring FPS from ICE to NPPD. In explaining the proposed transfer in DHS's fiscal year 2010 budget justification to Congress, DHS noted that this move would allow ICE to focus on its law enforcement mission of protecting the American people by targeting the people, money, and materials that support terrorist and criminal activities relating to our nation's borders.¹¹ DHS noted that FPS should reside within NPPD given that both agencies had responsibilities for implementing the National Infrastructure Protection Plan.¹² DHS further noted that FPS would be able to gain synergy by working alongside NPPD's Office of Infrastructure Protection and that having FPS and the Office of Infrastructure Protection in the same organization would further solidify NPPD as DHS's lead for critical infrastructure protection. The fiscal year 2010 DHS appropriations act, which was signed into law on October 28, 2009, funded FPS under NPPD via revenue and collections of security fees.¹³ While in NPPD, FPS continued to lead physical security and law enforcement services at GSA-held or GSA-leased facilities and continued its efforts in homeland security activities.

Throughout FPS's different organizational placements in DHS, we have reported that FPS faces persistent challenges meeting its mission to

¹¹ Fiscal year 2010 FPS funding was provided as part of the NPPD appropriations. See Department of Homeland Security Appropriations Act, 2010, Pub. L. No. 111-83, 123 Stat. 2142, 2156-57 (2009).

¹² The National Infrastructure Protection Plan describes how government and private sector participants in the critical infrastructure community work together to manage risks and achieve security and resilience outcomes. DHS, *National Infrastructure Protection Plan: Partnering for Critical Infrastructure Security and Resilience* (Washington, D.C.: December 2013). This Plan was first issued in 2006 and has been updated twice since then. NPPD has responsibility for leadership of the Plan. Since 2006, FPS has been the lead agency responsible for carrying out the Plan for the Government Facilities sector, and in February 2013, *Presidential Policy Directive 21* designated DHS and GSA as co-lead agencies for this sector. Within DHS, FPS executes this mission. White House, *Presidential Policy Directive 21 (PPD 21), Critical Infrastructure Security and Resilience* (Washington, D.C.: Feb. 12, 2013).

¹³ Department of Homeland Security Appropriations Act, 2010, Pub. L. No. 111-83, 123 Stat. 2142, 2156-57 (2009). The accompanying conference report provided that the "conference agreement supports the realignment of Federal Protective Service (FPS) operations from ICE to NPPD as proposed by the Senate instead of retaining FPS in ICE as proposed by the House." H. R. Conf. Rep. No. 111-298, at 97 (2009).

protect facilities. In 2003, we designated federal real-property management as a high-risk area, in part, because of physical security challenges at federal facilities, such as the need for a risk-based approach to determining the level of security required.¹⁴ In 2011, we reported on FPS's challenges in transferring mission support functions when transitioning from ICE into NPPD.¹⁵ While FPS has been in NPPD, we also reported on challenges FPS faced, such as in performing risk assessments, managing and overseeing contract guards, collaborating with GSA and the Marshals on facility security, and funding its operations.¹⁶ We made recommendations to help address these challenges, and FPS has made progress in addressing some of these recommendations. For example, FPS (1) developed a Modified Infrastructure Survey Tool to help it more effectively perform risk assessments, (2) coordinated with GSA and other agencies to reduce unnecessary duplication in risk assessments, (3) implemented new procedures to better manage and oversee contract guards, and (4) as of September 2018, established a formal agreement with GSA on roles and responsibilities related to facility protection. However, as we discuss later in this report, challenges related to other aspects of overseeing contract guards, collaborating with GSA and Marshals, and funding persist.

In November 2018, legislation was enacted that could result in FPS moving for a third time, although the location has not been determined. This legislation—which reorganizes NPPD to an organization that has a greater statutory focus on managing cyber risks—requires the Secretary

¹⁴ We designated the broader area of federal real-property management as a high risk area due to overreliance on leasing, the presence of unneeded and underutilized facilities, and security challenges at federal facilities. GAO, *High Risk Series: An Update*, GAO -17-317 (Washington, D.C.: Feb.15, 2017).



¹⁵ GAO, *Federal Protective Service: Progress Made but Improved Schedule and Cost Estimate Needed to Complete Transition*, [GAO-11-554](#) (Washington, D. C.: July 15, 2011).

¹⁶ GAO, *Federal Protective Service: Actions Needed to Assess Risk and Better Manage Contract Guards at Federal Facilities*, [GAO-12-739](#) (Washington, D.C.: Aug. 10, 2012); *Federal Protective Service: Challenges with Oversight of Contract Guard Program Still Exist, and Additional Management Controls Are Needed*, [GAO-13-694](#) (Washington, D.C.: Sept. 17, 2013); *Homeland Security: FPS and GSA Should Strengthen Collaboration to Enhance Facility Security*, [GAO-16-135](#) (Washington, D.C.: Dec. 16, 2015); *DHS Management: Enhanced Oversight Could Better Ensure Programs Receiving Fees and Other Collections Use Funds Efficiently*, [GAO-16-443](#) (Washington, D.C.: July 21, 2016) and *Federal Courthouses: Actions Needed to Enhance Capital Security Program and Improve Collaboration*, [GAO-17-215](#) (Washington, D.C.: Feb.16, 2017). FPS is fully funded by fees collected from federal agencies that use FPS for facility protection.

of Homeland Security to, within 90 days after the completion of our review, determine the appropriate placement for FPS within DHS and begin transfer of FPS to that entity.¹⁷ If the Secretary determines that DHS is not an appropriate placement for FPS, the Secretary would be required to submit to the Director of OMB and Congress an explanation for the reasons of such a determination—including, among other things, how DHS considered the results of our current review—and a recommendation on the appropriate placement of FPS within the executive branch of the federal government.¹⁸

When DHS was established, we identified organizational and accountability criteria for the department. From this prior work, we identified key criteria that are relevant to assessing potential placement options for FPS, as shown in table 2.¹⁹

Table 2: Key Criteria for Evaluating Placement Options for the Federal Protective Service (FPS)

Key criteria for evaluating placement options	Description
 Mission, goals, and objectives	<p>An agency's ability to function well is dependent upon having a clear mission, goals and objectives. In that respect, similarities in agency mission, goals and objectives between FPS and any other organization could affect the extent to which FPS's missions and goals are carried out effectively. Agency strategic plans describe the mission, goals, and objectives covering the major functions and operations of an agency.</p>
 Responsibilities	<p>In order for an agency to perform its duties, it needs to have clear responsibilities and the capacity to do them. As a result, similarities in responsibilities between FPS and any other organization could affect the extent to which FPS's responsibilities are prioritized. Agency responsibilities generally stem from the objectives outlined in strategic plans and can take the form of Memoranda of Agreement or agency directives.</p>

¹⁷ Cybersecurity and Infrastructure Security Agency Act of 2018, Pub. L. No. 115-278, 132 Stat. 4168.

¹⁸ A provision in the Consolidated Appropriations Act, 2018 prohibits the use of funds provided or made available by such act by the DHS Secretary to move organizational units within DHS—like FPS—without explicit congressional approval. Pub. L. No. 115-141, DIV. F, Title V, § 514, 132 Stat. 348. This prohibition was first extended beyond fiscal year 2018 until December 7, 2018 by Pub. L. No. 115-245, Div. C, §101, 132 Stat. 2981 (2018), and as of December 17, 2018, had been extended a second time until December 21, 2018 by Pub. L. No. 115-298, 132 Stat. 4382 (2018).

¹⁹ [GAO-02-957T](#). For our current review, we selected criteria identified in this report that are most relevant to FPS's organizational placement.

Key criteria for evaluating placement options**Description**

Organizational culture

Having a cohesive culture is critical to organizational success. Organizational culture includes the underlying beliefs, values, attitudes, and expectations that influence the behaviors of agency employees. Similarities in organizational cultures between FPS and any other organization could affect FPS's ability to meld and operate in another agency.



Information sharing and coordination

An agency's ability to share information is critical to its successful operation. This includes sharing information related to national homeland security necessary for the protection of federal facilities. Coordination refers to working with other agencies to provide this protection. Similarities between FPS and any other organization in information sharing and coordination could help ensure that FPS obtains the information it needs to perform its mission and activities.



Mission support

An agency requires effective mission support in order to carry out its duties. Mission support includes training, financial management, human capital, and information technology (IT) to support the agency in fulfilling its mission. The mission support made available to FPS by any organizational placement may affect FPS's operations.

Source: GAO analysis of [GAO-02-957T](#) and GAO reports on topics such as strategic planning; GAO (images). | [GAO-19-122](#)

In addition, other practices provide valuable insights for agency officials to consider when evaluating or implementing a reorganization or transformation. For example, we have previously reported (1) on key practices and questions for organizational transformations, mergers and consolidations, and agency reform efforts and (2) on best practices for the analyses of alternatives.²⁰ We reported that organizational transformations, such as a change in organizational placement, can take many years to fully implement, can result in reduced productivity and morale in the short-term, and may require up-front investments. Therefore, we found that these practices and questions offer valuable insights for agency officials to consider when evaluating or implementing a reorganization or transformation. For example, in May 2012, we reported that a key practice in organizational change is for agency officials to identify and agree on the specific goals of the change—that is, what the agency expects to achieve by making the change—or the problems a change will solve.²¹ In July 2003, we reported that implementing a large-scale organizational transformation requires the concerted efforts of both leadership and employees to accomplish new organizational goals.²² In October 2015, we identified best practices for analyzing alternatives, such as defining criteria to assess alternatives,

²⁰ [GAO-03-669](#), [GAO-12-542](#), and [GAO-16-22](#).

²¹ [GAO-12-542](#).

²² [GAO-03-669](#).

identifying a range of alternatives to assess, and analyzing the benefits and trade-offs of each alternative.²³

Moving FPS to Any of the Selected Agencies Evaluated Would Result in Both Benefits and Trade-offs

We found that none of the selected agencies met all the organizational placement criteria; thus, any of the organizational placement options could result in both benefits and trade-offs.²⁴ Officials from FPS and some of the selected agencies as well as representatives from other stakeholders we interviewed (e.g., an association of federal law enforcement officers, a union representing FPS employees, and others) provided us with examples of how those benefits and trade-offs might affect FPS.

In instances where selected agencies met organizational placement criteria (that is, in instances where selected agencies were similar to FPS), FPS could experience benefits. See table 3 for a summary of how selected agencies met and did not meet key organizational placement criteria, and appendix II and III for additional details. For example, for the mission, goals, and objectives criterion, DHS, NPPD, and Secret Service could provide benefits to FPS because, like FPS, their mission or goal statements as noted in their strategic plans include an explicit focus on the protection of infrastructure or specific facilities. Also, GSA has a statutory facility protection mission. Our prior work found that placing an agency into an organization that has a similar mission may help ensure that the agency's mission receives adequate funding, attention, visibility, and support.²⁵ For the responsibilities criterion, DHS, CBP, Secret Service, Justice, and the Marshals could provide benefits to FPS, because all of these agencies, like FPS, perform both physical security and law enforcement activities. In the past, FPS faced challenges ensuring that both these activities were prioritized, according to FPS officials. Officials explained that a parent agency that is able to focus on both activities could help ensure equal and adequate attention in both areas. While there are similarities in responsibilities between FPS and these agencies, there are differences in the extent to which and for what




²³ [GAO-16-22](#).

²⁴ The eight selected agencies we reviewed as placement options for FPS include CBP, ICE, NPPD, Secret Service, Marshals, DHS, GSA, and Justice. We assumed that FPS would be a standalone entity in DHS, GSA, and Justice.

²⁵ [GAO-02-957T](#).

purpose these agencies perform the responsibilities, some of which we discuss following table 3.

Table 3: Comparison of Selected Agencies and the Federal Protective Service (FPS) in Key Criteria for Organizational Placement

Key criteria for evaluating organizational placement	Selected agencies that met the key criteria	Selected agencies that did not meet the key criteria	
Mission, Goals, and Objectives			
 <p>Do the agencies have similar mission, goals, and objectives?</p>	DHS NPPD Secret Service GSA	CBP ICE Justice Marshals These agencies do not have mission statements or goals that focus explicitly on infrastructure or facility protection. ^b	
Responsibilities			
 <p>Are agencies' responsibilities similar?</p>	<i>Facility protection responsibilities</i>		
	DHS CBP NPPD Secret Service GSA Justice Marshals	Similar to FPS, DHS, nearly all of the selected agencies within DHS, GSA, Justice, and the Marshals have facility protection responsibilities. ^b	ICE ICE does not have any facility protection responsibilities because it pays FPS to protect its facilities.
	<i>Physical security and law enforcement activities</i>		
	DHS CBP Secret Service Justice Marshals	These agencies are similar to FPS because they perform both physical security and law enforcement activities.	ICE NPPD GSA These agencies perform either physical security or law enforcement activities, but not both.
	<i>Contract guard responsibilities</i>		
	Marshals	Marshals, like FPS, employ and oversee a large number of contract guards. ^c	DHS CBP ICE NPPD Secret Service GSA Justice These agencies use FPS's contract guards, procure a limited number of guards, or use their own federal officers for facility protection. ^c
Organizational Culture			
 <p>Do the agencies have a similar organizational culture?</p>	DHS CBP ICE Secret Service Justice Marshals	DHS, nearly all of the selected agencies within DHS, Justice, and the Marshals have cultures similar to FPS because they are law enforcement agencies NPPD GSA Neither NPPD nor GSA are law enforcement agencies and therefore do not have similar cultures with FPS.	

Key criteria for evaluating organizational placement

Selected agencies that met the key criteria

Selected agencies that did not meet the key criteria

Information Sharing and Coordination



Information sharing and coordination

Do the agencies access and share similar information and coordinate activities?

Information sharing

DHS CBP ICE NPPD Secret Service Justice Marshals	DHS, all of the selected agencies in DHS, Justice, and the Marshals, like FPS, have access to and can share information related to national homeland security.	GSA	GSA does not have access to information related to national homeland security. However, GSA has access to information pertinent to the security of government facilities.
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Coordination of activities

GSA Justice ^d Marshals	GSA and FPS have joint responsibility for protecting facilities, and these two agencies and Marshals have joint responsibility for protecting courthouses.	DHS CBP ICE NPPD Secret Service	These agencies do not have joint responsibilities for coordinating facility protection with FPS.
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Mission Support



Mission support

Do the agencies have needed mission support?

Financial management

GSA	GSA collects monies from other federal agencies to support some of its operations, and has structures in place to help FPS manage collections from the agencies.	DHS NPPD Secret Service CBP ICE Justice Marshals	Some DHS agencies do not collect fees (NPPD, Secret Service) and others collect fees to support operations, but not from other federal agencies (DHS, CBP, ICE, Justice, Marshals).
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Human capital

DHS CBP ICE NPPD Secret Service GSA Justice Marshals	All of the selected agencies have the authority to fill competitive service jobs that could support FPS needs.		None
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Information technology – financial management systems

DHS CBP ICE Secret Service GSA Justice	FPS owns many of its operational and business-related IT systems and applications but does not own some systems, such as a financial management system. These agencies have financial management systems that can support FPS.	NPPD Marshals	NPPD and Marshals do not currently use their own financial management systems. Rather they use systems operated by other offices in DHS and Justice, respectively.
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Key criteria for evaluating organizational placement

Selected agencies that met the key criteria

Selected agencies that did not meet the key criteria

Law enforcement training

DHS CBP ICE Secret Service Justice Marshals	These agencies (1) provide their own law enforcement training programs or (2) access DHS’s Federal Law Enforcement Training Centers (FLETC) for law enforcement training. FPS also has access to FLETC and therefore would not need to rely on these agencies to obtain such access.	NPPD GSA	NPPD and GSA do not perform law enforcement activities and therefore do not have (1) law enforcement training programs, nor (2) access to FLETC for law enforcement training. However, because FPS currently has access to FLETC, it would continue to have access while in NPPD or GSA, according to FLETC officials.
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Source: GAO analysis of agency documents and interviews with stakeholders; GAO (images). | GAO-19-122

Notes: DHS = Department of Homeland Security; CBP = U.S. Customs and Border Protection; ICE = U.S. Immigration and Customs Enforcement; NPPD = National Protection and Programs Directorate; Secret Service = United States Secret Service; GSA = General Services Administration; Justice = Department of Justice; Marshals = U.S. Marshals Service

FPS is currently located in DHS’s NPPD. However, for the purposes of our comparison of DHS and NPPD to FPS, we assumed that FPS was independent of both DHS and NPPD.

For the first four criteria—(1) mission, goals, and objectives; (2) responsibilities; (3) organizational culture; and (4) information sharing and coordination—we determined that a selected agency met the criteria if the agency or its subcomponents have any similarities to FPS. For the last criterion—mission support—we determined that a selected agency met the criterion if the agency or its subcomponents have similarities to FPS or could provide FPS needed mission support.

^aWhile GSA’s mission or goal statements do not explicitly state a focus on infrastructure or facility protection, GSA has a statutory facility protection mission. See, e.g., 6 U.S.C. § 232(a). This statute references GSA’s responsibilities for the operation, maintenance, and protection of buildings and grounds occupied by the federal government and under the jurisdiction, custody, and control of GSA.

^bCBP’s, Justice’s, and Marshals’ mission or goal statements do not explicitly state a focus on infrastructure or facility protection, but these agencies have facility protection responsibilities to help achieve their missions or goals.

^cMarshals’ contract guards have facility protection responsibilities and also provide security for the judicial process, such as by providing security in a courtroom during hearings. While DHS, CBP, and Justice employ contract guards, the numbers of guards these agencies employ are limited.

^dJustice has an agreement, through the Marshals, to coordinate the protection of federal courthouses with FPS and other agencies, but does not have such an agreement for Justice facilities.

Because none of the agencies met all criteria, placing FPS in any of the selected agencies would require trade-offs. For example:

- While placing FPS in DHS, NPPD, or the Secret Service may provide FPS benefits in areas related to mission, responsibilities, and information sharing, there could be some adverse effect on FPS’s law enforcement operations or other activities. Specifically, as discussed above, placement in DHS, NPPD, or the Secret Service could provide FPS benefits because these agencies have similar missions and facility protection responsibilities, and have access to and share

information related to national homeland security that FPS needs to carry out its mission. However, NPPD, for example, does not perform law enforcement activities. Therefore, according to FPS officials, FPS's law enforcement activities may not continue to receive full attention. Further, keeping FPS in NPPD may not address some of the challenges related to culture, such as morale issues that, according to an official from the association of law enforcement officers, stem in part from FPS not being placed in a law enforcement organization. If placed in the Secret Service, this agency may not have the administrative capacity to handle the additional FPS human capital workload. Secret Service officials told us that they have a staffing shortage, which is exacerbated by the time it takes to vet applicants and process new staff through background checks and security clearances.

- As another example, FPS's placement in GSA or Marshals could enhance coordination among these agencies, but there could be some adverse effect on FPS's ability to carry out its mission or responsibilities. Specifically, GSA and Marshals could be appropriate choices as these agencies currently coordinate with FPS on facility protection. For GSA's held or leased facilities, FPS is primarily responsible for protecting federal employees and visitors in those facilities while GSA, as the federal government's landlord, performs some physical security activities, such as funding and repairing security fixtures. At federal courthouses, FPS is the primary federal agency responsible for patrolling and protecting the perimeter while Marshals is responsible for the security of the federal judiciary and as such provides for security inside the building. However, we have found challenges FPS has faced in coordinating with these agencies. In December 2015, for example, we found that FPS and GSA had not agreed on a common outcome related to facility protection or the roles and responsibilities to accomplish their missions.²⁶ Further, in September 2011, we reported that FPS and Marshals faced challenges related to coordination, such as in the implementation of roles and responsibilities and the use or participation in existing

²⁶ We recommended that FPS and GSA take actions to improve their coordination in several areas, including defining common outcomes for facility protection and agreeing on roles and responsibilities. GAO, *Homeland Security: FPS and GSA Should Strengthen Collaboration to Enhance Facility Security*, [GAO-16-135](#) (Washington, D. C.: Dec. 16, 2015). In September 2018, NPPD and GSA signed a memorandum of agreement that, among other things, defined FPS's and GSA's roles and responsibilities.

collaboration mechanisms.²⁷ In September 2018, NPPD and GSA signed a memorandum of agreement that, among other things, describes FPS's and GSA's roles and responsibilities, and FPS, Marshals, and other agencies involved in protecting courthouses (i.e., GSA and the Administrative Office of the U.S. Courts) are working to finalize a separate agreement for courthouse security. As these agreements are implemented, coordination between these agencies should improve as we have previously reported that establishing clear roles and responsibilities, in agreements or through other mechanisms, contribute to effective coordination.²⁸ In addition, Marshals may be a good placement option for FPS since both agencies perform physical security and law enforcement activities, and because both agencies use a large number of contract guards. However, because FPS does not share mission and goals with Marshals, it may be less equipped to prioritize FPS's activities in the law enforcement and physical security areas. Justice and Marshals officials said that, in their view, Marshals is different from FPS because Justice and Marshals perform limited physical security activities and have an extensive law enforcement mission, while the opposite is the case for FPS. Further, Marshals officials said that FPS's and Marshal's law enforcement activities support different purposes—with Marshals supporting a violent-crime reduction mission and FPS supporting a facility protection mission. As a result, Marshals officials said that FPS's facility protection mission may not receive full attention. Regarding contract guards, Marshal's guard force is smaller, performs different activities, and has different requirements compared to FPS's guard force. Regarding GSA, while GSA performs some physical security activities, it does not perform law enforcement, which is a critical part of FPS's responsibilities and, according to some stakeholders we interviewed, a key aspect of FPS's culture. GSA also does not have the same access to information related to national homeland security as FPS currently has, and therefore, FPS's access to this information could be affected, according to officials.

²⁷ We recommended that these entities address these issues by updating a memorandum of agreement that outlines roles and responsibilities. GAO, *Federal Courthouses: Improved Collaboration Needed to Meet Demands of a Complex Security Environment*, [GAO-11-857](#) (Washington, D. C.: Sept. 28, 2011). As of May 2018, an updated memorandum was drafted but had yet to be signed by all parties.

²⁸ GAO, *Managing for Results: Key Considerations for Implementing Interagency Collaborative Mechanisms*, [GAO-12-1022](#) (Washington, D.C.: Sept. 27, 2012).

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- Finally, various placement options could help FPS address some of its long-standing challenges such as in overseeing contract guards, collaborating with GSA and the Marshals, and funding. However, these placements could also affect whether FPS's needs are prioritized. For example, placing FPS in GSA or the Marshals may further help address coordination challenges. Additionally, placing FPS in GSA could address challenges FPS faces with funding.²⁹ If placed in GSA, GSA and FPS could consider whether to use the Federal Buildings Fund for security projects related to facility management, such as installing cameras.³⁰ OMB staff said that there are limitations with the Federal Buildings Fund, such as the amount of funding available for security projects. Further, the adverse effect of placing FPS in either GSA or the Marshals is that Marshals does not share mission and goals with FPS and that GSA does not have law enforcement responsibilities; therefore, these agencies may not prioritize FPS's needs.

For additional information on how the various agencies met each criterion, see appendixes II and III.

DHS Has Not Taken Key Steps to Fully Assess Potential Placement Options

When managing an agency or considering an organizational change, such as that of FPS's placement within or outside of DHS, our prior work has stated that an agency can benefit from periodically evaluating its organizational structure, identifying what a change is expected to achieve, and analyzing alternatives. Specifically, *Standards for Internal Control in the Federal Government* states that agency management should establish an organizational structure to achieve the agency's objectives. According to the *Standards*, an effective management practice for attaining this outcome includes periodically evaluating the organizational structure to ensure that it meets its objectives and has adapted to

²⁹ In July 2018, FPS informed GAO that it, with approval from OMB, recently implemented a new method for assessing fees for basic security services, taking effect beginning in fiscal year 2020. According to FPS, the new method is risk-based rather than relying upon the current charge per square foot and a set percentage for oversight of countermeasures. FPS officials told us that although the model for assessing fees has changed, FPS may continue to face budgetary shortfalls because FPS still faces a risk of collecting less revenue from fees than the cost of operations.

³⁰ The Federal Buildings Fund, administered by GSA, is financed by the rents received from other federal agencies. Instead of receiving direct appropriations, the Federal Buildings Fund operates as the primary means of financing the operating and capital costs associated with federal space.

changes.³¹ We have also reported that a key practice in organizational change is to identify and agree on what a change is expected to achieve or the problems the change will solve.³² The process of defining such expected outcomes can help decision makers reach a shared understanding of what challenges need to be addressed. Furthermore, we have reported on best practices for analyzing alternatives to help ensure that agencies select the option that best meets their needs.³³ These practices can be applied to a wide range of activities or programs in which an alternative must be selected from a set of possible options. The practices include assessing the current environment to provide a basis for comparison with other alternatives and identifying and assessing benefits and trade-offs of each alternative.

However, DHS has not taken key steps to fully assess potential placement options. Specifically, DHS has not assessed the organizational structure of FPS, such as its placement in NPPD, even though both have evolved since FPS was placed in NPPD in 2010. For example, NPPD has increased its focus on protecting the nation's cyber infrastructure as threats in this area have grown, and its funding for this purpose has increased. In light of these changes, in 2015 and 2016, DHS proposed that NPPD restructure itself to increase its focus on cybersecurity. However, the proposals did not include an assessment of FPS's organizational placement. The November 2018 legislation gave NPPD a greater statutory focus on cyber risk and may result in additional changes to the organization's activities.³⁴ Additionally, while in NPPD, FPS also has been increasingly engaged in providing law enforcement for homeland security, with the establishment of a rapid protection force of that can respond to heightened threat situations. Given these changes, without an assessment, DHS cannot be certain that FPS is currently placed in an agency that enables FPS to meet its mission.

³¹ [GAO-14-704G](#).

³² [GAO-12-542](#).

³³ [GAO-16-22](#).

³⁴ Cybersecurity and Infrastructure Security Agency Act of 2018, Pub. L. No. 115-278, § 2, 132 Stat. 4168.

Additionally, because DHS did not analyze FPS's current placement in NPPD, it does not have a benchmark for comparison to other agencies.³⁵ Without such an analysis, it is unclear whether FPS needed to be moved from NPPD. On one hand, FPS made progress while placed in NPPD in addressing many of our recommendations, and some stakeholders we spoke with (officials from DHS and NPPD) said that FPS was in the right place in NPPD. For example, a DHS official stated that from a resource perspective there was no good reason to move FPS out of NPPD as the official had not seen a business case to do so. Additionally, an NPPD official stated that mission alignment and an opportunity to influence the national facility-security policy were compelling reasons for FPS to stay in NPPD. Further, NPPD officials said that FPS was meeting its mission and objectives. On the other hand, FPS continued to experience challenges in carrying out its mission in NPPD—such as in overseeing contract guards, collaborating with GSA and the Marshals, and having adequate funding—such that questions have been raised as to whether placing FPS in NPPD was successful.³⁶

DHS has recently initiated an effort to evaluate FPS's placement, but it lacks several of the elements for a successful evaluation. Specifically, in August 2018, DHS, NPPD, and FPS established a working group with a draft charter with the objective of making a recommendation to the Secretary of Homeland Security on the organizational placement of FPS within DHS.³⁷ The working group's evaluation criteria for FPS placement consist of mission, command and control, resources, implementation

³⁵ In August 2014, the Homeland Security Studies and Analysis Institute (HSSAI) completed a study for DHS that identified alternative ways FPS could carry out its operations. The alternatives included, for example, making minor changes to its current operational approach and changing FPS to a center of excellence. HSSAI, *Federal Protective Service Alternative Operational Models Study Final Report* RP13-34-11, a report prepared for the Department of Homeland Security, Office of the Chief Financial Officer, Program Analysis and Evaluation Division (August 15, 2014). The study did not assess FPS's operations in terms of its placement in NPPD.

³⁶ The enactment of the Cybersecurity and Infrastructure Security Agency Act of 2018 may result in changes to NPPD but it is unclear what changes are anticipated that would make it different from NPPD.

³⁷ The working group expects to complete its analysis and make a recommendation in January 2019. The working group has been directed to not consider locations for FPS outside DHS at this time. FPS officials told us that they were first reviewing locations within DHS as stated in then proposed legislation on reorganizing NPPD. See, *Cybersecurity and Infrastructure Security Agency Act of 2018*, H. R. 3359, 115th Cong. (2018), subsequently enacted in November 2018 as the Cybersecurity and Infrastructure Security Agency Act of 2018, Pub. L. No. 115-278, 132 Stat. 4168.

schedule, and workforce and culture. While establishing this group and identifying criteria are positive steps in assessing FPS's placement, the group's planned activities are limited in several ways. For example, while the charter is a draft, it does not indicate that the working group will describe what changing FPS's placement is expected to achieve. This factor is particularly important given that each placement option has its benefits and trade-offs and that stakeholders' opinions of the options varied. Changing FPS's placement could include:

- addressing one or more of the key criteria previously discussed in this report;
- addressing some or all of the challenges that persist, such as in collaboration or contract guard oversight;
- or a combination of both.

Further, the draft charter does not indicate that the working group will evaluate agencies outside of DHS or incorporate best practices for analyzing alternatives, such as evaluating FPS's current placement in NPPD and the benefits and trade-offs of placement options. Without conforming to the best practices, DHS will not have assurance that the working group recommends the alternative that best meets mission needs.

DHS's current approach to evaluating FPS's placement limits DHS's ability to reliably assess the merits of placement options supported by GSA and FPS. GSA officials said GSA would take FPS and moving FPS back to GSA could benefit tenants in federal facilities, strengthen security support, and reduce redundancies because both agencies have federal facility protection responsibilities. Further, according to GSA, if consolidated under GSA, FPS could become more efficient, better manage costs, and leverage acquisition processes by making use of GSA's existing services. FPS officials stated that they prefer FPS to be a standalone entity that reports directly to DHS leadership. According to FPS, being a standalone agency in DHS would establish the protection of federal facilities as a critical mission of DHS and provide FPS with the direct support of DHS leadership. Further, according to FPS officials, having this support would better enable them to carry out their mission. However, neither GSA nor FPS has conducted analyses to support their preferences, and DHS is not planning to look at options outside of DHS at this time. As a result, DHS cannot fully assess FPS's or GSA's positions.

Once DHS identifies what it expects to achieve by moving FPS, in line with key practices for organizational change, and establishes an evaluation approach that reflects best practices for an analysis of alternatives, it will be in a position to best assess benefits and trade-offs previously discussed. In absence of these steps, DHS may not be positioning itself to make an informed decision as to what organization best supports FPS.

Conclusions

Over the past 15 years, FPS has been located in three different agencies (GSA, ICE, and NPPD), and there continues to be disagreement about whether it is currently in the best place to achieve its objectives. Further, agency and stakeholder opinions vary about where and whether FPS should move. DHS has established a working group to evaluate placement options for FPS. However, the working group's planned activities do not include key steps to fully assess potential placement options. Specifically, while the group's charter is a draft, it does not state whether it plans to assess FPS's current placement in NPPD, what DHS expects to achieve by changing FPS's placement, or effective placement options for relocating FPS.

These steps would help DHS address legislation enacted in November 2018 requiring the review of placement options for FPS—including how DHS considered the results of our review. Regardless of the legislation, DHS cannot have a complete discussion that leads to an informed decision on FPS's placement without taking these steps. Identifying the expected outcomes of changing FPS's placement and performing analyses are critical because organizational change can take many years to fully implement, can result in reduced productivity and morale in the short-term, and may require up-front investments. Without determining what it expects to achieve by moving FPS and conducting an evaluation using appropriate criteria, DHS may not be well-positioned to identify an organization that best supports FPS.

Recommendations for Executive Action

We are making the following two recommendations to the Secretary of Homeland Security:

The Secretary of Homeland Security—in consultation with NPPD and FPS—should identify the specific goals of a change in FPS's placement—that is, what DHS expects to achieve by moving FPS to another agency. (Recommendation 1)

The Secretary of Homeland Security—in consultation with NPPD, FPS, and other agencies as relevant—should fully evaluate placement options for FPS based on what DHS expects to achieve by changing FPS’s placement, an assessment of FPS’s current placement, and other best practices such as an analysis of alternatives assessing the benefits and trade-offs discussed in this report. (Recommendation 2)

Agency Comments

We provided a draft of this product to DHS, GSA, Justice, and OMB for comment. In its comments, reproduced in appendix IV, DHS concurred with our recommendations and outlined steps it plans to take to address them. DHS also provided technical comments, which we incorporated as appropriate. GSA, Justice, and OMB only provided technical comments, which we incorporated as appropriate.

We are sending copies of this report to the appropriate congressional committees, the Secretary of Homeland Security, the Administrator of General Services, the Attorney General, the Director of OMB, and other interested parties. In addition, the report is available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff has any questions about this report, please contact me at (202) 512-2834 or RectanusL@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix V.



Lori Rectanus, Director
Physical Infrastructure

Appendix I: Objectives, Scope, and Methodology

To address our objectives, we reviewed our prior work related to organizational transformation, where we identified organizational and accountability criteria that Congress should consider when determining which agencies to include or exclude from the newly created DHS.¹ The criteria are relevant to our review of FPS's organizational placement as Congress considers whether to include or exclude FPS in various agencies within and outside DHS. We selected a subset of the criteria that are the most relevant to FPS's organizational placement to include in our review.² For each criterion, we also identified elements (i.e., characteristics) that are specific to FPS based upon our review of FPS documents and our prior work on topics related to the criteria, and our discussions with federal officials with experience in facility security, the Federal Law Enforcement Officers Association, and a former high-ranking official in NPPD with knowledge of FPS.³

To identify challenges facing FPS, we reviewed our past work and the status of our prior recommendations, and interviewed stakeholders and agency officials. We reviewed pertinent proposed and enacted legislation related to DHS's reauthorization and FPS. We reviewed *Standards for Internal Control in the Federal Government* for relevant management

¹ GAO, *Homeland Security: Critical Design and Implementation Issues*, [GAO-02-957T](#) (Washington D.C.: July 17, 2002).

² [GAO-02-957T](#) identified criteria topics that include four overall purpose and structure questions, and seven organizational and accountability questions. For the purposes of this review on FPS's organizational placement, we addressed the four purpose and structure questions reported in the testimony by renaming the one structure question for improved readability, "performance-based organization" to "mission support" and excluded the remaining the overall purposes questions "clear mission" as is addressed in a similar criterion below and "definition" and "statutory basis" as they are not relevant to our objectives. For the seven organizational and accountability questions from the testimony, we combined two of the criteria "mission relevancy" and "similar goals and objectives" into one criterion called "mission, goals, and objectives." For improved readability, we renamed the "gains through consolidation," "integrated information sharing/coordination," and "compatible cultures" criteria as reported in the testimony as "responsibilities," "information sharing and coordination," and "organizational culture," respectively. We did not include a separate criterion on "impact on excluded agencies," as reported in the testimony, because we address this topic in the other criteria, where applicable. Finally, we excluded the "leverage effectiveness" criterion because of the lack of available data on synergy created by FPS's organizational placement.

³ GAO, *Results-Oriented Cultures: Implementation Steps to Assist Mergers and Organizational Transformations*, [GAO-03-669](#) (Washington, D.C.: July 2, 2003) and *Streamlining Government: Questions to Consider When Evaluating Proposals to Consolidate Physical Infrastructure and Management Functions*, [GAO-12-542](#) (Washington, D.C.: May 23, 2012).

responsibilities.⁴ And, we reviewed our prior reports on key practices and questions for organizational change and best practices for an analysis of alternatives process.⁵ We used practices identified in these reports as well as internal controls to assess the steps DHS has taken to assess placement options for FPS.⁶

We applied the key criteria to eight selected agencies in DHS, GSA, and the Department of Justice (Justice) that we determined could be potential organizational placement options for FPS, as shown in table 4.⁷

⁴ GAO, Standards for Internal Control in the Federal Government, [GAO-14-704G](#) (Washington, D. C.: Sept.10, 2014).

⁵ [GAO-03-669](#); [GAO-12-542](#) ; GAO, *Amphibious Combat Vehicle: Some Acquisition Activities Demonstrate Best Practice; Attainment of Amphibious Capability to be Determined*, [GAO-16-22](#) (Washington, D. C.: Oct. 28, 2015). The best practices for the analysis of alternatives process identified in [GAO-16-22](#) update and supersede the initial set of best practices listed in *DOE and NNSA Project Management: Analysis of Alternatives Could Be Improved by Incorporating Best Practices*, [GAO-15-37](#) (Washington, D.C.: Dec. 11, 2014). The practices for the analysis of alternatives process are applicable to assessing steps DHS has taken to assess placement options for FPS because they can be applied to a wide range of activities or programs in which an alternative must be selected from a set of possible options.

⁶ We selected practices that we identified to be the most relevant for assessing FPS's placement.

⁷ For our purposes, in this report we refer these agencies collectively as "selected agencies" and individually as a "selected agency" or "agency."

Table 4: Potential Organizational Placement Options That GAO Identified for the Federal Protective Service (FPS)

Department	GAO-identified organizational placement options for FPS
Department of Homeland Security	<ol style="list-style-type: none"> 1. Department of Homeland Security (DHS) (for this option, FPS would be a standalone entity reporting directly to the Deputy Secretary of DHS)^a 2. U.S. Customs and Border Protection (CBP) 3. U.S. Immigration and Customs Enforcement (ICE) 4. National Protection and Programs Directorate (NPPD)^a 5. United States Secret Service (Secret Service)
General Services Administration	<ol style="list-style-type: none"> 6. General Services Administration (GSA) (for this option, FPS would be a standalone entity reporting directly to the GSA Administrator)
Department of Justice	<ol style="list-style-type: none"> 7. Department of Justice (Justice) (for this option, FPS would be a standalone entity reporting directly to the Attorney General) 8. U.S. Marshals Service (Marshals)

Source: GAO. | GAO-19-122

^aFPS is currently located in DHS's NPPD. However, for the purposes of our comparison of DHS and NPPD to FPS, we assumed that FPS was independent of both DHS and NPPD.

We selected three of our eight placement options (CBP, ICE, and Secret Service) based upon our review of the most recently available data from the Department of Justice on the number of federal law enforcement officers.⁸ We selected these three agencies because they employed the largest number of law enforcement officers within DHS. Our selection of agencies with federal law enforcement officers is relevant because FPS employs such officers. We selected three options (GSA, NPPD, and a standalone entity in DHS) because FPS was previously organizationally placed within GSA, is currently placed in NPPD, and because of FPS's preference to be a standalone entity reporting directly to the Deputy Secretary of DHS.⁹ We selected our remaining two options (a standalone entity within Justice and the Marshals) because the duties of the Marshals include law enforcement and protection of federal courthouses and because legislation proposed during our review would have, if enacted, instructed the Secretary of Homeland Security to recommend the appropriate placement of FPS within the executive branch of the federal government.¹⁰ We also identified DHS's Office of the Chief Security

⁸ Department of Justice, *Bulletin NCJ 238250: Federal Law Enforcement Officers, 2008* (Washington, D.C.: June 2012).

⁹ FPS officials told us that they prefer to be a standalone entity in DHS with a similar reporting structure to the Federal Law Enforcement Training Centers (FLETC). FLETC reports to the Deputy Secretary of DHS.

¹⁰ *Department of Homeland Security Authorization Act*, H. R. 2825, 115th Cong. (2017).

Officer as an office within DHS that has the facility security responsibility for managing contract guards at DHS's former headquarters at the Nebraska Avenue Complex in Washington, D. C. We determined that this security office is a policy office within DHS's Management Directorate with its primary mission being the security of DHS employees and a focus on expanding internal security policy. For the purposes of our review, we did not include OCSO as a potential placement option for FPS because the security office does not have a large number of law enforcement officers, plans to divest operational security responsibilities, and was not a previous, current or FPS desired placement. Our exclusion of OCSO does not preclude DHS from assessing OCSO as a placement option for FPS.

We reviewed documentation and interviewed officials from FPS and the selected agencies to identify similarities, differences, and other considerations with regard to each of the key criteria. For the first four key criteria—(1) mission, goals, and objectives; (2) responsibilities; (3) organizational culture; and (4) information sharing and coordination—we determined that a selected agency met the criteria if the agency or its subcomponents have any similarities to FPS. For the last criterion—mission support—we determined that a selected agency met the criterion if the agency or its subcomponents have mission support similar to FPS or could provide mission support that FPS needs. Although we used the key criteria to assess eight agencies we selected, the criteria can be used to assess any potential placement option for FPS.

We also reviewed documentation and conducted interviews with stakeholders including:

- representatives from the Federal Law Enforcement Officers Association;
- representatives from the American Federation of Government Employees Local 918 (the union that represents NPPD employees—including FPS);
- representatives from two unions that represent a large number of Protective Security Officers (i.e., contract guards),
 - the United Government Security Officers of America and Security and
 - Security, Police and Fire Professionals Association of America;
- representatives from the National Association of Security Companies (an association of contract guard companies);

- officials from agencies that coordinate with or use FPS for facility protection
 - the Department of Justice for law enforcement coordination and
 - the Internal Revenue Service and the Social Security Administration as large users of FPS facility protection;
- staff from the Office of Management and Budget; and
- officials from DHS's Interagency Security Committee, which develops the security standards for non-military federal facilities.

We also obtained views from a former high-ranking official in NPPD with knowledge of FPS. Additionally, we obtained views from officials, staff, and representatives from FPS, the selected agencies and stakeholders on the alignment between FPS and the agencies as well as on the potential placement options. The results of these interviews are non-generalizable to all of FPS's stakeholders but provide useful examples of considerations related to various placement options.

We conducted this performance audit from June 2017 to January 2019 in accordance with generally accepted government auditing 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.

Appendix II: Comparison of Selected Agencies and the Federal Protective Service (FPS) in Elements Associated with Key Organizational-Placement Criteria

Based on our prior work related to organizational transformation, we identified five key criteria to consider when assessing placement options for FPS: (1) mission, goals, and objectives; (2) responsibilities; (3) organizational culture; (4) information sharing and coordination; and (5) mission support.¹ For each criterion, we identified elements that are specific to FPS. We identified these elements from documentation and interviews from federal officials with experience in facility security, the Federal Law Enforcement Officers Association, a former high-ranking official in NPPD with knowledge of FPS, and our review of prior work on topics related to the criteria. We compared selected agencies that could be placement options to FPS in each of the elements—see tables below. The selected agencies are the Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), National Protection and Programs Directorate (NPPD), United States Secret Service (Secret Service), General Services Administration (GSA), Department of Justice (Justice), and the U.S. Marshals Service (Marshals). We assumed that FPS would be a standalone entity in DHS, GSA, and Justice.²

For elements in the first four criteria—(1) mission, goals, and objectives; (2) responsibilities; (3) organizational culture; and (4) information sharing and coordination—a “yes” in the table means that any function of the selected agency or its subcomponents have similarities to FPS. For elements in the last criterion—mission support—a “yes” means that any function of the selected agencies or its subcomponents have mission support similar to FPS or could provide mission support that FPS needs. For all criteria, the “yes” designation does not account for the magnitude of the effort or activities performed by each of the selected agencies.

¹ GAO, *Homeland Security: Critical Design and Implementation Issues*, [GAO-02-957T](#) (Washington D.C.: July 17, 2002).

² FPS is currently placed within DHS’s NPPD. However, for the purposes of our comparison of DHS and NPPD to FPS, we assumed that FPS was independent of both DHS and NPPD. See appendix I for information on how we identified these agencies.

Appendix II: Comparison of Selected Agencies and the Federal Protective Service (FPS) in Elements Associated with Key Organizational-Placement Criteria

Table 5: Comparison of Selected Agencies to the Federal Protective Service (FPS) in the Mission and Goals Criterion

Federal Protective Service ^a	Department of Homeland Security – without FPS	U.S. Customs and Border Protection	U.S. Immigration and Customs Enforcement	National Protection and Programs Directorate– without FPS	United States Secret Service	General Services Administration	Department of Justice	U.S. Marshals Service
Mission or goals include an explicit focus on infrastructure or facility protection	Yes	No ^b	No	Yes	Yes	Yes ^c	No ^b	No ^b

Source: GAO analysis of agency strategic plans or statutes. | GAO-19-122

^aThis column reflects FPS’s mission at the time of our review.

^bU.S. Customs and Border Protection’s (CBP), Department of Justice’s (Justice), and U.S. Marshals Service’s (Marshals) mission or goal statements do not explicitly state a focus on infrastructure or facility protection but these agencies have facility protection responsibilities to help achieve their missions or goals.

^cWhile the General Services Administration’s (GSA) mission or goal statements do not explicitly state a focus on infrastructure or facility protection, GSA has a statutory facility protection mission. See, e.g., 6 U.S.C. § 232(a). This statute references GSA’s responsibilities for the operation, maintenance, and protection of buildings and grounds occupied by the federal government and under the jurisdiction, custody, and control of GSA.

Table 6: Comparison of Selected Agencies to the Federal Protective Service (FPS) in the Responsibilities Criterion

Federal Protective Service ^a	Department of Homeland Security – without FPS	U.S. Customs and Border Protection	U.S. Immigration and Customs Enforcement	National Protection and Programs Directorate– without FPS	United States Secret Service	General Services Administration	Department of Justice	U.S. Marshals Service
Type of facilities responsible for protecting— federal facilities	Yes	Yes ^b	No	Yes	Yes	Yes	Yes ^b	Yes ^b
Geographic location of facilities responsible for protecting— throughout the United States	Yes	No ^c	No	Yes	No ^c	Yes	Yes	Yes
Performs physical security activities	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes

Appendix II: Comparison of Selected Agencies and the Federal Protective Service (FPS) in Elements Associated with Key Organizational-Placement Criteria

Federal Protective Service^a	Department of Homeland Security – without FPS	U.S. Customs and Border Protection	U.S. Immigration and Customs Enforcement	National Protection and Programs Directorate– without FPS	United States Secret Service	General Services Administration	Department of Justice	U.S. Marshals Service
Performs law enforcement activities	Yes	Yes	Yes	No	Yes	No	Yes	Yes
Employs contract guards for facility protection	Yes	Yes	No	No	No	No	Yes	Yes
Estimated number of federal employees in occupations relevant to FPS operations (FPS: 1,109) ^{d, e}	41,484 ^f	2,189	13,244	1,451 ^f	-- ^g	130	29,184 ^f	3,554

Source: GAO analysis of agency strategic plans and other documents, interviews with agency officials, and Office of Personnel Management data. | GAO-19-122

^aThis column reflects FPS’s responsibilities at the time of our review.

^bU.S. Customs and Border Protection’s (CBP), Department of Justice’s (Justice), and U.S. Marshals Service’s (Marshals) mission or goal statements do not explicitly state a focus on infrastructure or facility protection but these agencies have facility protection responsibilities to help achieve their missions or goals.

^cCBP and the United States Secret Service (Secret Service) have responsibilities for protecting federal facilities but these facilities are not located throughout the interior of the United States. The facilities that CBP is responsible for are located primarily at the U.S. borders and ports of entry. The facilities that Secret Service’s Uniformed Division is responsible for are located in the National Capital Region.

^d FPS’s federal, non-mission support employees use the following Office of Personnel Management (OPM) occupations series: 0080 (security administration), 0083 (police and security guard), 1801 (general inspection, investigation, enforcement, and compliance), and 1811 (criminal investigation). We identified the total number of employees who fall in these four series for FPS and each selected agency as of September 30, 2017. With the exception of FPS, all estimates were a result of GAO analysis of OPM’s Enterprise Human Resources Integration (EHRI) database. Since we could not disaggregate FPS from National Protection and Programs Directorate (NPPD) data in the EHRI database, FPS provided us estimates on the number of its employees.

^eIn addition to these federal employees, FPS also manages contracts for and oversees approximately 13,000 Protective Security Officers (i.e., contract guards) posted at federal facilities. These contract guards have responsibility for controlling access to facilities, responding to emergency situations involving facility safety and security, and performing other duties.

^fThe number of federal employees identified for the Department of Homeland Security (DHS) and NPPD includes FPS. FPS estimated that it has 1,109 federal employees in relevant occupations.

^gWe are not publishing the number of Secret Service federal employees that are in occupations relevant to FPS operations due to sensitivity concerns identified by Secret Service officials.

Appendix II: Comparison of Selected Agencies and the Federal Protective Service (FPS) in Elements Associated with Key Organizational-Placement Criteria

Table 7: Comparison of Selected Agencies to the Federal Protective Service (FPS) in the Organizational Culture Criterion

Federal Protective Service^a	Department of Homeland Security – without FPS	U.S. Customs and Border Protection	U.S. Immigration and Customs Enforcement	National Protection and Programs Directorate– without FPS	United States Secret Service	General Services Administration	Department of Justice	U.S. Marshals Service
Employees located in regional or field offices	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Estimated percentage of federal employees satisfied with their jobs in 2017 (FPS: 64%) ^b	61% ^c	62%	65%	63% ^c	53%	73%	68%	70%
Some employees participate in union	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Has a culture focused on law enforcement	Yes	Yes	Yes	No	Yes	No	Yes	Yes
Has law enforcement officers who receive federal law enforcement officer retirement benefits ^d	Yes	Yes	Yes	No	Yes	No	Yes	Yes

Source: GAO analysis of agency documentation, interviews with agency officials, and Office of Personnel Management data. | GAO-19-122

^aThis column reflects FPS’s organizational culture at the time of our review.

^bFPS provided us estimates on the percent of federal employees satisfied with their jobs using the Office of Personnel Management’s 2017 Federal Employee Viewpoint Survey (FEVS), Job Satisfaction Index. All other estimates were a result of GAO analysis of FEVS Job Satisfaction Index data. The estimates produced by GAO have sampling variability of no more than plus or minus 1.2 percentage point at the 95 percent level of confidence.

^cThe Department of Homeland Security (DHS) and the National Protection and Programs Directorate’s (NPPD) employee satisfaction rates include FPS.

^dA law enforcement officer may receive federal law enforcement officer retirement benefits as a result of legislation or approval from the Office of Personnel Management. An agency may have some law enforcement officers who receive the retirement benefits and others that do not. For example, law enforcement officers in the United States Secret Service’s (Secret Service) Uniformed Division and Secret Service agents receive the benefits, while other Secret Service officers do not.

Appendix II: Comparison of Selected Agencies and the Federal Protective Service (FPS) in Elements Associated with Key Organizational-Placement Criteria

Table 8: Comparison of Selected Agencies to the Federal Protective Service (FPS) in the Information Sharing and Coordination Criterion

Federal Protective Service^a	Department of Homeland Security—without FPS	U.S. Customs and Border Protection	U.S. Immigration and Customs Enforcement	National Protection and Programs Directorate—without FPS	United States Secret Service	General Services Administration	Department of Justice	U.S. Marshals Service
Has access to and can share information related to national homeland security	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes
Has joint responsibility for coordinating facility protection	No	No	No	No	No	Yes	Yes ^b	Yes

Source: GAO analysis of agency strategic plans and other documents, and interviews with agency officials. | GAO-19-122

^aThis column reflects FPS's information sharing and coordination at the time of our review.

^bThe Department of Justice (Justice) has an agreement, through the U.S. Marshals Service (Marshals), to coordinate the protection of federal courthouses with FPS and other agencies, but does not have such an agreement for Justice facilities.

Table 9: Comparison of Selected Agencies to the Federal Protective Service (FPS) in the Mission Support Criterion

Federal Protective Service^a	Department of Homeland Security – without FPS	U.S. Customs and Border Protection	U.S. Immigration and Customs Enforcement	National Protection and Programs Directorate—without FPS	United States Secret Service	General Services Administration	Department of Justice	U.S. Marshals Service
Funds programs by collecting fees from other federal agencies	No	No	No	No	No	Yes	No	No
Has delegated authority for human capital (FPS does not have this authority) ^b	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Appendix II: Comparison of Selected Agencies and the Federal Protective Service (FPS) in Elements Associated with Key Organizational-Placement Criteria

Federal Protective Service^a	Department of Homeland Security – without FPS	U.S. Customs and Border Protection	U.S. Immigration and Customs Enforcement	National Protection and Programs Directorate– without FPS	United States Secret Service	General Services Administration	Department of Justice	U.S. Marshals Service
Currently uses its own IT systems to help agency officials conduct and track facility security assessments	Yes	No ^c	No	Yes	No	No	No	No
Currently uses its own IT systems for law enforcement activities (i.e., tracking investigative cases and incidents)	Yes	Yes	Yes	No	Yes	No	Yes	Yes
Currently uses its own IT systems for managing financial transactions (FPS uses ICE's system) ^d	Yes	Yes	Yes	No ^d	Yes	Yes	Yes	No ^d
Currently provides training for law enforcement activities	Yes	Yes	Yes	No	Yes	No	Yes	Yes

Source: GAO analysis of agency documentation and interviews with agency officials and stakeholders. | GAO-19-122

^aThis column reflects FPS's mission-support at the time of our review.

^bDelegated examining authority is an authority that allows federal executive branch agencies to fill competitive civil service jobs through a delegation from OPM. Agencies with this authority fill competitive civil service jobs by performing activities such as recruiting and hiring. FPS has some human capital expertise and performs some human capital activities but it does not have delegated examining authority. The National Protection and Programs Directorate (NPPD), FPS's parent organization, has this authority and is therefore responsible for providing human capital services (i.e., recruiting and hiring) on behalf of FPS.

^cU.S. Customs and Border Protection (CBP) uses an excel spreadsheet to track its security assessments but does not have an IT system to conduct such assessments.

^dFPS and NPPD do not currently use their own financial management system but use U.S. Immigration and Customs Enforcement's (ICE) system. Also, the U.S. Marshals Service (Marshals) uses the Department of Justice's (Justice) financial management system.

Appendix III: Summary of Selected Agencies' Similarities and Differences Related to Key Organizational-Placement Criteria

We identified five key organizational placement criteria that are relevant to consider when assessing FPS's placement: (1) mission, goals, and objectives; (2) responsibilities; (3) organizational culture; (4) information sharing and coordination; and (5) mission support. We evaluated whether selected agencies that could be placement options for FPS met the key organizational placement criteria. The selected agencies are the Department of Homeland Security (DHS); U.S. Customs and Border Protection (CBP); U.S. Immigration and Customs Enforcement (ICE); National Protection and Programs Directorate (NPPD); United States Secret Service (Secret Service); General Services Administration (GSA); Department of Justice (Justice); and the U.S. Marshals Service (Marshals). We assumed that FPS would be a standalone entity in DHS, GSA, and Justice.¹

For the first four criteria—(1) mission, goals, and objectives; (2) responsibilities; (3) organizational culture; and (4) information sharing and coordination—we determined that a selected agency met the criteria if the agency or its subcomponents have similarities to FPS in relevant elements identified in appendix II. We determined that a selected agency met the mission support criterion if the agency or its subcomponents have similarities to FPS or could provide FPS needed mission support in relevant elements.²

Mission, Goals, and Objectives

FPS's mission focuses on the protection of federal facilities and the people working in and visiting those facilities.


In table 10 and subsequent paragraphs, we describe how selected agencies met the mission, goals, and objectives criterion—that is, the selected agencies that were similar to FPS for this criterion—areas of consideration if FPS is placed in those agencies, and how the selected agencies did not meet the criterion.

¹ FPS is currently placed within DHS's NPPD. However, for the purposes of our comparison of DHS and NPPD to FPS, we assumed that FPS was independent of both DHS and NPPD. See appendix I for information on how we identified these agencies.

² We determined whether selected agencies met or did not meet the criteria based on an overall evaluation of the elements identified in appendix II.

Appendix III: Summary of Selected Agencies' Similarities and Differences Related to Key Organizational-Placement Criteria

Table 10: Detailed Comparison of Selected Agencies to FPS in the Mission, Goals, and Objectives Criterion

Key criteria for evaluating organizational placement	Selected agencies that met the key criteria	Selected agencies that did not meet the key criteria
 <p>Do the agencies have similar mission, goals, and objectives?</p>	<p>DHS NPPD Secret Service GSA</p> <p>These agencies are similar to FPS in that their mission statements or goals include an explicit focus on the protection of infrastructure or specific facilities.^a</p>	<p>CBP ICE Justice Marshals</p> <p>These agencies do not have mission statements or goals that focus explicitly on infrastructure or facility protection.^b</p>

Source: GAO analysis of agency strategic plans or statutes; GAO (image). | GAO-19-122

Note: DHS = Department of Homeland Security; CBP = U.S. Customs and Border Protection; ICE = U.S. Immigration and Customs Enforcement; NPPD = National Protection and Programs Directorate; Secret Service = United States Secret Service; GSA = General Services Administration; Justice = Department of Justice; Marshals = U.S. Marshals Service

^aWhile GSA's mission or goal statements do not explicitly state a focus on infrastructure or facility protection, GSA has a statutory facility protection mission. See, e.g., 6 U.S.C. § 232(a). This statute references GSA's responsibilities for the operation, maintenance, and protection of buildings and grounds occupied by the federal government and under the jurisdiction, custody, and control of GSA.

^bCBP's, Justice's, and Marshals' mission or goal statements do not explicitly state a focus on infrastructure or facility protection but these agencies have facility protection responsibilities to help achieve their missions or goals.

DHS, NPPD, and Secret Service are similar to FPS in that their mission statements or goals as stated in their strategic plans include an explicit focus on the protection of infrastructure or specific facilities. GSA has a statutory facility protection mission. Our prior work found that placing an agency into an organization that has a similar mission may help ensure that the agency's mission receives adequate funding, attention, visibility, and support.³ One of DHS's goals—as noted in its strategic plan covering fiscal years 2014 to 2018—is to reduce risk to the nation's critical infrastructure. In addition, NPPD's mission is to lead the national effort to protect and enhance the resilience of the nation's physical and cyber infrastructure. To carry out this mission, NPPD coordinates efforts to protect infrastructure in 16 critical infrastructure sectors, including a government facilities sector. Further, the Secret Service's mission is to ensure, among other things, the security of the United States President, Vice President, and other individuals. The Secret Service's Uniformed Division protects locations necessary for accomplishing its mission of protecting these individuals. Per statute, GSA is responsible for the operation, maintenance, and protection of buildings and grounds

³ [GAO-02-957T](#).

occupied by the federal government and under the jurisdiction, custody, and control of GSA.⁴

While DHS, NPPD, Secret Service, and GSA may be good placement options for FPS given their similarities in mission or goals (i.e., focus on infrastructure or facility protection), stakeholders we interviewed identified some key areas of consideration that may have a bearing on how well FPS would fit in NPPD, Secret Service, and GSA.

- *NPPD*: FPS and NPPD officials expressed concerns about the fit between the two agencies given differences in how they perform their infrastructure protection missions. Specifically, FPS has employees who directly protect federal facilities, while NPPD's physical infrastructure protection efforts provide guidance and resources to federal, state, and local governments, and private sector companies so that they can protect their facilities. Furthermore, officials from FPS, NPPD, the union representing FPS officials, an association representing federal law enforcement officers, and a former high-ranking official in NPPD said that a difference between the two agencies is that FPS performs law enforcement activities to carry out its protection mission while NPPD does not.
- *Secret Service*: Officials from FPS and Secret Service said that placing FPS in the Secret Service could present challenges because the two agencies' missions have some fundamental differences—FPS focuses on protecting federal facilities and Secret Service focuses on protecting individuals such as the United States President and Vice President. Furthermore, another difference is that the scope of facilities that the Secret Service protects is smaller and narrower than FPS, according to FPS and Secret Service officials. FPS protects about 9,000 facilities throughout the United States, while Secret Service's Uniformed Division—which is responsible for protecting facilities—protects a limited number of facilities in the National Capital Region (e.g., the White House, the Vice President's residence). FPS officials said that another consideration between the two agencies is that FPS's mission of protecting federal facilities would get lost in Secret Service's mission of protecting the President of the United States and other key individuals.
- *GSA*: Stakeholders provided differing views on how well FPS would fit in GSA. An official from CBP and officials from Justice said that

⁴ See, e.g., 6 U.S.C. § 232(a) which references such GSA responsibilities.

FPS should be placed in GSA because FPS focuses on GSA-held or leased facilities. Furthermore, GSA officials stated FPS and GSA could merge as both have the authority to protect federal facilities,⁵ and there is an intuitive relationship between GSA's focus on the management and operations of federal facilities and FPS's mission of the security of federal facilities. Conversely, officials from FPS, staff from OMB, and officials of an association that represents security companies, said that FPS should not move to back to GSA. These officials and staff said that FPS should not move to GSA because, among other reasons, the two agencies have different missions: GSA focuses on federal real estate and some physical security activities not homeland security or law enforcement.

CBP, ICE, Justice, and Marshals do not have mission statements or goals that focus explicitly on infrastructure or facility protection. Nonetheless, as we discuss in the next section of this report, CBP, Justice, and Marshals have some facility protection responsibilities.

In addition, FPS and the selected agencies share few or no operational objectives.⁶ DHS, ICE and NPPD share one or two operational objectives with FPS—DHS shares objectives that focuses on mitigating risks and responding to incidents, ICE shares one that focuses on intelligence gathering, and NPPD shares one that focuses on facility assessments. FPS, Justice, and Marshals have a few similar operational objectives. The three agencies have objectives that focus on the integration and use of intelligence information. FPS and Marshals also have similar objectives

⁵ Pursuant to section 1706 of the Homeland Security Act of 2002 that transferred the Federal Protective Service (FPS) from the General Services Administration (GSA) to the Department of Homeland Security (DHS), the DHS Secretary "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 persons on the property." See 40 U.S.C. § 1315(a). FPS carries out this authority. Except for the law enforcement and related security functions transferred with FPS to DHS pursuant to the Homeland Security Act of 2002 (Pub. L. No. 107-296, 116 Stat. 2135), under the Homeland Security Act of 2002, the GSA Administrator retained authorities with respect to the operation, maintenance, and protection of buildings and grounds owned or occupied by the federal government and under the jurisdiction, custody, or control of the Administrator. See 40 U.S.C. § 232(a).

⁶ All of the selected agencies have objectives that are relevant to their operations, which we call "operational objectives", as well as objectives that are mission-support focused, such as on human resources and training. For the purposes of this review, we examined similarities and differences between FPS and selected agencies' operational objectives. FPS has 4 goals and 13 operational objectives. For example, one of FPS's goals is to "advance the core operational capabilities that drive mission execution." One of the operational objectives associated with this goal is to enhance facility assessments.

that focus on facility assessments, mitigating risks, and on rapidly responding to emergencies and incidents.

Responsibilities

To carry out its facility protection mission at about 9,000 federal facilities, FPS performs physical security as well as law enforcement activities. As a part of its physical security activities, FPS conducts facility security assessments,⁷ identifies countermeasures (e.g., equipment and contract guards) best suited to secure a facility, and oversees contract guards. As a part of its law enforcement activities, FPS proactively patrols facilities, responds to incidents, and conducts criminal investigations, among other things. FPS also provides additional operational law enforcement support, at the direction of the Secretary of Homeland Security, to address emerging threats and homeland security incidents. According to FPS officials, previous placements have focused on physical security or law enforcement, but not both. For example, FPS officials told us that because of ICE's focus on law enforcement, FPS's physical security activities took a backseat to ICE's law enforcement mission. Similarly, according to FPS officials, NPPD has not prioritized FPS's law enforcement activities because NPPD does not have a focus on law enforcement.

One of FPS's most critical activities is overseeing about 13,500 contract guards who are posted at federal facilities and are responsible for controlling access to facilities, responding to emergency situations involving facility safety and security, and performing other duties. FPS is responsible for overseeing these guards to ensure, among other things, that they are performing their assigned duties and have the necessary training and certifications. We have reported on challenges FPS faces in overseeing contract guards. For example, in August 2012, we reported that FPS faced challenges ensuring that contract guards have the necessary training and certifications. We found that although FPS verifies contractor-reported guard certification and training information by


⁷ Risk assessments consist of identifying and assessing threats and vulnerabilities of a facility.

Appendix III: Summary of Selected Agencies' Similarities and Differences Related to Key Organizational-Placement Criteria

conducting monthly audits, FPS does not independently verify the contractor's information.⁸

In table 11 and subsequent paragraphs, we describe how selected agencies met the "responsibilities" criterion—that is, the selected agencies that were similar to FPS for this criterion—areas of consideration if FPS is placed in those agencies, and how the selected agencies did not meet the criterion.

Table 11: Detailed Comparison of Selected Agencies to FPS in the Responsibilities Criterion

Key criteria for evaluating organizational placement	Selected agencies that met the key criteria	Selected agencies that did not meet the key criteria	
 <p>Are agencies' responsibilities similar?</p>	<i>Facility protection responsibilities</i>		
	DHS CBP NPPD Secret Service GSA Justice Marshals	Similar to FPS, DHS, nearly all of the selected agencies within DHS, GSA, Justice, and Marshals have federal facility protection responsibilities. ^a	ICE ICE does not have any federal facility protection responsibilities because it pays FPS to protect its facilities.
	<i>Physical security and law enforcement activities</i>		
	DHS CBP Secret Service Justice Marshals	These agencies are similar to FPS because they perform both physical security and law enforcement activities.	ICE NPPD GSA These agencies perform either physical security or law enforcement activities, but not both.
	<i>Contract guard responsibilities</i>		
	Marshals	Marshals, like FPS, employ and oversee a large number of contract guards. ^b	DHS CBP ICE NPPD Secret Service GSA Justice These agencies use FPS's contract guards, procure a limited number of guards, or use their own federal officers for facility protection. ^b

Source: GAO analysis of agency documents and interviews with stakeholders; GAO (image). | GAO-19-122

⁸ We recommended that DHS should instruct FPS to, among other things: 1) verify independently that FPS's contract guards are current on all training and certification requirements and (2) develop and implement a new comprehensive and reliable system for contract guard oversight. GAO, *Federal Protective Service: Actions Needed to Assess Risk and Better Manage Contract Guards at Federal Facilities*, GAO-12-739 (Washington, D. C.: Aug. 10, 2012). In September 2017, FPS officials told us that they are implementing a Post Tracking System and a Training Academy and Management System. These two systems could address our recommendations. In May 2018, FPS officials told us that they continue to develop or fully implement these systems.

**Facility Protection
Responsibilities**

Note: DHS = Department of Homeland Security; CBP = U.S. Customs and Border Protection; ICE = U.S. Immigration and Customs Enforcement; NPPD = National Protection and Programs Directorate; Secret Service = United States Secret Service; GSA = General Services Administration; Justice = Department of Justice; Marshals = U.S. Marshals Service

^aCBP’s, Justice’s, and Marshals’ mission or goal statements do not explicitly state a focus on infrastructure or facility protection, but these agencies have facility protection responsibilities to help achieve their missions or goals.

^bMarshals’ contract guards have facility protection responsibilities and also provide security for the judicial process, such as by providing security in a courtroom during hearings. While DHS, CBP, and Justice employ contract guards, the numbers of guards these agencies employ are limited.

Like FPS, DHS, the selected agencies in DHS (except ICE), GSA, Justice, and Marshals have responsibilities for federal facility protection.⁹ As discussed above, DHS, NPPD, and the Secret Service have mission or goal statements that explicitly address infrastructure or facility protection. CBP’s, GSA’s, Justice’s, and Marshals’ mission or goal statements do not explicitly state a focus on infrastructure or facility protection, but these agencies have some facility protection responsibilities to help achieve their missions. For example, GSA has some protection responsibilities for about 8,700 GSA-held or GSA-leased facilities in support of its mission of managing the federal real estate portfolio. GSA conducts repairs that affect the operation of building security equipment and develops policy and requirements for the building security used in the design and construction of GSA buildings. Marshals have security responsibilities at federal courthouses in support of its mission to protect, defend, and enforce the nation’s justice system.

Stakeholders we interviewed identified some areas of consideration that may have a bearing on how well FPS would fit in agencies that have facility protection responsibilities:

- Officials from FPS and Marshals questioned how FPS would meld with agencies that protect facilities on a smaller scale. CBP, Justice, and Marshals perform facility protection at a smaller number of facilities as compared to FPS and GSA: CBP has facility protection responsibilities at about 1,200 border patrol stations, ports of entry, and other facilities; Justice (excluding Marshals) at 36 facilities; and Marshals at about 430 facilities with a judicial presence, while FPS and GSA have protection responsibilities at about 9,000 and 8,700 facilities, respectively.

⁹ According to ICE officials, ICE does not have any facility protection responsibilities because it pays FPS to provide facility protection for its facilities.

Physical Security and Law Enforcement Activities

- Justice and Marshals officials said that there are some differences between their agencies and FPS's facility protection responsibilities. Specifically, these officials said that unlike FPS, Justice and Marshals have limited responsibilities for facility protection, and in the case of Marshals, this responsibility is related to the protection of the federal judiciary.

FPS most closely aligns with DHS, CBP, Secret Service, Justice, and Marshals because these agencies perform both physical security and law enforcement activities. However, as discussed in the paragraph below, there are differences in the extent to which and for what purpose these agencies perform these activities. The remaining agencies perform either physical security (NPPD, GSA) or law enforcement activities (ICE), but not both.

While DHS, CBP, Secret Service, Justice, and Marshals align with FPS with regard to the two types of activities it performs, there are differences in how these agencies perform these activities because these agencies' activities and missions differ from FPS. For example, Justice and Marshals officials explained that in their view, Justice and Marshals are different from FPS because Justice and Marshals perform limited physical security activities and have extensive law enforcement missions, whereas FPS has a limited law enforcement mission and an extensive facility protection mission. Further, Marshals officials said that FPS's and Marshal's law enforcement activities support different purposes—with Marshals supporting a violent-crime reduction mission and FPS supporting a facility protection mission. As a result, Marshals officials said that FPS's facility protection mission may not receive full attention. Further while FPS performs law enforcement activities relevant to federal facility protection, the Secret Service performs law enforcement relevant to protecting key individuals, such as the President. Furthermore, although GSA does not perform law enforcement activities, GSA officials said that if FPS moved to GSA, its leadership would provide FPS organizational support that would enable both FPS's law enforcement and physical security activities. FPS officials stated that if FPS moved outside of DHS, the Secretary of Homeland Security—who is responsible for protecting the nation—may lose protection responsibilities for federal facilities as well as the ability to use FPS for law enforcement support when needed for homeland security.

Contract Guard Responsibilities

Like FPS, Marshals also employs a large number of contract guards for facility protection. The remaining agencies (DHS, CBP, ICE, NPPD, Secret Service, GSA, and Justice) use FPS's contract guards, procure a

limited number of guards¹⁰ or use their own federal officers for facility protection, according to officials from these agencies. Similar to FPS, Marshals also performs compliance reviews of training and certification information maintained by its contractors, and Marshals officials explained that these reviews are performed periodically.

Staff from OMB and an association of security companies said that Marshals may be a good fit for FPS because Marshals, like FPS, uses a contract guard force. We have previously reported that a consideration of moving one agency into another is whether the move can help improve the efficiency and effectiveness of agency missions by, among other things, addressing gaps.¹¹ In this regard, one consideration is whether FPS could leverage the Marshals' oversight of its own contract guards to address its ongoing challenges in this area.

However, differences between FPS's and Marshals' contract guard programs exist. For example, Marshals' guard force is smaller than FPS's with about 4,400 guards and the day-to-day duties of FPS's contract guards are different from Marshals' contract guards. Both FPS's and Marshals' contract guards control access to facilities. However, Marshals contract guards also provide security for the judicial process, such as providing armed escort services to judges, jurors, and other court personnel and providing security in a courtroom during hearings. Furthermore, some requirements between the two guard forces vary. For example, Marshals has more stringent requirements for contract guards in the areas of education and law enforcement experience.

Organizational Culture

While there are many areas relevant to organizational culture, law enforcement is a key aspect of FPS's organizational culture, according to officials from an association of security companies and a former high-ranking official in NPPD. One area that has affected FPS's culture, particularly morale, according to an official from the association of law enforcement officers, is that FPS's criminal investigators receive federal law enforcement officer retirement benefits, while its inspectors—who

¹⁰ According to DHS, CBP, and Justice officials, these three agencies procure a limited number of guards directly (i.e., about 130 guards at DHS, 51 guards at CBP, and 862 guards at Justice (excluding Marshals)).


¹¹ [GAO-02-957T](#).

Appendix III: Summary of Selected Agencies' Similarities and Differences Related to Key Organizational-Placement Criteria

also perform some law enforcement and who form the majority of FPS's workforce—do not.¹²

In table 12 and subsequent paragraphs, we describe how selected agencies met the organizational culture criterion—that is, the selected agencies that were similar to FPS for this criterion—areas of consideration if FPS is placed in those agencies, and how the selected agencies did not meet the criterion.

Table 12: Detailed Comparison of Selected Agencies to FPS in the Organizational Culture Criterion

Key criteria for evaluating organizational placement	Selected agencies that met the key criteria		Selected agencies that did not meet the key criteria	
	DHS CBP ICE Secret Service Justice Marshals	DHS, nearly all of the selected agencies within DHS, Justice, and Marshals have cultures similar to FPS because they are law enforcement agencies.	NPPD GSA	Neither NPPD nor GSA are law enforcement agencies and therefore do not have similar cultures with FPS.
Do the agencies have similar organizational culture?				

Source: GAO analysis of agency documents and interviews with stakeholders; GAO (image). | GAO-19-122

Note: DHS = Department of Homeland Security; CBP = U.S. Customs and Border Protection; ICE = U.S. Immigration and Customs Enforcement; NPPD = National Protection and Programs Directorate; Secret Service = United States Secret Service; GSA = General Services Administration; Justice = Department of Justice; Marshals = U.S. Marshals Service

DHS, nearly all the selected agencies in DHS, and Justice have cultures similar to FPS because they are all law enforcement agencies, but NPPD and GSA do not.^{13,14} An official from an association of federal law

¹² In general, OPM's definition of "law enforcement officer" means an employee, the duties of whose position are primarily the investigation, apprehension, or detention of individuals suspected or convicted of offenses against the criminal laws of the United States. This definition explicitly does not include an employee whose primary duties involve maintaining law and order, protecting life and property, guarding against or inspecting for violations of law, or investigating persons other than persons who are suspected or convicted of offenses against the criminal laws of the United States. 5 C.F.R. § 831.902. Apart from this definition, some groups, such as customs and border protection officers in a specified job series, including customs inspectors, have been provided benefits like federal law enforcement officer retirement benefits specifically by statute. Pub. L. No. 110-61, §535, 121 Stat. 1844, 2075 (2007).

¹³ Within DHS, CBP, ICE, and the Secret Service focus on law enforcement and therefore have a culture focused on law enforcement, while NPPD does not. Within Justice, Marshals focuses on law enforcement.

enforcement officers said moving FPS to a law enforcement agency may improve FPS's employee satisfaction. Specifically, this official explained that one advantage of moving FPS to a law enforcement agency is that it could mean that FPS inspectors could be reclassified into positions that would receive federal law enforcement officer retirement benefits, leading to improved employee satisfaction and retention. FPS officials said that Justice's long-standing culture that is focused on law enforcement is something that FPS sees as one of Justice's advantages.

Although FPS and some of the selected agencies are similar in that their cultures focus on law enforcement, there are differences among their cultures. For example, FPS officials questioned how their agency would meld with the Secret Service since it has long history, and Marshals officials said that FPS and the Marshals do not have comparable legacies. The Secret Service and Marshals have been around for about 150 and 230 years, respectively, while FPS has a 47-year history. In addition, FPS and the law enforcement agencies may have different hiring practices, which can influence the culture of the workforce. Secret Service, for example, requires that all its employees hold a top-secret security clearance. This level of clearance is not required for all of FPS's employees, according to an FPS official. If FPS moved to Secret Service, Secret Service officials stated that there may be a need to create different workforce categories due to differences in the hiring requirements, a situation that may affect FPS's and the Secret Service's employee morale.

Information Sharing and Coordination

Regarding information sharing, in 2016, DHS designated a division within FPS as a Component Intelligence Program (CIP). CIPs are organizations in DHS that collect, gather, process, analyze, produce, or disseminate information related to national homeland security. According to FPS officials, FPS's participation in meetings held by the CIPs is important because it provides FPS more visibility on the threats that other DHS agencies have identified and actions they plan to take. Further, FPS shares information obtained in CIP meetings with federal agencies across the United States to support emergency preparedness, security, and employee safety. Additionally, as a CIP, FPS has an opportunity to provide input on the national homeland-security information that the Secretary of Homeland Security receives. Finally, FPS has greater

¹⁴ We assume that as a standalone entity in DHS, FPS would likely continue to have a similar culture.

access to information than it might otherwise receive without the CIP designation. FPS officials said that FPS's designation as a CIP was a "game changer" for FPS's abilities to identify and share information on emerging threats. FPS officials explained that FPS's placement could influence whether FPS continues to have direct access to information related to national homeland security that it needs to carry out its mission.

Regarding coordination, FPS currently coordinates with both GSA and Marshals to fulfill its facility protection mission; however, we have reported on challenges FPS has faced in coordinating with these agencies.

- *FPS's coordination with GSA:* FPS and GSA share responsibility for protecting federal facilities. FPS is primarily responsible for protecting federal employees and visitors in federal facilities held or leased by GSA. GSA serves as the federal government's landlord and, in this role, performs some physical security activities such as funding and repairing security fixtures. In December 2015, we found that FPS and GSA had not agreed on a common outcome related to facility protection or the roles and responsibilities to accomplish their missions.¹⁵
- *FPS's coordination with Marshals:* FPS coordinates with Marshals to protect about 430 federal courthouses. At courthouses held or leased by GSA, FPS is the primary federal agency responsible for patrolling and protecting the perimeter of the facilities and for enforcing federal laws and regulations in those facilities. Marshals has primary responsibility for the security of the federal judiciary, including the safe conduct of court proceedings and the security of federal judges, court personnel, jurors, and the visiting public. In September 2011, we reported that FPS, Marshals, and other agencies involved in protecting courthouses (i.e., GSA and the Administrative Office of the U.S. Courts) faced challenges related to coordination, such as in the


¹⁵ We recommended that FPS and GSA take actions to improve their coordination in several areas, including defining common outcomes for facility protection and agreeing on roles and responsibilities. GAO, *Homeland Security: FPS and GSA Should Strengthen Collaboration to Enhance Facility Security*, [GAO-16-135](#) (Washington, D. C.: Dec. 16, 2015). In September 2018, NPPD and GSA signed a memorandum of agreement that, among other things, defines FPS and GSA's roles and responsibilities.

Appendix III: Summary of Selected Agencies' Similarities and Differences Related to Key Organizational-Placement Criteria

implementation of roles and responsibilities and the use or participation in existing collaboration mechanisms.¹⁶

In table 13 and subsequent paragraphs, we describe how selected agencies that met the information sharing and coordination criterion—that is, the selected agencies that were similar to FPS for this criterion—areas of consideration if FPS is placed in those agencies, and how the selected agencies did not meet the criterion.

Table 13: Detailed Comparison of Selected Agencies to FPS in the Information Sharing and Coordination Criterion

Key criteria for evaluating organizational placement	Selected agencies that met the key criteria		Selected agencies that did not meet the key criteria	
 <p>Do the agencies access and share similar information and coordinate activities?</p>	<p>DHS CBP ICE NPPD Secret Service Justice Marshals</p> <p>DHS, all of the selected agencies in DHS, Justice, and Marshals, like FPS, have access to and can share information related to national homeland security.</p>		<p><i>Information sharing</i></p> <p>GSA</p> <p>GSA does not have access to information related to national homeland security. However, GSA has access to information pertinent to the security of government facilities.</p>	
			<p><i>Coordination of activities</i></p> <p>GSA Justice^a Marshals</p> <p>GSA and FPS have joint responsibility for protecting facilities, and these two agencies and Marshals have joint responsibility for protecting courthouses.</p>	

Source: GAO analysis of agency documents and interviews with stakeholders; GAO (image). | GAO-19-122

Note: DHS = Department of Homeland Security; CBP = U.S. Customs and Border Protection; ICE = U.S. Immigration and Customs Enforcement; NPPD = National Protection and Programs Directorate; Secret Service = United States Secret Service; GSA = General Services Administration; Justice = Department of Justice; Marshals = U.S. Marshals Service

^aJustice has an agreement, through the Marshals, to coordinate the protection of federal courthouses with FPS and other agencies, but does not have such an agreement for Justice facilities.

¹⁶ We recommended that these entities address these issues by updating a memorandum of agreement that, among other things, clarifies roles and responsibilities. GAO, *Federal Courthouses: Improved Collaboration Needed to Meet Demands of a Complex Security Environment*, [GAO-11-857](#) (Washington, D.C.: Sept. 28, 2011). As of May 2018, an updated memorandum was drafted but had yet to be signed by all parties.

Information Sharing

Like FPS, all of the selected agencies except GSA have access to and can share information related to national homeland security, and these agencies could share that same information with FPS. Specifically, like FPS, the selected agencies in DHS are CIPs or participate in other groups that have access to and can share information related to national homeland security. Justice and Marshals have access to homeland security information through the Federal Bureau of Investigation and participate in separate groups where national homeland security information is shared, including the Joint Terrorism Task Force and the National Counterterrorism Center.

While selected agencies in DHS and Justice are similar to FPS in the area of information sharing, there are some differences and challenges that decision makers would need to consider before placing FPS in these agencies. For example, FPS and the selected agencies in DHS and Justice require different types of information to meet respective mission needs. In previous organizational placements, FPS has faced challenges with information sharing. For example, FPS officials told us that when FPS was part of ICE, they relied on ICE to provide them with information, which slowed down FPS's ability to react to information specific to facility protection. This may not be an issue if FPS continues to have direct access to information as a CIP.

While GSA does not have access to national homeland security information, GSA has access to and shares information pertinent to the security of government facilities through, among other sources, participation in the government facilities sector of the Government Coordinating Council and Interagency Security Committee. Officials from FPS, an association of security companies, and a former high-ranking official in NPPD—said if FPS moved to GSA, FPS could lose direct access to critical information that is necessary for it to accomplish its mission. Furthermore, staff from OMB said FPS's participation in DHS's homeland security groups has given the agency some level of credibility. Thus, if FPS moved to an agency that does not have access to national homeland security information, such as GSA, there may be resistance from DHS agencies and others in sharing information with FPS, according to the OMB staff. If FPS moved to Justice or Marshals, FPS officials said that they would be able to continue to access and share homeland security information through Justice's information sharing community. Thus, a move to either of these two agencies would not have as great an impact to their access to homeland security information as a move to GSA would, according to FPS officials.

Coordination

Based on the coordination challenges we found in our prior work, FPS and GSA or Marshals may continue to disagree on roles and responsibilities if FPS is placed in these agencies. However, in September 2018, NPPD and GSA signed a memorandum of agreement that, among other things, describes FPS's and GSA's roles and responsibilities, and FPS, Marshals, GSA, and the Administrative Office of the U.S. Courts are working to finalize a separate agreement for courthouse security. Accordingly, coordination between these agencies should improve with the implementation of these agreements as we have previously reported that establishing clear roles and responsibilities, in agreements or through other mechanisms, contribute to effective coordination.¹⁷

Moving one agency into another does not necessarily mean that the two agencies will coordinate better. As discussed earlier in this report, FPS moved from ICE to NPPD so that FPS could gain synergy with NPPD's Office of Infrastructure Protection, which is responsible for coordinating infrastructure protection across government and the private sector. According to OMB staff we interviewed, this synergy has not happened in part because NPPD and FPS missions are self-contained—with FPS focused on federal facility infrastructure and the Office of Infrastructure Protection focused on other types of infrastructure, including privately owned infrastructure.

DHS, CBP, ICE, NPPD, and Secret Service do not have joint responsibilities for coordinating facility protection because these agencies rely on FPS to provide security services or provide their own security services.

Mission Support

FPS officials told us that over the course of its previous organizational placements, FPS's mission support capabilities have matured and that it is now able to provide its own mission support in most areas. For example, FPS owns and uses many of the key operational and business-related information technology (IT) systems and applications it needs to carry out its mission. Despite the maturation of FPS's in-house mission support activities, FPS still receives some mission support services from other agencies in DHS, such as human capital and some aspects of


¹⁷ GAO, *Managing for Results: Key Considerations for Implementing Interagency Collaborative Mechanisms*, [GAO-12-1022](#) (Washington, D.C.: Sept. 27, 2012).

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information technology. FPS would need mission support in these areas if it changed its organizational placement. Separately, FPS has faced challenges in the area of financial management, and changing FPS's placement could help address those challenges. Finally, FPS offers its own training courses and has access to DHS's Federal Law Enforcement Training Centers (FLETC), and therefore it does not need mission support from a parent agency in this area.

In table 14 and subsequent paragraphs, we describe how selected agencies met the mission support criterion—that is, the selected agencies that had mission support that FPS needs—areas of consideration if FPS is placed in those agencies, and how the selected agencies did not meet the criterion.

Table 14: Detailed Comparison of Selected Agencies to FPS in the Mission Support Criterion

Key criteria for evaluating organizational placement	Selected agencies that met the key criteria	Selected agencies that did not meet the key criteria
 <p>Do the agencies have needed mission support?</p>	<p>GSA</p> <p>GSA collects monies from other federal agencies to support some of its operations, and has structures in place to help FPS manage collections from the agencies.</p>	<p style="text-align: center;"><i>Financial management</i></p> <p>DHS NPPD Secret Service CBP ICE Justice Marshals</p> <p>Some DHS agencies do not collect fees (NPPD, Secret Service) and others collect fees to support operations, but not from other federal agencies (DHS, CBP, ICE, Justice, Marshals)</p>
	<p>DHS CBP ICE NPPD Secret Service GSA Justice Marshals</p> <p>All of the selected agencies have the authority to fill competitive service jobs that could support FPS needs.</p>	<p style="text-align: center;"><i>Human capital</i></p> <p>None</p>

Appendix III: Summary of Selected Agencies' Similarities and Differences Related to Key Organizational-Placement Criteria

Key criteria for evaluating organizational placement	Selected agencies that met the key criteria	Selected agencies that did not meet the key criteria
<i>Information technology – financial management systems</i>		
DHS CBP ICE Secret Service GSA Justice	FPS owns many of its operational and business-related IT systems and applications but does not own some systems, such as a financial management system. These agencies have financial management systems that can support FPS.	NPPD Marshals NPPD and Marshals do not currently use their own financial management systems. Rather they use systems operated by other offices in DHS and Justice, respectively.
<i>Law enforcement training</i>		
DHS CBP ICE Secret Service Justice Marshals	These agencies (1) provide their own law enforcement training or (2) access DHS's Federal Law Enforcement Training Centers (FLETC) for law enforcement training. FPS also has access to FLETC and therefore would not need to rely on these agencies to obtain such access.	NPPD GSA NPPD and GSA do not perform law enforcement activities and therefore do not have (1) law enforcement training programs, nor (2) access to FLETC for law enforcement training. However, because FPS currently has access to FLETC, it would continue to have access while in NPPD or GSA, according to FLETC officials.

Source: GAO analysis of agency documents and interviews with stakeholders; GAO (image). | GAO-19-122

Note: DHS = Department of Homeland Security; CBP = U.S. Customs and Border Protection; ICE = U.S. Immigration and Customs Enforcement; NPPD = National Protection and Programs Directorate; Secret Service = United States Secret Service; GSA = General Services Administration; Justice = Department of Justice; Marshals = U.S. Marshals Service

Financial management

Among the agencies we reviewed, GSA has the infrastructure to support FPS in its funding approach. FPS officials told us that one of the key challenges they experienced in ICE was that ICE did not have institutional knowledge on FPS's funding approach, particularly FPS's fee structure, and FPS experienced changes in fees that were not aligned to what was needed to cover its efforts. FPS funds its operations by collecting security fees from federal agencies that use FPS for facility protection. GSA is well positioned to support FPS's funding approach because it is the only agency we reviewed that also collects monies from multiple federal agencies to support some of its operations.¹⁸ According to documentation we reviewed and interviews with officials from selected agencies, we found that among the remaining agencies, some do not collect fees

¹⁸ Specifically, GSA collects rent from federal agencies occupying federally owned or leased space.

(NPPD, Secret Service) and others collect fees to support operations, but not from other federal agencies (DHS, CBP, ICE, Justice, Marshals).¹⁹

Further, based on our review of FPS's fiscal year 2019 budget request to Congress and our past work,²⁰ we found that FPS faces challenges in generating enough revenue to cover its operational costs.²¹ If placed in GSA, GSA and FPS could consider whether to use the Federal Buildings Fund for security projects related to facility management, such as installing cameras.²² OMB staff said that there are limitations with the Federal Buildings Fund, such as the amount of funding available for security projects. Further, OMB staff said that finding cost-effective ways for FPS to carry out its operations will help the agency address its funding challenges.

Human Capital

Any of the selected agencies could provide FPS needed human capital support. FPS performs some human capital activities, such as estimating the number of staff it needs to perform its mission but does not have delegated examining authority that allows it to fill competitive civil service jobs.²³ NPPD—FPS's current parent agency—has this authority and is responsible for recruiting, hiring, and performing other human capital services on behalf of FPS. All the selected agencies we reviewed have

¹⁹ Marshals is funded by direct appropriations and has limited authority to collect fees that amount to less than \$3 million annually, according to Justice officials.

²⁰ GAO, *Budget Issues: Better Fee Design Would Improve Federal Protective Service's and Federal Agencies' Planning and Budgeting for Security*, [GAO-11-492](#) (Washington, D.C.: May 20, 2011).

²¹ In July 2018, FPS informed GAO that it, with approval from OMB, recently implemented a new method for assessing fees for basic security services, taking effect beginning in fiscal year 2020. According to FPS, the new method is risk-based rather than relying upon the current charge per square foot and a set percentage for oversight of countermeasures. FPS officials told us that although the model for assessing fees has changed, FPS may continue to face budgetary shortfalls because FPS still faces a risk of collecting less revenue from fees than the cost of operations.

²² The Federal Buildings Fund, administered by GSA, is financed by the rents received from other federal agencies. Instead of receiving direct appropriations; the Federal Buildings Fund operates as the primary means of financing the operating and capital costs associated with federal space. Federal Buildings Funds are available for GSA's real property management and related activities. See 40 U.S.C. § 592.

²³ Delegated examining authority is an authority that allows federal executive branch agencies to fill competitive civil service jobs through a delegation from OPM. Agencies with this authority fill the civil service jobs by performing activities such as recruiting and hiring.

delegated examining authority. Thus, any one of these agencies could provide human capital services on behalf of FPS. Officials from three of the selected agencies—ICE, the Secret Service, and Marshals—said that they already face challenges with hiring enough staff to fulfill their own missions or may not have the administrative capacity to handle an additional human capital workload for FPS. For example, officials from the Secret Service and Marshals said they have staffing shortages, which negatively affects their ability to fulfill their missions. The shortage is exacerbated by the time it takes to vet applicants and process new staff through background checks and security clearances, according to the officials. Marshals officials said absorbing FPS would not help the agency address the staffing shortage because FPS employees perform a different mission, including a different law enforcement mission, which require different skill sets, training, etc. Further, Marshals officials said that given the time it takes to vet its own applicants and process its own staff, it lacks the administrative capacity to take on a new agency. Finally, Justice officials said that if FPS moved into Marshals, FPS staff would require ongoing human resources support for such things as performance management, payroll, personnel action processing, and benefits counseling. They said that Marshals is not staffed to assume the full human capital services required of another agency. Separately, an official from ICE said that the agency's human capital office is currently undergoing a major realignment of service functions and that given FPS's large workforce, ICE would not have the administrative capacity to take on the additional human capital workload for FPS.

NPPD may experience some gaps in providing some human capital functions if FPS moved out of NPPD. According to NPPD, FPS provides NPPD 23 staff positions to help NPPD carry out its human capital activities. If FPS moved out of NPPD, NPPD staff said that 15 of the positions could be realigned back to FPS. The remaining 8 positions, which perform major functions including processing pay and managing information technology systems for human capital needs, would need to remain in NPPD if they are not replaced by NPPD. According to NPPD officials, the human capital teams that perform these functions are already understaffed and the skillsets for these functions are not plentiful in the workforce. Thus, if NPPD were unable to retain these positions, NPPD officials said that there may be significant gaps, such as in processing pay.

Information Technology (IT)

FPS's operational and business-related IT systems and applications would not be greatly affected by a change in FPS's organizational placement because FPS owns many of the systems and applications it

needs to carry out its mission. For example, FPS owns a system to help agency officials conduct and track facility security assessments and another system to track law enforcement activities (e.g., tracking investigative cases and incidents). If FPS's placement changed, the agency could take its systems with it, though there may be some transition or integration costs, according to FPS officials.

FPS uses some IT systems or applications that it does not own and that would need some consideration if FPS changed its organizational placement, particularly if FPS moved outside DHS. For example, FPS uses ICE's system for managing financial transactions and ICE's IT network.²⁴ If FPS moved outside of DHS, resources would be needed to remove FPS from this ICE system and network, according to FPS officials. GSA and Justice have financial management systems that FPS could use.²⁵ Marshals do not have its own financial management but uses Justice's system. According to Justice and Marshals officials, Justice's financial management system is currently not configured to support the collection of fees that support operations. Any changes to the configuration of Justice's financial management system, such as the inclusion of FPS's fee-based collections, would require the approval of Justice and possibly other Justice components that use the system. If FPS stayed within DHS, including as a standalone entity within DHS, it could potentially continue to use ICE's system or use CBP or the Secret Service's systems.²⁶

Training

DHS, CBP, ICE, Secret Service, Justice, and Marshals provide law enforcement training, but FPS would not need access to such training if placed in these agencies because FPS provides its own training on topics related to facility protection. For example, FPS provides training to its inspectors on physical security activities, such as identifying countermeasures needed at facilities. FPS officials said that there would be no efficiency gained in merging FPS and these agencies' training programs because FPS performs activities that most other law enforcement agencies do not perform. NPPD and GSA do not perform

²⁴ ICE's financial management system is called the Federal Financial Management System (FFMS). ICE's IT network, includes the IRMNET domain and the Network Operations Center support services.

²⁵ Justice's financial management system is called the Unified Financial Management System (UFMS).

²⁶ NPPD uses ICE's financial management system.

law enforcement activities and therefore do not have law enforcement training programs. If moved to either of these two agencies, FPS could continue to use its own training courses.

Furthermore, CBP, ICE, Secret Service, and Marshals are Federal Law Enforcement Training Centers (FLETC) Partner Organizations, meaning that they have access to training provided at FLETC training facilities.²⁷ FPS is also currently designated as a FLETC Partner Organization and therefore would not need to rely on these agencies to obtain this designation. All Partner Organizations, regardless of whether they are DHS agencies or not, share the same equal privileges at FLETC, including priority scheduling for basic and advanced law enforcement training. Nonetheless, Justice and Marshals officials explained that their FLETC training curriculum, planning, and structure are vastly different than other Partner Organizations due to the differing mission sets. NPPD and GSA are not FLETC Partner Organizations. According to FLETC officials, however, because FPS is currently a FLETC Partner Organization, it would continue to have access to FLETC while in NPPD or GSA.²⁸

²⁷ FLETC is responsible for providing training to law enforcement officers from agencies across the federal government.

²⁸ While NPPD has access to FLETC's Protection Center of Excellence, it is not a Partner Organization. Thus, it does not participate in the annual forecasting of training allocations, according to a FLETC official.

Appendix IV: Comments from the U.S. Department of Homeland Security

U.S. Department of Homeland Security
Washington, DC 20528



December 12, 2018

Lori Rectanus
Director, Physical Infrastructure
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Re: Management Response to Draft Report GAO-19-122, "FEDERAL PROTECTIVE SERVICE: DHS Should Take Additional Steps to Evaluate Organizational Placement" (Job Code 102150)

Dear Ms. Rectanus:

Thank you for the opportunity to review and comment on this draft report. The U.S. Department of Homeland Security (DHS) appreciates the U.S. Government Accountability Office's (GAO) work in planning and conducting its review and issuing this report.

As always, DHS' ultimate goal is to optimally align mission and resources in order to ensure mission effectiveness. The Department will use the information provided by GAO, along with other inputs, to help inform future decisions regarding the organizational placement of the Federal Protective Service (FPS), including whether or not FPS remains within the Cybersecurity and Infrastructure Security Agency (CISA)¹ or the Department.

The Secretary of Homeland Security is expected to make an FPS placement decision within the statutory timelines outlined by the CISA Act of 2018. Specifically, the Act requires the Secretary to decide the placement and commence the transition (if moved from CISA) of FPS to an appropriate component, directorate, or office within DHS no later than 90 days after the release of GAO's related report. If an appropriate organization is not identified within the Department, the Secretary will make a recommendation to the Director of the Office of Management and Budget, and Congress

¹ On November 16, 2018, the President signed the Cybersecurity and Infrastructure Security Act of 2018 (Pub. L. No. 115-278, § 2(a), 132 Stat. 4168) into law, which amended the Homeland Security Act of 2002 to redesignate DHS' National Protection and Programs Directorate (NPPD) as the CISA.

on the placement of FPS elsewhere within the executive branch of the Federal Government within 180 days of the release of the GAO report.

The draft report contained two recommendations with which the Department concurs. Attached find our detailed response to the recommendations. Technical comments were previously provided under a separate cover.

Again, thank you for the opportunity to review and comment on this draft report. Please feel free to contact me if you have any questions. We look forward to working with you in the future.

Sincerely,



JIM H. CRUMPACKER, CIA, CFE
Director
Departmental GAO-OIG Liaison Office

Attachment

**Attachment: DHS Management Response to the Recommendations
Contained in GAO-19-122**

GAO recommended that the Secretary of Homeland Security:

Recommendation 1: In consultation with NPPD and FPS, identify the specific goals of a change in FPS's placement—that is, what DHS expects to achieve by moving to another agency.

Response: Concur. As noted in the draft report, the Department established a working group in August 2018 to explore options and make a recommendation to the Secretary of Homeland Security on the organizational placement of FPS within DHS. The DHS Deputy Under Secretary for Management and the Deputy Director for CISA are co-leading this group, which consists of representatives from CISA, FPS, the Federal Law Enforcement Training Centers, and the following DHS Headquarters Offices: Chief Security Officer; Strategy, Policy, and Plans; Chief Readiness Support Officer; Chief Human Capital Officer; Chief Financial Officer; and General Counsel. The group expects to complete its analysis, which will include considering what DHS expects to achieve by any change in FPS's placement, and make a recommendation in January 2019. Estimated Completion Date (ECD): January 31, 2019.

Recommendation 2: In consultation with NPPD, FPS, and other agencies as relevant, fully evaluate placement options for FPS based on what they expect to achieve by changing FPS's placement, an assessment of FPS's current placement in NPPD, and other best practices such as an analysis of alternatives assessing the benefits and tradeoffs discussed in this report.

Response: Concur. As noted in the draft report, the aforementioned working group formed to explore options and make a recommendation to the Secretary of Homeland Security on the organizational placement of FPS within DHS identified five evaluation criteria to guide its work: impact on the mission, command and control, resources, implementation schedule, and workforce and culture—criteria DHS believes will include consideration of all the elements outlined in this recommendation, as appropriate, and lead to an informed decision on FPS's placement.

For example, the working group is reviewing four options for the placement of FPS within the Department, including (1) becoming a stand-alone component, (2) remaining with CISA, (3) serving as a direct reporting unit to the Chief Readiness Support Officer, and (4) being aligned with the Office of the Chief Security Officer. The group has been meeting weekly since September 12, 2018, to collect the necessary material to inform the analysis, and is currently evaluating the impact of each of these options as well as the benefits and tradeoffs of each. ECD: January 31, 2019.

Appendix V: GAO Contact and Staff Acknowledgments

GAO Contact

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Staff Acknowledgments

In addition to the contact named above, Amelia Bates Shachoy (Assistant Director); Roshni Davé (Analyst-in-Charge); Ben Atwater; Jazzmin Cooper; George Depaoli; Adam Gomez; Geoffrey Hamilton; Malika Rice; Amy Rosewarne; Kelly Rubin; Sarah Veale; and Amelia Michelle Weathers made key contributions to this report.

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