



## **H.R. 3068 – Federal Protective Service Guard Contracting Reform Act of 2007**

### **FLOOR SITUATION**

H.R. 3068 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Eleanor Holmes Norton (D-DC) on July 17, 2007. The bill was ordered to be reported, as amended, by voice vote, by the Committee on Transportation and Infrastructure on September 14, 2007.

H.R. 3068 is expected to be considered on October 2, 2007.

### **SUMMARY**

H.R. 3068 requires the Secretary of Homeland Security to issue regulations within six months of enactment of this Act that will exclude any business that is owned, controlled, or operated by an individual who has been convicted of a felony from being awarded any contracts to provide guard services under the contract security guard program of the Federal Protective Service (FPS).

### **BACKGROUND**

The Department of Homeland Security's Federal Protective Service (FPS) provides law enforcement and security services to United States federal buildings. The Homeland Security Act of 2002 transferred the FPS from within the General Services Administration (GSA) to the Immigration, Customs, and Enforcement (ICE) agency within the Department of Homeland Security (DHS). The FPS is responsible for protecting approximately 9,000 federally owned and leased properties.

The FPS contracts with private security guard firms to supplement the federal law enforcement officers employed directly by FPS. The guards contracted by the FPS have various responsibilities including: controlling access to facilities, screening employees and visitors through magnetometers, checking deliveries, patrolling the premises, and serving as the initial responders to security alarms. After the Oklahoma City bombing in 1995, the federal contract guard workforce more than doubled and now totals approximately 15,000 individuals nationwide.

The Transportation and Infrastructure Committee held a hearing on June 21, 2007 on 'The Responsibility of the Department of Homeland Security and the Federal Protective Service to Ensure Contract Guards Protect Federal Employees and Their Workplaces,' which focused on a

private security guard firm that at one time held contracts with DHS. According to the Committee Report, the company is: “run by an individual convicted of fraud, which had not paid its security guards and, as a result, potentially created a security risk in Federal buildings.” Committee documents note that “with strong Congressional “encouragement,” DHS was able to terminate the contracts, re-award them, and reassign the existing guards to a new, performing, contract.”

### **COST**

The Congressional Budget Office (CBO) estimates that implementing H.R. 3068 would have no significant cost and would not affect direct spending or revenues.

### **STAFF CONTACT**

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