

113TH CONGRESS
2D SESSION

H. R. 5864

To protect Federal employees and visitors, improve the security of Federal facilities, authorize and modernize the Federal Protective Service, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2014

Mr. CARSON of Indiana introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To protect Federal employees and visitors, improve the security of Federal facilities, authorize and modernize the Federal Protective Service, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “FPS Improvement Act
5 of 2014”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act, the terms “appropriate congressional
8 committees”, “Federal facility”, “Secretary”, “Director”,
9 “facility security level”, “Federal Protective Service law

1 enforcement officer”, and “protective service guard” have
2 the meanings given those terms in section 1331 of title
3 40, United States Code (as added by this Act).

4 **SEC. 3. FEDERAL PROTECTIVE SERVICE.**

5 (a) IN GENERAL.—Chapter 13 of title 40, United
6 States Code, is amended by adding at the end the fol-
7 lowing:

8 “SUBCHAPTER II—FEDERAL PROTECTIVE
9 SERVICES

10 “§ 1331. Definitions

11 “In this subchapter:

12 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
13 TEES.—The term ‘appropriate congressional com-
14 mittees’ means—

15 “(A) the Committee on Homeland Security
16 and Governmental Affairs of the Senate;

17 “(B) the Committee on Appropriations of
18 the Senate;

19 “(C) the Committee on Transportation and
20 Infrastructure of the House of Representatives;
21 and

22 “(D) the Committee on Appropriations of
23 the House of Representatives.

24 “(2) DIRECTOR.—The term ‘Director’ means
25 the Director of the Federal Protective Service.

1 “(3) FEDERAL FACILITY.—The term ‘Federal
2 facility’—

3 “(A) means any building and grounds and
4 all property located in or on that building and
5 grounds, that are owned, occupied or secured by
6 the Federal Government, including any agency,
7 instrumentality or wholly owned or mixed-own-
8 ership corporation of the Federal Government;
9 and

10 “(B) does not include—

11 “(i) any building, grounds, or prop-
12 erty used for military activities; or

13 “(ii) any facility used for activities
14 covered under the Atomic Energy Act of
15 1954 (42 U.S.C. 2011 et seq.).

16 “(4) FEDERAL PROTECTIVE SERVICE LAW EN-
17 FORCEMENT OFFICER.—The term ‘Federal Protec-
18 tive Service law enforcement officer’ means a law en-
19 forcement officer or agent designated under section
20 1332.

21 “(5) FACILITY SECURITY COMMITTEE.—The
22 term ‘Facility Security Committee’ means an agency
23 or an internal agency component responsible for se-
24 curity policy at a specific Federal facility.

1 “(6) FACILITY SECURITY LEVEL.—The term
2 ‘facility security level’—

3 “(A) means a rating of each Federal facil-
4 ity based on the analysis of several facility fac-
5 tors that provides a basis for that facility’s
6 attractiveness as a target and potential effects
7 or consequences of an attack, which then serves
8 as a basis for the implementation of certain lev-
9 els of security protection by the Interagency Se-
10 curity Committee; and

11 “(B) is determined by the Federal Protec-
12 tive Service, the United States Marshals Service
13 under section 566 of title 28, or another agency
14 authorized to provide all protective services for
15 a facility and is guided by Interagency Security
16 Committee standards.

17 “(7) IN-SERVICE FIELD STAFF.—The term ‘in-
18 service field staff’ means—

19 “(A) a Federal Protective Service law en-
20 forcement officer; or

21 “(B) a police officer, inspector, area com-
22 mander or special agent, or such other equiva-
23 lent positions as designated by the Secretary
24 who, while working, is directly engaged on a

1 daily basis in protecting and enforcing law at
2 Federal facilities.

3 “(8) PROTECTIVE SERVICE GUARD.—The term
4 ‘protective service guard’ means an employee of a
5 Federal Protective Service contractor or subcon-
6 tractor engaged in the protection of a building,
7 grounds, or property that is owned, occupied, or se-
8 cured by the Federal Government (including any
9 agency, instrumentality, or wholly owned or mixed-
10 ownership corporation thereof) and the persons on
11 the property.

12 “(9) SECRETARY.—The term ‘Secretary’ means
13 the Secretary of Homeland Security acting through
14 the Director.

15 **“§ 1332. Law enforcement authority of Secretary of**
16 **Homeland Security for protection of pub-**
17 **lic property**

18 “(a) IN GENERAL.—To the extent provided for by
19 transfers made pursuant to the Homeland Security Act
20 of 2002, the Secretary shall protect the buildings,
21 grounds, and property that are owned, occupied, or se-
22 cured by the Federal Government (including any agency,
23 instrumentality, or wholly owned or mixed-ownership cor-
24 poration thereof) and the persons on the property.

25 “(b) OFFICERS AND AGENTS.—

1 “(1) DESIGNATION.—The Secretary may des-
2 ignate employees of the Department of Homeland
3 Security, including employees transferred to the De-
4 partment from the Office of the Federal Protective
5 Service of the General Services Administration pur-
6 suant to the Homeland Security Act of 2002, as offi-
7 cers and agents for duty in connection with the pro-
8 tection of property owned or occupied by the Federal
9 Government and persons on the property, including
10 duty in areas outside the property to the extent nec-
11 essary to protect the property and persons on the
12 property.

13 “(2) POWERS.—While engaged in the perform-
14 ance of official duties, an officer or agent designated
15 under this subsection may—

16 “(A) enforce Federal laws and regulations
17 for the protection of persons and property;

18 “(B) make arrests without a warrant for
19 any offense against the United States com-
20 mitted in the presence of the officer or agent or
21 for any felony cognizable under the laws of the
22 United States if the officer or agent has reason-
23 able grounds to believe that the person to be ar-
24 rested has committed or is committing a felony;

1 “(C) serve warrants and subpoenas issued
2 under the authority of the United States;

3 “(D) conduct investigations, on and off the
4 property in question, of offenses that may have
5 been committed against property owned or oc-
6 cupied by the Federal Government or persons
7 on the property; and

8 “(E) carry out such other activities for the
9 promotion of homeland security as the Sec-
10 retary may prescribe.

11 “(3) ADDITIONAL POWER.—An officer or agent
12 designated under this subsection may carry a fire-
13 arm on or off duty.

14 “(4) TRAINING.—The Secretary shall determine
15 the minimum level of training or certification for—

16 “(A) employees of the Federal Protective
17 Service including Federal Protective Service law
18 enforcement officers;

19 “(B) protective service guards; and

20 “(C) a reliable system will be developed to
21 track the compliance of protective service
22 guards with the certifications deemed necessary
23 by the Secretary.

24 “(c) INSPECTIONS.—The Secretary shall inspect Fed-
25 eral facilities protected by the Federal Protective Service

1 for the purpose of determining compliance with Federal
2 security standards, as determined by the Interagency Se-
3 curity Committee, and making appropriate risk mitigation
4 recommendations.

5 “(d) SECURITY COUNTERMEASURES.—The Sec-
6 retary, in consultation with the Administrator of General
7 Services, shall ensure and supervise the effective design,
8 procurement, installation, maintenance, and operation of
9 security countermeasures, including armed contract
10 guards, electronic physical security systems, and weapons
11 and explosives screening devices, for a Federal facility pro-
12 tected by the Federal Protective Service.

13 **“§ 1333. Full-time equivalent employee requirements**

14 “(a) IN GENERAL.—The Secretary shall ensure that
15 the Federal Protective Service shall maintain at any time
16 not fewer than 1,870 full-time equivalent employees, in-
17 cluding not fewer than 1,318 in-service field staff.

18 “(b) REPORT.—In any fiscal year after fiscal year
19 2015 in which the number of full-time equivalent employ-
20 ees of the Federal Protective Service is fewer than the
21 number of full-time equivalent employees of the Federal
22 Protective Service in the previous fiscal year, the Sec-
23 retary shall submit a report to the appropriate congres-
24 sional committees that provides—

1 “(1) an explanation of the decrease in full-time
2 equivalent employees; and

3 “(2) a revised model of the number of full-time
4 equivalent employees projected for future fiscal
5 years.

6 **“§ 1334. Protective service guards**

7 “(a) AUTHORITIES FOR PROTECTIVE SERVICE
8 GUARDS.—

9 “(1) CARRYING OF FIREARMS.—The Secretary
10 may authorize protective service guards engaged in
11 the protection of buildings and grounds that are
12 owned, occupied, or secured by the General Services
13 Administration Public Building Service as the Sec-
14 retary considers necessary in the interests of the
15 common defense and security to carry firearms to
16 carry out their official duties.

17 “(2) DETENTION WITHOUT A WARRANT.—A
18 person authorized to carry firearms under this sub-
19 section may, while in the performance of, and in
20 connection with, official duties, detain an individual
21 without a warrant for any offense against the
22 United States committed in that person’s presence
23 or for any felony cognizable under the laws of the
24 United States if that person has reasonable grounds
25 to believe that the individual to be detained has com-

1 mitted or is committing such felony. The detention
2 authority conferred by this paragraph is in addition
3 to any detention authority under other laws.

4 “(b) LIMITATIONS.—The following limitations apply:

5 “(1) A protective service guard authorized to
6 carry firearms under this section may detain an in-
7 dividual only when the individual to be detained is
8 within, or in direct flight from, the area of such of-
9 fense.

10 “(2) A person granted authority to make ar-
11 rests by this section may exercise that authority only
12 in the enforcement of laws regarding any building
13 and grounds and all property located in or on that
14 building and grounds that are owned, occupied, or
15 secured by the General Services Administration Pub-
16 lic Building Service.

17 “(c) GUIDANCE.—The Secretary, with the approval
18 of the Attorney General, shall issue guidelines to imple-
19 ment this section.

20 **“§ 1335. Compliance of Federal facilities with Federal**
21 **security standards**

22 “(a) IN GENERAL.—The Secretary may assess secu-
23 rity charges to an agency that is the owner or the tenant
24 of a Federal facility protected by the Federal Protective

1 Service in addition to any security charge assessed for the
2 costs of necessary security countermeasures if—

3 “(1) the Secretary, in coordination with the
4 Interagency Security Committee, determines a Fed-
5 eral facility to be in noncompliance with Federal se-
6 curity standards established by the Interagency Se-
7 curity Committee or a final determination regarding
8 countermeasures made by the appeals board estab-
9 lished under section 1336(h); and

10 “(2) the Interagency Security Committee or the
11 Secretary—

12 “(A) provided notice to that agency and
13 the Facility Security Committee of—

14 “(i) the noncompliance;

15 “(ii) the actions necessary to be in
16 compliance; and

17 “(iii) the latest date on which such ac-
18 tions need to be taken; and

19 “(B) the agency is not in compliance by
20 that date.

21 “(b) REPORT ON NONCOMPLIANT FACILITIES.—The
22 Secretary shall submit a report to the appropriate congres-
23 sional committees, in a classified manner if necessary, of
24 any facility determined to be in noncompliance with stand-
25 ards established by the Interagency Security Committee.

1 **“§ 1336. Interagency security committee**

2 “(a) ESTABLISHMENT.—There is established within
3 the executive branch the Interagency Security Committee
4 (in this section referred to as the ‘Committee’) responsible
5 for the development of safety and security standards and
6 best practices to mitigate the effects of natural and man-
7 made hazards in Federal facilities.

8 “(b) CHAIRPERSON.—The Committee shall be
9 chaired by the Secretary or a designee of the Secretary.
10 The chairpersons shall be responsible for the daily oper-
11 ations of the Committee and appeals board, final approval
12 and enforcement of Committee standards, and the promul-
13 gation of regulations related to Federal facility security
14 prescribed by the Committee.

15 “(c) MEMBERSHIP.—

16 “(1) VOTING MEMBERS.—The Committee shall
17 consist of the following voting members:

18 “(A) AGENCY REPRESENTATIVES.—Rep-
19 resentatives from the following agencies, ap-
20 pointed by the agency heads:

21 “(i) Department of Homeland Secu-
22 rity.

23 “(ii) Department of State.

24 “(iii) Department of the Treasury.

25 “(iv) Department of Defense.

26 “(v) Department of Justice.

1 “(vi) Department of the Interior.

2 “(vii) Department of Agriculture.

3 “(viii) Department of Commerce.

4 “(ix) Department of Labor.

5 “(x) Department of Health and
6 Human Services.

7 “(xi) Department of Housing and
8 Urban Development.

9 “(xii) Department of Transportation.

10 “(xiii) Department of Energy.

11 “(xiv) Department of Education.

12 “(xv) Department of Veterans Affairs.

13 “(xvi) Environmental Protection
14 Agency.

15 “(xvii) Central Intelligence Agency.

16 “(xviii) Office of Management and
17 Budget.

18 “(xix) General Services Administra-
19 tion.

20 “(B) OTHER OFFICERS.—The following
21 Federal officers or the designees of those offi-
22 cers:

23 “(i) The Director of the United States
24 Marshals Service.

1 “(ii) The Assistant to the President
2 for National Security Affairs.

3 “(C) JUDICIAL BRANCH REPRESENTA-
4 TIVES.—A representative from the judicial
5 branch appointed by the Chief Justice of the
6 United States.

7 “(2) ASSOCIATE MEMBERS.—The Committee
8 shall include, as associate members who shall be
9 nonvoting members, representatives from the fol-
10 lowing agencies, appointed by the agency heads:

11 “(A) Federal Aviation Administration.

12 “(B) Federal Bureau of Investigation.

13 “(C) Federal Deposit Insurance Corpora-
14 tion.

15 “(D) Federal Emergency Management
16 Agency.

17 “(E) Federal Reserve Board.

18 “(F) Internal Revenue Service.

19 “(G) National Aeronautics and Space Ad-
20 ministration.

21 “(H) National Capital Planning Commis-
22 sion.

23 “(I) National Institute of Standards &
24 Technology.

25 “(J) Nuclear Regulatory Commission.

1 “(K) Office of Personnel Management.

2 “(L) Securities and Exchange Commission.

3 “(M) Social Security Administration.

4 “(N) United States Coast Guard.

5 “(O) United States Postal Service.

6 “(P) United States Army Corps of Engi-
7 neers.

8 “(Q) Court Services and Offender Super-
9 vision Agency.

10 “(R) Any other Federal officers as the
11 President shall appoint.

12 “(d) WORKING GROUPS.—The Committee may estab-
13 lish interagency working groups to perform such tasks as
14 may be directed by the Committee.

15 “(e) CONSULTATION.—The Committee shall consult
16 with other parties, including the Administrative Office of
17 the United States Courts, to perform its responsibilities.
18 At the discretion of the Chairperson of the Committee,
19 such other parties may participate in the working groups.

20 “(f) MEETINGS.—The Committee shall, at a min-
21 imum, meet quarterly.

22 “(g) RESPONSIBILITIES.—The Committee shall—

23 “(1) not later than 1 year after the date of en-
24 actment of the FPS Improvement Act of 2014, pro-

1 pose regulations to the Secretary for promulgation
2 under section 1332(c)(1)—

3 “(A) for determining facility security lev-
4 els, unless the Committee determines that simi-
5 lar regulations are issued by the Secretary be-
6 fore the end of that 1-year period; and

7 “(B) to establish risk-based performance
8 standards for the security of Federal facilities,
9 unless the Committee determines that similar
10 regulations are issued by the Secretary before
11 the end of that 1-year period;

12 “(2) establish protocols for the testing of the
13 compliance of Federal facilities with Federal security
14 standards, including a mechanism for the initial and
15 recurrent testing of Federal facilities;

16 “(3) prescribe regulations to determine min-
17 imum levels of training and certification of contract
18 guards;

19 “(4) prescribe regulations to establish a list of
20 prohibited items for entry into Federal facilities;

21 “(5) establish minimum requirements and a
22 process for providing security training for members
23 of Facility Security Committees (as described in sec-
24 tion 1337); and

1 “(6) take such actions as may be necessary to
2 enhance the quality and effectiveness of security and
3 protection of Federal facilities, including—

4 “(A) encouraging agencies with security
5 responsibilities to share security-related intel-
6 ligence in a timely and cooperative manner;

7 “(B) assessing technology and information
8 systems as a means of providing cost-effective
9 improvements to security in Federal facilities;

10 “(C) developing construction standards for
11 those locations with threat levels or missions
12 that require blast resistant structures or other
13 specialized security requirements;

14 “(D) evaluating standards for the location
15 of, and special security related to, day care cen-
16 ters in Federal facilities; and

17 “(E) assisting the Secretary in developing
18 and maintaining a secure centralized security
19 database of all Federal facilities; and

20 “(7) carry out such other duties as assigned by
21 the President.

22 “(h) APPEALS BOARD.—

23 “(1) ESTABLISHMENT.—The Committee shall
24 establish an appeals board to consider appeals from

1 any Facility Security Committee, or the Secretary,
2 of a—

3 “(A) facility security level determination;

4 “(B) Facility Security Committee decision
5 to overturn a determination of necessary coun-
6 termeasures or physical security improvements
7 if the Secretary considered such a decision a
8 grave risk to the facility or its occupants; or

9 “(C) determination of noncompliance with
10 Federal facility security standards.

11 “(2) FINAL APPEAL.—A decision of the appeals
12 board is final and shall not be subject to administra-
13 tive or judicial review.

14 “(i) AGENCY SUPPORT AND COOPERATION.—

15 “(1) IN GENERAL.—To the extent permitted by
16 law and subject to the availability of appropriations,
17 the Secretary shall provide the Committee such ad-
18 ministrative services, funds, facilities, staff, and
19 other support services as may be necessary for the
20 performance of the functions of the Committee
21 under this subtitle.

22 “(2) COOPERATION AND COMPLIANCE.—

23 “(A) IN GENERAL.—Each agency shall co-
24 operate and comply with the policies, standards,
25 and determinations of the Committee.

1 “(B) SUPPORT.—To the extent permitted
2 by law and subject to the availability of appro-
3 priations, agencies shall provide such support as
4 may be necessary to enable the Committee to
5 perform the duties and responsibilities of the
6 Committee.

7 “(3) COMPLIANCE.—The Secretary shall be re-
8 sponsible for monitoring agency compliance with the
9 policies and determinations of the Committee.

10 “(j) AUTHORIZATION.—There are authorized to be
11 appropriated to the Department such sums as necessary
12 to carry out the provisions of this section.

13 **“§ 1337. Facility security committees**

14 “(a) MAINTENANCE OF FACILITY SECURITY COM-
15 MITTEES.—Agencies that are tenants at each Federal fa-
16 cility shall maintain a Facility Security Committee for
17 that Federal facility. Each agency that is a tenant at a
18 Federal facility shall provide one employee to serve as a
19 member of the Facility Security Committee.

20 “(b) CHAIRPERSON.—

21 “(1) IN GENERAL.—Each Facility Security
22 Committee shall be headed by a chairperson, elected
23 by a majority of the members of the Facility Secu-
24 rity Committee.

1 “(2) RESPONSIBILITIES.—The chairperson shall
2 be responsible for—

3 “(A) maintaining accurate contact infor-
4 mation for agency tenants and providing that
5 information, including any updates, to the Fed-
6 eral Protective Service;

7 “(B) setting the agenda for Facility Secu-
8 rity Committee meetings;

9 “(C) referring Facility Security Committee
10 member questions to Federal Protective Service
11 for response;

12 “(D) reviewing a security assessment com-
13 pleted by the Federal Protective Service or des-
14 ignated security organization representatives
15 and, if requested by the Federal Protective
16 Service, accompanying the representatives dur-
17 ing on-site facility security assessments;

18 “(E) maintaining an official record of each
19 meeting;

20 “(F) acknowledging receipt of the facility
21 security assessment from Federal Protective
22 Service;

23 “(G) maintaining records of training of or
24 waivers for members of the Facility Security
25 Committee; and

1 “(H) any other duties as determined by
2 the Interagency Security Committee.

3 “(c) TRAINING FOR MEMBERS.—

4 “(1) IN GENERAL.—Except as provided under
5 paragraphs (3) and (4), before serving as a member
6 of a Facility Security Committee, an employee shall
7 successfully complete a training course that meets a
8 minimum standard of training as established by the
9 Interagency Security Committee.

10 “(2) TRAINING.—Training under this sub-
11 section shall—

12 “(A) be provided by the Federal Protective
13 Service in accordance with standards estab-
14 lished by the Interagency Security Committee;

15 “(B) be commensurate with the facility se-
16 curity level; and

17 “(C) include training relating to—

18 “(i) familiarity with published stand-
19 ards of the Interagency Security Com-
20 mittee;

21 “(ii) physical security criteria for Fed-
22 eral facilities;

23 “(iii) use of physical security perform-
24 ance measures;

1 “(iv) facility security levels determina-
2 tions;

3 “(v) best practices for safe mail han-
4 dling;

5 “(vi) knowledge of an occupant emer-
6 gency plan, the facility security assessment
7 process, and the facility countermeasures
8 plan; and

9 “(vii) the role of the Federal Protec-
10 tive Service and the General Services Ad-
11 ministration.

12 “(3) WAIVERS.—The training requirement
13 under this subsection may be waived by the Sec-
14 retary, the head of a Facility Security Committee, or
15 the Chairperson of the Interagency Security Com-
16 mittee if the Secretary, the head of a Facility Secu-
17 rity Committee, or the Chairperson determines that
18 an employee has related experience in physical secu-
19 rity, law enforcement, or infrastructure security dis-
20 ciplines.

21 “(4) INCUMBENT MEMBERS.—

22 “(A) IN GENERAL.—This subsection shall
23 apply to any Facility Security Committee estab-
24 lished before, on, or after the date of enactment
25 of FPS Improvement Act of 2014, except that

1 any member of a Facility Security Committee
2 serving on that date shall, during the 1-year pe-
3 riod following that date—

4 “(i) successfully complete a training
5 course as required under paragraph (1); or

6 “(ii) obtain a waiver under paragraph
7 (3).

8 “(d) MEETINGS AND QUORUM.—

9 “(1) MEETINGS.—Each Facility Security Com-
10 mittee shall meet on a quarterly basis, or more fre-
11 quently if determined appropriate by the chair-
12 person.

13 “(2) QUORUM.—A majority of the members of
14 a Facility Security Committee shall be present for a
15 quorum to conduct business.

16 “(e) APPEAL.—

17 “(1) IN GENERAL.—If a Facility Security Com-
18 mittee disagrees with a determination of a facility
19 security level or a determination of noncompliance
20 with Federal security standards, the Chairperson of
21 a Facility Security Committee may file an appeal of
22 the determination with the Interagency Security
23 Committee appeals board.

1 “(2) DECISION TO APPEAL.—The decision to
2 file an appeal shall be agreed to by a majority of the
3 members of a Facility Security Committee.

4 “(3) MATTERS SUBJECT TO APPEAL.—A deter-
5 mination of the Federal Protective Service may be
6 appealed under this subsection, including any deter-
7 mination relating to—

8 “(A) countermeasure improvements;

9 “(B) facility security assessment findings;

10 and

11 “(C) facility security levels.”.

12 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

13 (1) REPEAL.—Section 1315 of title 40, United
14 States Code, is repealed.

15 (2) TABLE OF SECTIONS.—The table of sections
16 relating to chapter 13 of title 40, United States
17 Code, is amended—

18 (A) by inserting before the item relating to
19 section 1301 the following:

 “SUBCHAPTER I—GENERAL AUTHORITIES”;

20 and

21 (B) by striking the item relating to section
22 1315 and adding at the end the following:

 “SUBCHAPTER II—FEDERAL PROTECTIVE SERVICES

“Sec.

“1331. Definitions.

“1332. Law enforcement authority of Secretary of Homeland Security for pro-
tection of public property.

- “1333. Full-time equivalent employee requirements.
 “1334. Protective service guards.
 “1335. Compliance of Federal facilities with Federal security standards.
 “1336. Interagency security committee.
 “1337. Facility security committees.”.

1 (3) SUBCHAPTER I OF CHAPTER 13.—Chapter
 2 13 of title 40, United States Code, is amended by
 3 inserting before section 1301 the following:

4 “SUBCHAPTER I—GENERAL AUTHORITIES”.

5 (4) CARRYING CONCEALED FIREARMS.—Section
 6 926B(f) of title 18, United States Code, is amended
 7 by inserting “a Federal Protective Service law en-
 8 forcement officer,” after “Federal Reserve,”.

9 (5) REGULATORY AUTHORITY.—Section 877(a)
 10 of the Homeland Security Act of 2002 (6 U.S.C.
 11 457(a)) is amended by striking “1706(b)” and in-
 12 serting “1332(b) of title 40, United States Code”.

13 (6) CENTRAL INTELLIGENCE AGENCY ACT
 14 AMENDMENT.—Section 15 of the Central Intel-
 15 ligence Agency Act of 1949 (50 U.S.C. 3515) is
 16 amended—

17 (A) in subsection (a)(1) by striking
 18 “1315(b)(2) of title 40” and inserting
 19 “1332(b)(2) of title 40”; and

20 (B) in subsection (b) by striking
 21 “1315(c)(2) of title 40” and inserting
 22 “1332(c)(2) of title 40”.

1 (7) NATIONAL SECURITY AGENCY ACT AMEND-
2 MENT.—Section 11 of the National Security Agency
3 Act of 1959 (50 U.S.C. 3609) is amended—

4 (A) in subsection (a)(1) by striking
5 “1315(b)(2) of title 40” and inserting
6 “1332(b)(2) of title 40”; and

7 (B) in subsection (b) by striking
8 “1315(c)(2) of title 40” and inserting
9 “1332(c)(2) of title 40”.

10 **SEC. 4. REPORT ON FEDERAL PROTECTIVE SERVICE PER-**
11 **SONNEL NEEDS.**

12 Not later than 90 days after the date of enactment
13 of this Act, the Secretary shall submit a report to the ap-
14 propriate congressional committees on the personnel needs
15 of the Federal Protective Service that includes rec-
16 ommendations on the numbers of Federal Protective Serv-
17 ice law enforcement officers and the workforce composi-
18 tion of the Federal Protective Service needed to carry out
19 the mission of the Federal Protective Service during the
20 10-fiscal year period beginning after the date of enactment
21 of this Act.

1 **SEC. 5. REPORT ON THE FEASIBILITY OF FEDERALIZING**
2 **THE PROTECTIVE SERVICE GUARD WORK-**
3 **FORCE.**

4 (a) **IN GENERAL.**—Not later than 1 year after the
5 date of enactment of this Act, the Secretary shall submit
6 to the appropriate congressional committees a report on
7 the feasibility of federalizing the protective service guard
8 workforce.

9 (b) **REVIEW AND COMMENT.**—The Secretary shall
10 provide the report prepared under this section to a quali-
11 fied consultant for review and comment before submitting
12 the report to the appropriate congressional committees.
13 The Secretary shall provide the comments of the qualified
14 consultant to the appropriate congressional committee
15 with the report.

16 (c) **CONTENTS.**—The report under this section shall
17 include an evaluation of—

18 (1) converting in its entirety, or in part, the
19 protective service guard workforce into full-time
20 Federal employees;

21 (2) the option of posting a full-time equivalent
22 Federal protective service law enforcement officer at
23 each level 3 or 4 Federal facility, as determined by
24 the Interagency Security Committee, that on the
25 date of enactment of this Act has a protective serv-
26 ice guard stationed at the facility;

1 (3) the potential increase in security of any op-
2 tion evaluated under paragraph (1) and (2);

3 (4) the immediate and projected costs of any
4 option evaluated under paragraph (1) and (2);

5 (5) the immediate and projected costs of main-
6 taining the current level of protective service guards
7 and full-time Federal Protective Service law enforce-
8 ment officers;

9 (6) a comparison of similar conversions of large
10 groups of contracted workers and potential benefits
11 and challenges.

12 **SEC. 6. REPORT ON AGENCY FUNDING.**

13 Not later than 180 days after the date of enactment
14 of this Act, the Secretary shall submit to the appropriate
15 congressional committees a report on the method of fund-
16 ing for the Federal Protective Service, which shall include
17 recommendations regarding whether the Federal Protec-
18 tive Service should—

19 (1) continue to be funded by a collection of fees
20 and security charges;

21 (2) be funded by appropriations; or

22 (3) be funded by a combination of fees, security
23 charges, and appropriations.

1 **SEC. 7. REPORT ON PREVENTING EXPLOSIVES FROM EN-**
2 **TERING FEDERAL FACILITIES.**

3 Not later than one year after the date of enactment
4 of this Act, the Secretary shall submit a report to the ap-
5 propriate congressional committees on the feasibility, ef-
6 fectiveness, safety and privacy implications of the use or
7 potential use of available methods to detect or prevent ex-
8 plosives from entering Federal facilities, including the use
9 of additional canine teams, advanced imaging technology,
10 or other technology or methods for detecting explosives.

11 **SEC. 8. SAVINGS CLAUSE.**

12 Nothing in this Act, including the amendments made
13 by this Act, shall be construed to affect—

14 (1) the authorities under section 566 of title 28,
15 United States Code;

16 (2) the authority of any Federal law enforce-
17 ment agency other than the Federal Protective Serv-
18 ice; or

19 (3) any authority of the Federal Protective
20 Service not specifically enumerated by this Act that
21 is in effect on the day before the date of enactment
22 of this Act.

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