



Testimony

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Parks, Forests, and Public Lands,
Committee on Natural Resources,
House of Representatives

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FEDERAL LAND MANAGEMENT AGENCIES:

Additional Actions Needed to Address Facility Security Assessment Requirements

Statement of Anne-Marie Fennell, Director,
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October 22, 2019

Chairwoman Haaland, Republican Leader Young, and Members of the Subcommittee:

Thank you for the opportunity to discuss our recent review of how four federal land management agencies—the Forest Service in the U.S. Department of Agriculture and the Bureau of Land Management (BLM), Fish and Wildlife Service (FWS), and National Park Service (Park Service) in the Department of the Interior—protect their employees and secure their facilities. In 2014, a report by the Department of Homeland Security predicted that the rate of violent domestic extremist incidents motivated by anti-government ideology would increase in the coming years, with a focus on government facilities and personnel, among other targets.¹ Recently, there have been several high-profile incidents on federal lands involving individuals motivated by anti-government ideologies, according to agency officials, including an armed occupation of the Malheur National Wildlife Refuge in rural Oregon in 2016. The refuge was occupied for nearly 6 weeks by armed individuals and damages to the land and facilities at the refuge, plus the local, state, and FWS law enforcement responses, cost over \$9 million, according to local and federal officials.

The four federal land management agencies have law enforcement divisions that protect their employees and secure their facilities across nearly 700 million acres of federal lands.² To do so, agencies employ uniformed law enforcement officers who patrol federal lands, respond to illegal activities, conduct routine investigations, and record information about incidents in their agency's law enforcement data system.³

¹Department of Homeland Security, Office of Intelligence Analysis, *Domestic Violent Extremists Pose Increased Threat to Government Officials and Law Enforcement*, IA-0201-14 (July 22, 2014).

²While all four agencies' law enforcement officers also have responsibilities for ensuring visitor safety, for the purposes of this testimony statement, we focus on their responsibilities for protecting employees and securing facilities.

³Each agency has its own terminology to refer to its uniformed field law enforcement personnel. For example, BLM's uniformed field law enforcement officers are known as rangers, while FWS's field law enforcement officers are known as Federal Wildlife Officers. For the purposes of this testimony statement, we use the term law enforcement officer across the four land management agencies. Each agency also has investigative special agents who conduct investigations of serious crimes but are not responsible for responding to threats and assaults against employees.

Depending on the agency, its law enforcement officers may also provide expert advice in assessing the security of their agency's facilities. Specifically, the four agencies are required to follow federal facility security standards developed by the Interagency Security Committee (ISC).⁴ One such standard—the ISC Standard—defines the criteria and processes executive agencies and departments are to follow when assessing risks to their facilities through facility security assessments and provides key requirements that the assessment methodologies must include.⁵ Based on the results of the assessments, the ISC Standard further guides agencies and departments in determining which protective measures (referred to as countermeasures)—such as identification badges, blast-resistant windows, and security gates—to implement. In previous work, we found that some federal agencies had not fully followed the ISC Standard, leaving agencies' facilities and employees exposed to risk.⁶

My statement today summarizes the findings of our September 2019 report on federal land management agencies' efforts to protect their employees and secure their facilities.⁷ Specifically, for the four federal land management agencies, I will discuss (1) what is known about the number of threats and assaults against their employees, (2) the approaches the agencies used to protect their employees from threats and assaults and factors affecting their ability to do so, and (3) the extent

⁴The ISC is chaired by Department of Homeland Security. Its mandate is to enhance the quality and effectiveness of security in and protection of buildings and facilities in the United States occupied by federal employees for nonmilitary activities. As of June 2019, 60 federal departments and agencies were members of the ISC. The ISC was established by executive order following the 1995 bombing of the Alfred P. Murrah Federal Building in Oklahoma City. Executive Order 12977, 60 Fed. Reg. 54411 (Oct. 24, 1995), as amended by Executive Order 13286, 68 Fed. Reg. 10624 (Mar. 5, 2003). Executive Order 12977 refers to buildings and facilities in the United States occupied by federal employees for nonmilitary activities as "federal facilities."

⁵Interagency Security Committee, *The Risk Management Process for Federal Facilities: An Interagency Security Committee Standard* (Washington, D.C.: November 2016). As of June 2019, the November 2016 version of the ISC Standard was the most current.

⁶See, for example, GAO, *Federal Facility Security: Additional Actions Needed to Help Agencies Comply with Risk Assessment Methodology Standards*, [GAO-14-86](#) (Washington, D.C.: Mar. 5, 2014), and GAO, *Federal Facility Security: Selected Agencies Should Improve Methods for Assessing and Monitoring Risk*, [GAO-18-72](#) (Washington, D.C.: Oct. 26, 2017).

⁷GAO, *Federal Land Management Agencies: Additional Actions Needed to Address Facility Security Assessment Requirements*, [GAO-19-643](#) (Washington, D.C.: September 25, 2019).

to which the agencies met federal facility security assessment requirements.

To develop the findings we outlined in the report on which this testimony statement is based, we analyzed data on the number of incidents of threats and assaults against land management agency employees from the four agencies' law enforcement databases for fiscal years 2013 through 2017—the most recent data available at the time of our review. We also obtained data for this time period from the FBI on investigations into potential domestic terror threats to land management agencies.

Additionally, we conducted semi-structured interviews with officials during site visits to a nongeneralizable sample of 11 of the 35 regional or state offices and 14 field units across the four federal land management agencies. Finally, we assessed whether the agencies had conducted required facility security assessments on their occupied facilities and examined the extent to which their facility security risk assessment methodologies complied with two key requirements in the ISC Standard.⁸ Additional information on our scope and methodology is available in our September 2019 report.⁹ The work upon which this testimony statement is based was conducted in accordance with generally accepted government auditing standards.

⁸The ISC Standard outlines four key requirements for facility security assessment methodologies. Specifically, methodologies are to (1) consider all 33 of the undesirable events identified in the Standard; (2) evaluate the three factors of risk—threat, vulnerability, and consequence—for each undesirable event; (3) produce similar or identical results when applied by various security professionals; and (4) provide sufficient justification for deviations from the ISC-defined security baseline. We selected the first two key requirements for our analysis because we could objectively verify agencies' compliance by reviewing and analyzing agency documentation and interviewing agency officials.

⁹[GAO-19-643](#).

Available Data Show a Range of Threats and Assaults against Land Management Agency Employees, but Not All Incidents are Captured in the Data

Available federal law enforcement data show a range of threats and assaults against the four federal land management agencies' employees in fiscal years 2013 through 2017.^{10,11} The severity of these incidents ranged from threats conveyed over the telephone to attempted murder and included an incident in which an employee was stabbed outside a federal building. The number of incidents of threats and assaults varied by agency. For example, for fiscal years 2013 through 2017

- BLM data included 88 incidents of threats and assaults against BLM employees;
- FWS data included 66 incidents of threats and assaults against FWS employees;
- Forest Service data included 177 incidents of threats and assaults against Forest Service employees; and
- Park Service data included 29 incidents of threats and assaults against Park Service employees.¹²

¹⁰For the purposes of this testimony statement, employee refers to land management agency employees, volunteers, and contractors, unless otherwise noted.

¹¹The land management agencies' data systems were not specifically designed for reporting threats and assaults against employees and do not include the suspect's motivation for a crime—such as anti-government extremist ideologies. Additionally, to varying degrees, agency officials reviewed their respective data and removed incident data that appeared not to constitute actual threats or assaults to employees. For these reasons, and because we determined that not all incidents are captured in the data, we did not analyze the data for annual trends.

¹²Park Service data included employees only and did not include volunteers or contractors.

Further, FBI data for fiscal years 2013 through 2017 show that the FBI initiated under 100 domestic terrorism investigations into potential threats to federal land management agencies.^{13,14} Our analysis of the FBI data showed that the majority of the domestic terrorism investigations involved BLM. Additionally, the majority involved individuals motivated by anti-government ideologies. For example, the FBI investigated one case in which a BLM law enforcement officer received more than 500 harassing phone calls and several death threats after a subject posted personal information about the officer on the social media platform Twitter.

However, the number of actual threats and assaults against federal land management employees is unclear and may be higher than what is represented in available data, because not all incidents of threats and assaults against land management agency employees are captured in the agencies' databases. There are several reasons why this may be the case. Specifically, some incidents of threats and assaults are investigated by local or state law enforcement and may be recorded in their data systems rather than in the land management agencies' systems. Additionally, officials from two agencies we interviewed said that when a single incident involved multiple offenses, the less serious offenses are unlikely to be recorded in the data system and, therefore, the entirety of what occurred may not be captured.

Further, land management agency employees do not always report all incidents of threats. For example, some field unit employees said that in certain circumstances, they consider receiving threats as a normal part of their job. Some officials also described being threatened while off duty, such as being harassed in local stores or being monitored at their home, and they said that in some cases they did not report the incident because

¹³The exact number of domestic terrorism investigations initiated by the FBI into threats and assaults to land management agencies is law enforcement sensitive information. The FBI receives information from a variety of sources, including from confidential human sources; public tips; and state, local, tribal, and federal partners. Land management agency officials told us they refer only the most serious incidents to the FBI—such as the armed occupation of Malheur National Wildlife Refuge. According to FBI officials, an investigation into a domestic terrorism threat may only be initiated if there is information indicating potential violent criminal activity committed in furtherance of ideology.

¹⁴According to FBI officials, the FBI does not collect intelligence or conduct investigations based solely on constitutionally protected activity—such as individuals exercising their right to free speech. Further, every subject of a domestic terrorism investigation must have individual predication (i.e., mere association with another subject is not sufficient for predication).

it was a common occurrence. However, even in more high-profile incidents, agency officials told us that employees may not always report threats to agency law enforcement. For example, agency officials we interviewed cited specific incidents around the time of the 2016 armed occupation of FWS's Malheur National Wildlife Refuge that they did not necessarily report to their agency's law enforcement. These incidents included individuals holding anti-government beliefs who followed a teenage girl wearing a BLM shirt around the local grocery store and threatened to burn her house down, and agency employees who had shots fired over their heads while working in the field. According to officials at two agencies, many employees were traumatized by the Malheur occupation and some did not return to work, including some who transferred to other agency field units.

Land Management Agencies Use Various Approaches to Protect Employees, but Several Factors May Affect Their Ability to Do So

Federal land management agencies use various approaches to protect their employees from threats and assaults, including deploying agency law enforcement officers to protect employees and resources and building relationships with external law enforcement entities and the public. Specifically, when necessary, agencies deploy additional law enforcement officers to assist their local officers. For example, during the armed occupation of the Malheur National Wildlife Refuge, FWS officials reported deploying FWS law enforcement officers from around the country to field units in western states to provide additional security for FWS employees.

Agency officials we interviewed also told us that they build relationships with local, state, and other federal agency law enforcement entities to help protect employees and resources in the field and to assist with coordinating law enforcement responses. Such relationships are important because not all field units have a law enforcement officer, and those that do often rely on local law enforcement for assistance in responding to incidents of threats or assaults against agency employees. For example, officials we interviewed at a field unit in Nevada stated that during a high-profile court case involving the agency, the Las Vegas Metropolitan Police Department kept a patrol car outside the field unit for several days to help ensure field unit employees' safety. Finally, officials at several field units we visited stated that their law enforcement officers are focused on educating, rather than policing, visitors.

Agency officials we interviewed cited several factors that can affect their ability to protect employees. Specifically, agency officials noted that employees are required to interact with the public as part of their official

duties and may wear uniforms, which makes them easily recognizable and can put them at risk of being threatened or assaulted. (See figure 1.) Additionally, agency officials stated that it can be difficult to protect employees because, as part of their field work, employees may be dispersed across hundreds of miles of federal lands and may be located hours or days away from the nearest agency law enforcement officer. For example, as of fiscal year 2018, BLM had 194 field law enforcement officers to cover the 245 million acres of land managed by BLM.

Further, the number of agency field law enforcement officers at all four land management agencies declined from fiscal year 2013 through fiscal year 2018. For example, BLM experienced a decrease of 9 percent, while the Forest Service experienced a decrease of 22 percent, the largest decrease among the four agencies. Finally, agency officials we interviewed said that the risk to employee safety posed by individuals holding anti-government sentiments can be unpredictable and that incidents of threats and assaults against employees by such individuals are generally sporadic.

Figure 1: Examples of Fish and Wildlife Service and National Park Service Employee Uniforms



Sources: U.S. Fish and Wildlife Service (left photo); National Park Service (right photo). | GAO-20-171T

Land Management Agencies Have Not Met Certain Facility Security Assessment Requirements

The four federal land management agencies have completed some but not all of the facility security assessments on their occupied federal facilities as required by the ISC Standard. Agency officials cited various reasons for not doing so, including lack of resources, training, and expertise. Not complying with the ISC Standard's requirement to complete facility security assessments on all occupied facilities could leave federal agencies exposed to risks in protecting their employees and facilities. While FWS has a plan to complete its assessments, BLM, the Forest Service, and the Park Service do not. Specifically:

- **FWS.** FWS has conducted five facility security assessments on its approximately 465 occupied facilities. According to FWS headquarters officials, FWS employees have limited physical security expertise to conduct facility security assessments; therefore, the agency has developed a plan to meet the ISC Standard's requirement using contractors.
- **BLM.** BLM has conducted 21 facility security assessments on its approximately 280 occupied facilities, but officials do not know when they will complete the remaining assessments and do not have a plan to do so.¹⁵
- **Forest Service.** The Forest Service has conducted at least 135 facility security assessments on its approximately 1,135 occupied facilities, but officials do not know when they will complete the remaining assessments and do not have a plan for doing so.
- **Park Service.** The Park Service has conducted at least 148 facility security assessments on its approximately 1,505 occupied facilities, but officials do not know when they will complete the remaining assessments and do not have a plan to do so.

The ISC Standard requires that agencies conduct assessments using a methodology that meets, among other things, two key requirements: (1) consider all of the undesirable events (e.g., arson and vandalism) identified in the ISC Standard as possible risks to facilities, and (2) assess the threat, vulnerability, and consequence for each of these events. The Forest Service's methodology meets these two requirements and utilizes an ISC-compliant facility security assessment methodology developed by

¹⁵According to BLM and Interior officials, Interior's Office of Law Enforcement and Security completed 16 of the 21 facility security assessments on behalf of BLM. The other five were completed by BLM state office officials in Colorado whom Interior officials had trained to conduct facility security assessments.

the U.S. Department of Agriculture. The Park Service's methodology partially meets the requirements because it does not include a step to assess the consequences of specific undesirable events, as required by the ISC Standard. BLM and FWS have not yet established methodologies for conducting facility security assessments, although officials we interviewed from each agency stated that they intend to develop an ISC-compliant methodology. Specifically, BLM officials told us that they plan to hire a security manager who will develop an assessment methodology but did not know when the manager would be hired. FWS officials we interviewed provided a high-level description of what they expected to be included in their new methodology. However, FWS's description did not indicate that the agency would evaluate the consequences of specific undesirable events, as required by the ISC Standard. Without developing a plan for conducting all of the remaining facility security assessments and using a methodology that complies with ISC requirements, agencies may not identify the risks their facilities face or identify the countermeasures they could implement to mitigate those risks.

Based on these findings, we made a total of six recommendations to the four land management agencies, including that

- BLM, the Forest Service, and the Park Service each develop a plan to conduct all required facility security assessments agency-wide;
- The Park Service update its facility security assessment methodology to address the consequences of specific undesirable events in order to comply with requirements in the ISC Standard; and
- BLM and the Forest Service each develop facility security assessment methodologies that comply with requirements in the ISC Standard.

The four land management agencies generally concurred with our recommendations and provided examples of actions they plan to take to address our recommendations, including revising policies and developing new tools, training, and data system modules.

Chairwoman Haaland, Republican Leader Young, and Members of the Subcommittee, this completes my prepared statement. I would be pleased to respond to any questions that you may have at this time.

GAO Contact and Staff Acknowledgments

If you or your staff have any questions about this testimony, please contact Anne-Marie Fennell at (202) 512-3841 or fennella@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement.

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