
Flash Report 2021-0002-IE-P
MISSION

The OIG promotes efficiency and effectiveness to deter and prevent fraud, waste and mismanagement in AOC operations and programs. Through value added, transparent and independent audits, evaluations and investigations, we strive to positively affect the AOC and benefit the taxpayer while keeping the AOC and Congress fully informed.

VISION

The OIG is a high-performing team, promoting positive change and striving for continuous improvement in AOC management and operations. We foster an environment that inspires AOC workforce trust and confidence in our work.
April 27, 2021

Overview

On January 14, 2021, the Architect of the Capitol (AOC) Office of Inspector General (OIG) initiated a Joint Oversight Project (JOP) examining the events that occurred at the U.S. Capitol on January 6, 2021. This Flash Report serves as an independent assessment on the effectiveness and integrity of the AOC’s emergency preparedness training, internal policies, procedures and practices prior to the events at the U.S. Capitol on January 6, 2021. This review acknowledges the AOC’s prior and ongoing efforts to respond to and recover from the COVID-19 pandemic.

Key Takeaways

Prior to the events at the U.S. Capitol on January 6, 2021, the AOC’s emergency preparedness posture had gaps in policy and training preparation. Specifically:

- The AOC lacked updated emergency management policies and procedures for active shooter, workplace violence, protestors and civil disturbances;
- The AOC emergency management training activity and planned training was inadequate to address active shooter, workplace violence, protestors and civil disturbances;
- The AOC lacked consistent and integrated emergency preparedness training with all other legislative branch organizations serving inside the Capitol complex.

Recommendations

We recommend that:

- The Chief Security Officer in coordination with AOC organizational leaders, review AOC organizational Emergency Management Policies, develop and implement standardized emergency incident procedures to address active shooter, workplace violence, protestors and civil disturbances;
- The Chief Security Officer in coordination with the U.S. Capitol Police Board, review AOC protective actions to determine if current protective action definitions and categories are sufficient for emergency incident responses;
- The Chief Security Officer in coordination with AOC Training and Employee Development, review the AOC Emergency Management training and exercise program, develop and implement AOC training and exercise curriculum to address active shooter, workplace violence, protestors and civil disturbances;
- The Chief Security Officer in coordination with the Emergency Management Task Force, develop a quarterly, integrated training and exercise program to address active shooter, workplace violence, protestors and civil disturbances for the AOC, and all other legislative branch organizations that work and serve inside the Capitol complex.
DATE: April 27, 2021

TO: J. Brett Blanton
Architect of the Capitol

FROM: Christopher P. Failla, CIG
Inspector General


Please see the attached Flash Report for our assessment on the effectiveness and integrity of the AOC’s emergency preparedness training, internal policies, procedures and practices prior to the events at the U.S. Capitol on January 6, 2021. This Flash Report was an independent assessment as part of the Joint Oversight Project (2021-OIG-JT-001) announced on January 14, 2021. We found that the AOC’s emergency preparedness posture had gaps in policy and training preparation. This report includes four recommendations for improvements to the AOC’s emergency management program.

We are providing this report for your review and appropriate action. Management action should have a corrective action plan to address each of the recommendations. The AOC OIG requires that recommendations be resolved promptly. If you or AOC personnel would like to schedule a briefing to discuss this report, its findings or recommendations we are happy to accommodate and just ask that a member of your staff contact our office to coordinate. Otherwise, we will contact you within 60 days to follow-up on the progress of your management decisions related to the recommendations in this report.

I appreciate the assistance you and your staff provided throughout the assessment. Please direct questions to Chico Bennett, Senior Evaluator at 202.394.2391 or Chico.Bennett@aoc.gov, or Josh Rowell, Assistant Inspector General for Inspections and Evaluations at 202.593.1949, or Joshua.Rowell@aoc.gov.

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Introduction

Insurrection at the U.S. Capitol

On January 6, 2021, rioters stormed the U.S. Capitol in an attempt to prevent the U.S. Congress from counting Electoral College votes and formalizing President Joe Biden’s election. Subsequently, the Capitol complex was locked down while congressional members and their staff were evacuated or sheltered-in-place as rioters occupied and vandalized the Capitol building for several hours.

On January 14, 2021, the AOC OIG initiated a JOP examining the events that occurred at the U.S. Capitol on January 6, 2021. This project involved resources from the OIG’s Investigations, Audits, and Inspections and Evaluations divisions. The objective of this project was to determine the effectiveness and integrity of the AOC’s security and internal policies, procedures, and practices and provide an independent evaluation of the same. There are opportunities for organizational and program improvement following an emergency incident. As such, reviews should be conducted following an incident. An understanding of how the agency prepared and responded before and during an incident can help to ensure proper procedures are understood and are being followed.

The JOP is still ongoing, however, this Flash Report1 underscores the importance for timely information on findings or outcomes that may result in recommendations for improvement, lessons learned and the need for policy changes to mitigate program or agency deficiencies. This Flash Report was an independent assessment on the effectiveness and integrity of the AOC’s emergency preparedness training, internal policies, procedures and practices prior to the events at the U.S. Capitol on January 6, 2021.

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1 Flash Report – Non-standard OIG report and independent assessment used as an effective communication tool that provides timely and useful information to stakeholders.
Section 1

Prior Evaluation of AOC Emergency Preparedness

The AOC OIG initiated an evaluation of the AOC’s emergency preparedness on April 20, 2020 and published a final report on February 5, 2021, “Evaluation of the Architect of the Capitol’s Emergency Preparedness Posture (Project No. 2020-0002-IE-P).” Our objective for that evaluation was to determine the effectiveness of the AOC’s emergency incident drills, exercises and training in accordance with the AOC Base Emergency Action Response Plan (EARP). The evaluation also included a limited review of the AOC’s response efforts to the COVID-19 pandemic.

In Project No. 2020-0002-IE-P we found that the AOC’s emergency preparedness training was generally effective with minor gaps in policy, preparation and evaluation activities. The final report included five recommendations for improvements to the AOC’s emergency management program. The AOC concurred with the findings and recommendations and provided management comments for future corrective action.

Prior Findings

The following findings were noted for this evaluation:

- The AOC’s organizations’ preparation and participation in multijurisdictional emergency management training was not always consistent.
  - AOC organizations did not always fully participate in the planning, coordination and implementation of exercises nor did they always send trained staff to participate in AOC planned exercises;
- The AOC lacked a standardized emergency management training evaluation process.

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The AOC did not have a standardized training and evaluation process available for all training across the agency. As such, organizations used various methods for organizational training evaluation; and

- The AOC organizational EARPs were not consistently updated and aligned with the AOC Base EARP in policy structure and guidance.

  - The AOC organizational EARPs were not always revised at the same time; the AOC organizational EARPs did not consistently follow the AOC Base EARP structural table of contents and application guidance; and Some AOC organizational EARPs had out of date key incident management information (e.g., campus and transportation maps, emergency response points of contact, annexes and appendices).

**Prior Recommendations**

The following recommendations were noted for our previous evaluation:

- AOC organization leaders in coordination with the AOC organization head responsible for Emergency Management, implement a quarterly review and validation process to ensure the appropriate emergency management personnel are designated to fully represent and communicate the jurisdictions interest for planning and participation in AOC emergency management exercises;

- AOC organization head responsible for Emergency Management, perform a feasibility study to consider the development and implementation of a quarterly AOC Emergency Management Training Program to train and educate AOC executive leaders and organizational emergency management personnel on critical emergency management functions, emergency management responsibilities and emergency incident management systems;

- AOC organization head responsible for Emergency Management in coordination with AOC Training and Employee Development, develop and implement a standardized AOC emergency management training evaluation process for all AOC organizations;

- AOC organization leaders in coordination with the AOC organization head responsible for Emergency Management, designate appropriate personnel to review and update the organizational EARPs and Base EARP to synchronize alignment of policy structure, content and application guidance; and

- AOC organization head responsible for Emergency Management in coordination with AOC organization leaders, implement a standardized timeline for periodic review of emergency management policies and procedures to improve means of tracking and sustaining these efforts.

The OIG plays a vital role by conducting independent assessments and offering recommendations that seek to enhance organizational readiness, and aid in advancing
emergency response capabilities for the AOC. The OIG will conduct the required follow-up for each of the project recommendations and associated corrective actions.

Section 2

AOC Emergency Management Policies and Procedures (Joint Oversight Project on Events at the U.S. Capitol on January 6, 2021)

The Congressional Accountability Act\(^3\) of 1995, made workplace health and safety requirements, such as regulations that govern emergency evacuation procedures and emergency response training and equipment, applicable by extension to the legislative branch. The primary emergency preparedness standards as incorporated into the AOC policies and procedures were 29 Code of Federal Regulations (CFR) 1910.38\(^4\), 29 CFR 1910.120(q)\(^5\) and 29 CFR 1910.134\(^6\). We were informed by AOC emergency management leaders that prior to the events at the U.S. Capitol on January 6, 2021, the AOC Base EARP, dated April 2, 2018, served as the framework and baseline guidance for AOC emergency management policies and procedures. The Base EARP describes the development of AOC emergency management capabilities while incorporating an all-hazards approach. The all-hazards approach incorporates an integration of best practices and single mitigation measures to address multiple hazards and threats. However, prior to the events at the U.S. Capitol on January 6, 2021, we found that the AOC lacked updated emergency management policies and procedures for active shooter, workplace violence, protestors, and civil disturbances. Moreover, the Base EARP only had limited information on emergency actions to take in response to riot or civil disturbance events across the Capitol complex.

\(^4\) 29 CFR 1910.38 - This regulation requires each employer to have an Emergency Action Plan and communicate it to his or her employees.
\(^5\) 29 CFR 1910.120(q) - This regulation governs the development and implementation of Hazardous Waste Plans.
\(^6\) 29 CFR 1910.134 - This regulation governs mitigation of occupational diseases caused by breathing contaminated air.
Policy Guidance, Policy Review and Timeliness

Emergency management leaders noted that the Base EARP sought to combine specific incident procedures and processes from across the AOC to achieve a flexible and consistent approach. The “Protestors/and or Violence” section in the Base EARP had limited information and did not contain expanded guidance for AOC employees with regard to such incidents. However, we did find that the AOC had stand-alone active shooter and workplace violence training modules but these modules were not codified in standardized AOC emergency management policies and procedures.\(^7\) In light of events at the U.S. Capitol on January 6, 2021, an expanded review of the emergency management guidance for threats and hazards that challenge the AOC is warranted. At the time of our previous emergency preparedness evaluation in 2020, the AOC emergency management policies and procedures were undergoing review and revision and were at different stages in the policy revision process.

Some of the policy updates from 2020 were generated by scheduled policy maintenance as well as COVID-19 pandemic related revisions. However, during our current JOP assessment, we found that there was a pause in the AOC emergency management policy update process that occurred around October 2020. In October 2020, the AOC announced and implemented an organizational transformation initiative. There were several key organizational transformation efforts but the one that is most relevant to this assessment was the realignment and transference of the Emergency Management Program from Safety and Code Compliance to the Office of the Chief Security Officer (OCSO).

The AOC Emergency Management Coordinator commented that new and updated emergency management policies, procedures and initiatives were provided to the OCSO for review in October 2020. These documents were provided as part of the Emergency Management Program integration into the OCSO. Some of the policies and initiatives provided for review were: updates on the protective actions; updates to the Active Shooter and Workplace Violence and Evacuations training; updates to the Base EARP, Pandemic Plan, and Winter Weather Management Plan and concept approval for the Emergency Management Program Plan. At the time of our JOP assessment, the Emergency Management Coordinator noted that the emergency management policies, procedures and initiatives as provided remain under review.

In our discussion with the Chief Security Officer (CSO), it was confirmed that the emergency management policies, procedures and initiatives were under review and remain under review by OCSO. The CSO did not specify which emergency management policies, procedures and initiatives were under review but that OCSO was conducting a holistic and focused review. Policy review and policy updates alone will not stop emergency incidents from happening, but it is a key element in the

\(^7\) Emergency management policies and procedures - AOC Base EARP, dated April 2, 2018 and AOC Organizational EARPs.
emergency management framework. Moreover, timeliness in policy review and revision remain a critical component in the emergency management framework along with mitigation strategies to ensure a well informed and well prepared organization.

**Protective Actions**

According to The Department of Homeland Security Disaster Response and Recovery, the actions taken in the initial minutes of an emergency incident can be critical. A prompt warning to employees to evacuate, shelter or lockdown can save lives. The AOC emergency management framework outlines select protective actions that provide guidance to the AOC workforce on what actions to take during an emergency incident. The four protective actions as defined in AOC emergency management policies and procedures are:

- Evacuation – Exit a building due to an emergency;
- Shelter-in-Place – Moving to an interior location away from external windows, doors and skylights during a severe weather event;
- Internal Relocation – Moving to an internal relocation site for respiratory protection against external contaminated air; and
- Don Hoods – Placing a smoke or escape hood on, depending on incident, to provide temporary respiratory protection while waiting to exit a building.

During our JOP assessment, we were told by AOC emergency management leaders that the current protective actions in the emergency management policies and procedures are general yet flexible in definition but may require review and revision. The ability to tailor protective actions depending on a variety of factors is a critical component when responding to emergency events.

Outdated emergency management policies and procedures have the potential to cause inconsistencies in protective actions and wasted response time during an emergency incident. It is imperative to keep policies and procedures up-to-date and synchronized with relevant guidance to address known and unknown threats such as active shooter, workplace violence, protestors, and civil disturbances. As a result, the lack of updated policy guidance increases the probability for process gaps and awareness in emergency management across the AOC. Informative and relevant emergency management guidance is an essential part of protecting the organization and ensuring operational responsiveness.

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8 Department of Homeland Security Emergency and Response – HTTPS://WWW.DHS.GOV/additional resources. All Hazards Planning/Ready Campus/Emergency Response Plans
**Recommendations:**

(1) The Chief Security Officer in coordination with AOC Organizational leaders, review AOC organizational Emergency Management Policies and develop and implement standardized emergency incident procedures to address active shooter, workplace violence, protestors and civil disturbances.

(2) The Chief Security Officer in coordination with the U.S. Capitol Police Board, review AOC protective actions to determine if current protective action definitions and categories are sufficient for emergency incident responses.

**Section 3**

**AOC Emergency Management Training Activity and Planned Training Prior to the Events at the U.S. Capitol on January 6, 2021**

According to the Base EARP, AOC organizations’ participation in a diligent training and exercise program ensures that organizations operate to the best of their abilities in the event of an incident. In our discussions with AOC emergency management leaders, we were informed that the AOC conducted limited, virtual emergency management training in 2020. During our assessment, we found that prior to the events at the U.S. Capitol on January 6, 2021, the AOC emergency management training activity and planned training were inadequate to address active shooter, workplace violence, protestors and civil disturbances.

**Training Activity**

In 2020, the COVID-19 pandemic had a significant impact on training and exercises across the AOC. AOC emergency management leaders commented that COVID-19

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restrictions\textsuperscript{10} limited the AOC’s ability to conduct training, drills and exercises during the reduced Capitol complex presence throughout 2020. Emergency management leaders also noted that the first campus-wide drill on the schedule last year (2020) was an AirCon\textsuperscript{11} drill scheduled for mid-March. However, this drill and others scheduled throughout the year were cancelled prior to final approval due to the COVID-19 pandemic.

The AOC pivoted to virtual training platforms and eventually held two agency-wide exercises in 2020: 1) a Multijurisdictional Exercise on damage assessment teams initial surveys after incident (August-September 2020); and 2) a Snow Removal Exercise (October 2020). Additionally, limited online training was provided to the U.S. Capitol Visitor Center employees covering active shooter modules. We found that while a small number of Capitol Visitor Center employees received virtual training on active shooter scenarios in 2020, the rest of the agency did not. During our review of the AOC emergency preparedness training that was conducted in 2019 and 2020, we found the AOC’s planned, emergency preparedness training and exercises largely focused on natural disasters (i.e., tornados, storms, etc.), and not man-made disasters (i.e., imminent security threats).

**Planned Training**

AOC emergency management leaders noted that AOC functional trainings and exercises followed the Federal Emergency Management Agency’s Homeland Security Exercise and Evaluation Program (HSEEP)\textsuperscript{12}. The AOC participates in the Emergency Management Task Force (EMTF), a group that is used to plan campus-wide/joint training. However, the AOC has the authority and responsibility to plan training for the AOC workforce and is not required to go through the EMTF for training approval. The EMTF consists of members from the Legislative Branch Organization’s (LBO) Emergency Management Divisions of House Sergeant at Arms (HSAA) Senate Sergeant at Arms (SSAA), Library of Congress, U.S. Capitol Police (USCP) and AOC. The EMTF plans quarterly Life-Safety drills, usually scenarios involving internal relocation, shelter-in-place and evacuations. Evacuation Drills were scheduled and prioritized based on the requirements of the Life Safety Code, National Fire Protection Association (NFPA) 101\textsuperscript{13}. Other drills and exercises were prioritized, within the AOC, based on consensus of the EMTF and the AOC strategic

\textsuperscript{10} COVID-19 restrictions - March 2020, initial restricted access to the Capitol complex was announced to the AOC workforce, the restricted access announcement limited on-site work activity. *March 12 Coronavirus Update*

\textsuperscript{11} AirCon – An aircraft threat entering the restricted airspace around the National Capitol Region and may pose a security threat.

\textsuperscript{12} HSEEP- The intent of the HSEEP doctrine is to enhance consistency in exercise conduct and evaluation while ensuring exercises remain a flexible, accessible way to improve preparedness across the nation. https://www.fema.gov/emergency-managers/national-preparedness/exercises/hseep

performance plan. Life Safety drills also ensure proper working condition, replacement of expired or uninspected equipment as well as the users familiarity with the equipment. A U.S. House Representative chief of staff noted in an interview a week after the January 6 incident that the representatives’ panic buttons that were normally in the office were not available during the incident because they were unknowingly removed from the office prior to that day. This highlights the importance of expanded Life Safety drills and related inspections. None of the planned drills and exercises that we reviewed for 2019 or 2020 related to protestors or civil disturbances.

Additionally, we found that the AOC lacked consistent and integrated emergency preparedness training with other LBOs serving inside the Capitol complex. February 25, 2019 was the last time all LBOs participated in a campus-wide shelter-in-place exercise. The exercise threat involved a severe weather event leading to individuals seeking shelter. AOC emergency management leaders commented that the LBOs do not conduct all-inclusive joint exercises and often Life-Safety drills involve one side of the campus or the other. Emergency management leaders noted that there was an effort over the past few years to plan and conduct an active shooter exercise, a joint effort with the other LBOs across the Capitol complex. However, great concern existed in conducting such an exercise. One major concern amongst the EMTF leadership was that people would believe the exercise was real and lead to other issues. Threats to Congressional Members, the AOC workforce and other LBOs can come at anytime and anywhere in and around the Capitol complex.

Questions about the personal security and safety of Members of Congress and their staffs are of enduring concern for the House, Senate and USCP. Incidents such as the June 14, 2017, attack on at least 17 Members of Congress, several staff, USCP officers, and members of the public in Alexandria, Virginia highlight those concerns. In that incident, a Member was critically wounded, and others, including other Members, a congressional staffer, USCP officers, and a member of the public were injured during a shooting that occurred as Members were practicing for an annual congressional baseball game (Peterson and Manning 2017). The acting USCP Chief told lawmakers on March 3, 2021, that threats against members of Congress have nearly doubled in the past year. She said there has been a 93.5 percent increase in threats to members in the first two months of 2021 compared to the same period last year. Additionally, she noted that threats have more than doubled overall — by about 119 percent — from 2017 to 2020, with most suspects living outside the Washington region. And while no motive has been determined in the April 2, 2021 incident

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14 Aris Foley January 13, 2021, “Pressley’s chief of staff said her panic office’s panic buttons had been torn out before Capitol riot” The Hill.
16 Christina Marcos March 3, 2021, “Threats to lawmakers up 93.5 percent in last two months,” The Hill.
where a single vehicle rammed the North Barricade at the U.S. Capitol, injuring one USCP officer and fatally injuring another\(^{17}\) it underscores the persistent threat to the Capitol complex, Congressional Members, the AOC workforce and other LBOs.

The events at the U.S. Capitol on January 6, 2021, and other persistent threats highlight the need for sustained emergency preparedness and training beyond natural disasters, AirCon drills, etc. As the threats against the Capitol complex increase and vary, the AOC workforce, Congressional Members and other LBOs that serve inside the Capitol complex must be ready to respond to such incidents. We received information from AOC employees that some AOC staff did not know what protective actions to take while inside of the Capitol building as events unfolded on January 6. In March 2021, Congressional representatives introduced a bill that would require lawmakers and staff in the House to take emergency preparedness training focused on emergency equipment like escape hoods, egress routes, emergency alerts and safe haven locations\(^{18}\). While the Capitol building was the primary building targeted on January 6, 2021, the next threat or hazard has the potential to impact multiple buildings and facilities across the campus. An integrated training and exercise program that includes all staff that work and serve inside the Capitol complex could be beneficial to the collective preparedness for emergency response, awareness of emergency plans and awareness of emergency management roles and responsibilities during an incident.

Implementation of an integrated training program will help identify potential vulnerabilities, and identify actions to improve planning, coordination and standardize implementation of emergency management actions. The lack of integrated training and exercises poses an increased risk to emergency preparedness and the potential for full recovery of operations in the event of an emergency incident across the Capitol complex. Training is essential to ensure that everyone knows what to do when there is an emergency or disruption of operations. In our discussions with the OCSO, the CSO noted that there are future planning efforts for small-group and integrated emergency preparedness training across the Capitol complex. In addition, the CSO noted that the OCSO hired a new Test, Training and Exercise (TTE) coordinator in late January 2021, after the January 6 incident who is developing a near-term and long-term TTE for the agency.

As such, we believe that it is important to review the AOC After Action Report (AAR) from January 6 or Timeline of Events on January 6, and review recommendations with next steps based on observations during the incident and direct input from AOC Jurisdictions and staff. On March 26, 2021, we made a request to the OCSO to review the draft AOC AAR and the current AOC emergency incident

\(^{17}\) Berhmann, King, Cummings, April 2, 2021, “U.S. Capitol Police: Car rammed 2 officers, killing one, injuring another,” USA Today.

\(^{18}\) Katherine Tully-McManus, March 25, 2021, “Emergency Preparedness Training is optional for lawmakers, staff, but some look for a mandate,” Roll Call.
planning efforts for agency training in response to events at the U.S. Capitol on January 6, 2021. We received a response for the agency training and planning efforts in response to events at the U.S. Capitol on January 6, but were told by the OCSO that the draft AOC AAR was under review by the Architect and we would receive a copy once it is finalized.

**Recommendations:**

(3) The Chief Security Officer in coordination with AOC Training and Employee Development, review the AOC Emergency Management training and exercise program and develop and implement AOC training and exercise curricula to address active shooter, workplace violence, protestors and civil disturbances.

(4) The Chief Security Officer in coordination with the Emergency Management Task Force, develop a quarterly, integrated training and exercise program to address active shooter, workplace violence, protestors and civil disturbances for the AOC, and all other legislative branch organizations that work and serve inside the Capitol complex.

**Conclusion**

Outdated and limited emergency management policies and procedures have the potential to cause inconsistencies in protective actions and wasted response time during an emergency incident. It is imperative to keep policies and procedures up-to-date and relevant to the threats that challenge the Capitol complex. The development and implementation of an integrated training program will help identify potential vulnerabilities, and identify actions to improve planning, coordination, and standardize implementation of emergency management actions. This Flash Report was an independent assessment on the effectiveness and integrity of the AOC’s emergency preparedness training, internal policies, procedures and practices prior to the events at the U.S. Capitol on January 6, 2021.

There are opportunities for organizational and program improvement following emergency incidents. We provided three key takeaways and four recommendations for emergency preparedness in this assessment. As our JOP work continues, we will follow up on additional information and complaints as received.
# Acronyms and Abbreviations

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<td>After Action Report</td>
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