



Rural Development
Business Center

April 14, 2021

Enterprise Office

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TO: All Rural Development Employees

FROM: James Brent Jr. /s/ **James Brent Jr.**
Deputy Chief Operating Officer
Chief Enterprise Officer

SUBJECT: First Amendment Activist Groups

Overview/Background

Incidents of anti-government and “1st Amendment” activists (groups or individuals) visiting and self-auditing government buildings (Federal, State, City, County) to video record government offices and employees continue to occur across the nation.

Often, these individuals are harmless attention seekers who are looking for financial gain through their YouTube or other social media posts. However, there are some groups and individuals who try to provoke government employees into taking action that would violate their “1st Amendment” and/or their civil liberties. These types of incidents could expose the government and the employee to a civil suit.

The guidance in this document addresses what you should do if your office receives a visit from one of these groups or individuals.

What security measures should your office have in place prior to receiving visitors?

The Associate Enterprise Director (AED) and office staff should identify public spaces and employee only spaces (restricted areas) at their facility. Then, the AED and staff must post signage that informs the public they cannot enter past the front service desk/counter unless invited. This signage must clearly read “No Trespassing-Employee Only Space” or “Restricted Space.” Staff must also configure their front service counter/desk in a way that keeps visitors from entering “Employee Only” space.

All facilities must display the four USDA approved signs which the AED and staff post according to the instructions on the [PhySec Documents section](#) of the Security and Emergency Management Division (SEMD) SharePoint site. The “Weapons Prohibited” sign must be placed at all entrances into the office. This sign clearly notifies everyone who enters that they are not allowed to bring weapons into the facility. The U.S. General Services Administration poster “Rules and Regulations Governing Conduct on Federal Property” must be posted in each lobby area.

EXPIRATION DATE:
April 30, 2022

FILING INSTRUCTIONS:
Administrative/Other Programs

The AED and staff must post “Employees Only Beyond This Point” signs at all entrances to employee only space. Any visitors who are allowed to enter this space must be signed-in consistent with the RD Visitor Policy ([RD Instruction 2006-00](#)). The AED and staff must post “No Trespassing” signs near doors that need to be left unsecured for short periods of time to meet the mission’s need (equipment rooms, and so on). Staff must secure all side and rear employee entrance doors and windows; otherwise, an individual could enter undetected into these spaces. Also, staff must not leave doors propped open when taking work breaks outside the building and keep government vehicles secured.

Keep all Personally Identifiable Information (PII) in a secure place. Always keep PII and other sensitive documents covered and away from the front service counter and windows. You must also keep PII out of the view of anyone standing at the counter or outside the window who is making a video recording or taking photographs. Today’s technology allows zoom lenses to clearly view documents from more than 20 feet away.

What should you do if/when a “1st Amendment” activist visits and starts recording?

Ask the individual if you can help them (“Hello Madam/Sir, how may I help you?”). If the individual asks for something, respond as you would normally respond to any other customer. They may ask you for your name, supervisor’s name, purpose/responsibilities of the office, and the office mission. These are all acceptable questions and you should respond with the proper answer. If they ask you non-work related, political, or offensive questions, tell them that you will not answer any non-work-related questions.

If the individual says that they do not need help, they are visiting the facility to see what is going on, or they want to videotape the facility, tell them that it is their right to do so. Also tell them that they must stay in the identified public areas of the office and not impede or disrupt office operations. Lastly, you should tell these individuals that you will be happy to assist them with any USDA-related questions if they change their mind.

If the individual does not respond to your question, when you ask if he/she needs help, wait a few moments, then ask again. If the individual still does not answer, and you feel they are acting like a “Suspicious Person,” move to a safe location and contact the local police at their non-emergency number and report the incident. However, if you feel threatened or feel you are in danger, move to a safe location (interior locked office) and call 911 immediately.

It is the individual’s legal right to make a video recording of the office as long as he/she is in an area of the facility that is public facing and open to the public. There is nothing you can do if an individual chooses to record or photograph you as long as they act in a respectful and non-threatening manner.

Do not record or photograph these individuals with your personal or government cellular phone as your actions may escalate the situation. If you believe the individual is acting suspiciously or in a threatening manner, move to a safe location, document a physical description of the individual and the nature of their activity, and report the incident to the local police at their non-emergency number.

If you feel threatened or if the individual communicates a threat, immediately move to a safe location (interior locked office) or leave the facility, then call 911.

If the individual is carrying a firearm and/or has a firearm showing (visible holster), immediately tell the individual they are not allowed to carry firearms in a USDA facility. Show them the

posted “Weapons Prohibited” signage and tell them that they need to remove the firearm from the premises immediately. If the individual does not comply, contact the local police immediately. If you feel threatened, move to a safe location (interior locked office) or leave the facility, then contact the police.

If the individual comes around the service counter, or enters a non-public space, immediately tell the individual that she/he is in a restricted (employee-only) space and they need to leave the space immediately. Also tell the individual that they must go to the main entrance lobby area which is publicly accessible. Once the individual follows your directions, continue to monitor the individual’s actions. If you believe the individual is acting suspiciously, or if you feel threatened in any way, report this incident to the local police.

If the individual does not follow your directions, take immediate action to protect yourself. Move to a safe location (interior locked office) or leave the facility. Once you feel safe, call 911 to report the trespasser/suspicious person.

How do I report an incident?

To report an incident, please make certain it is safe to do so, and then select the “[Report a Threat to Personnel or Facilities](#)” option, located on the SEMD’s Physical Security SharePoint site, then fill out and submit the form.

For additional information on “1st Amendment” activist groups or other physical security issues, please contact the Rural Development Physical Security team at SEMD@USDA.GOV.