INTERNATIONAL FEDERATION OF
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AFL-CIO & CLC

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MATTHEW S. BIGGS
President

GAY HENSON
Secretary-Treasurer

May 17, 2022

Hon. Thomas R. Carper, Chairman
Committee on Environment and Public Works
U.S. Senate
456 Dirksen Senate Office Building
Washington, DC 20510

Hon. Shelley Moore Capito, Ranking Member
Committee on Environment and Public Works
U.S. Senate
410 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Carper and Ranking Member Capito:

We write to you as the executive officers of the International Federation of Professional and Technical Engineers (IFPTE), a labor union representing 90,000 members, including 7,000 federal employees at the U.S. Army Corps of Engineers (USACE). We request your Committee review and provide oversight to ensure federal hydroelectric dams and navigation lock and dams are not at vulnerable to cybersecurity and physical security threats due to the implementation of remote offsite operations. In particular, we ask that your office and your Committee request USACE provide you information on implementation of offsite remote operations of federal critical infrastructure across all USACE Districts. Further, we ask that your office and your Committee inquire about the national security risks directly associated with remote operation of USACE critical infrastructure with respect to federal statutes, including Title 42 U.S. Code § 5195c(e), "Critical Infrastructure Protection," and Presidential actions and polices, including Executive Order 14028, "Improving the Nation's Cybersecurity."

We are alarmed at the USACE's unchecked implementation of remote operations of hydroelectric and navigation locks and dam infrastructure in the USACE Pittsburg District and the USACE Mobile District. This is happening while there is widespread public concern about cyberattacks on federal agencies and hostile foreign governments that possess the ability to breach highly secure computer networks. Just last month, the Director of USACE Critical Infrastructure Cybersecurity warned IFPTE members working at USACE that, "We are facing the most extreme cyber threat that the Unites States has ever seen," and requested employees report any control systems indicating anomalous behavior. Whether it is a hostile state, a state-sponsored group, or a criminal organization that poses a cyber threat, moving federal critical infrastructure from responsive on-site operations and control to remote operations exposes the public, the economy, national security, and the infrastructure itself to risk.

We understand that USACE Mobile District has utilized federal funds and has started preparing for offsite operations of the Jim Woodruff Dam, a navigation and hydroelectric dam on the Apalachicola River, located at the confluence of the Flint and Chattahoochee Rivers along the common border of Florida and Georgia. This 43.35 Megawatts hydroelectric dam will soon be remotely operated and controlled from a site approximately 100 miles north at the USACE Walter F. George Dam, located on the Chattahoochee along Alabama and Georgia. USACE Mobile District's goal may involve implementing remote operation at 13 or more federal dams, possibly from the USACE South Atlantic Division Headquarters in Atlanta.

Therefore, we call on your Committee to provide Congressional oversight on:

- The immediate cybersecurity threats that will proliferate with USACE remote operation of critical infrastructure at the Jim Woodruff Dam and at across all USACE Districts. This review should include an explanation of USACE's broader plans for remote operations of hydroelectric dams and navigation lock and dams nationwide.

- Physical security risks and threats at USACE critical infrastructure sites that are remotely operated, as federal personnel will not be on site in the event of a security threat, a weather hazard, a loss of communication and remote operational control, or any other anomalous situation that requires the eyes and ears of federal employees who are hydroelectric and navigational operators. These inherently governmental federal workers are trained to ensure daily 24/7 operations of our federal critical infrastructure so that commerce can transit across our nation's 25,000 miles of inland waterway while federal hydropower plants generate electricity under any under all conditions or as may be needed for any emergency that may be directed by the President.

- USACE's approach to staffing levels at the Jim Woodruff Dam's 43.35 Megawatts hydroelectric plant, which is currently short two full-time employees in the powerhouse, as well as staffing levels at all other hydroelectric and navigational critical infrastructure sites. We know that USACE Mobile District has used federal funds to augment this personnel shortage at Jim Woodruff Dam by calling on other trained USACE personnel to fill these vacancies through 60-to-90-day TDY (temporary duty assignment) since 2014.

We strongly believe that evolving cybersecurity threats necessitate that the USACE maintain fully staffed 24/7 on-site operations and we have yet to see evidence that Congressional committees of jurisdiction and DHS's Cybersecurity and Infrastructure Security Agency (CISA), local affected communities, and stakeholders have been consulted and had their concerns addressed. In the interests of protecting the public and to ensuring a continuity of operations plan (COOP) for national security, economic security, public health and safety, we strongly support Congress and the Secretary of the Army prohibiting the conversion of USACE critical infrastructure to remote operations.

IFPTE members operating USACE critical infrastructure have a professional commitment to serve the public, faithfully execute their duties, and effectively and efficiently contribute to the agency's mission. When our members learn that their agency is testing or preparing to implement new operations and policies that may have a substantial impact on their work as well as national security, they rightfully voice questions and concerns about whether the proper oversight and due diligence have been undertaken.

Thank you for considering our concerns and our request for oversight on USACE's plans to implement remote offsite operations of critical infrastructure. Please do not hesitate to contact IFPTE Legislative Director Faraz Khan at 202-239-4892 and fkhan@ifpte.org or IFPTE Local 561 Union Steward Michael Arendt, representing IFPTE members at the USACE Mobile District, at ifpte561@yahoo.com should you require more information.

Sincerely,

Matt Biggs

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