

Congress of the United States
Washington, DC 20515

January 8, 2021

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
United States Capitol
Washington, D.C. 20515

The Honorable Zoe Lofgren
Chairperson
U.S. Committee on House Administration
1309 Longworth House Office Building
Washington, D.C. 20515

The Honorable Rodney Davis
Ranking Member
U.S. Committee on House Administration
1216 Longworth House Office Building
Washington, D.C. 20515

Dear Speaker Pelosi, Chairperson Lofgren, and Ranking Member Davis:

Yesterday, as we gathered in the hallowed halls of the Capitol to uphold our duty under the Constitution to certify our free and fair election, the seat of government dissolved into anarchy with massive security failures by the U.S. Capitol Police (USCP), and no initial presence of the D.C. National Guard, the Metropolitan Police of the District of Columbia, or other law enforcement agencies. While many Capitol police officers displayed courage in the face of an onslaught of rioters, yesterday's breach laid bare how insufficiently prepared the USCP is to protect the seat of government and the thousands of people who work in the Capitol complex each day.

Despite promises made to Members of Congress that every precaution was being taken and that there was adequate manpower and coordination, hundreds of people were able to easily enter restricted parts of the Capitol grounds, including the steps, and break into the building itself.¹ Upon entrance, rioters entered offices where documents were exposed and computers may have been unlocked, posing additional and unknown threats to our national security.

¹ Addy Baird, *Lawmakers Will Conduct A "Minute-By-Minute" Investigation into the Mishandling of the Attempted Coup at the Capitol*, BUZZFEED NEWS (Jan. 7, 2021), <https://www.buzzfeednews.com/article/addybaird/congress-investigate-capitol-police-riot-failures-selfies>.

Perhaps most alarming, the Secretary of the Army and the chief of the District of Columbia's police force stated that they did not expect President Trump's supporters to try to enter the Capitol building, despite the fact that rioters discussed their plans to do just that in extensive, public online conversations.² Further, President Trump had been inciting his supporters for days leading up to January 6, summoning them to a "wild" protest, and urging them on the day of the protest to head to the Capitol and fight.³ The lawlessness that occurred at the Capitol yesterday was unarguably foreseeable.

Even before yesterday's events, it was clear that security at the Capitol was inadequate to address current security threats. Thousands of people are able to flow in and out of the Capitol complex each day, unlike other federal buildings, where employees must provide security officers with the names of all visitors, who then present identification and receive badges that must be returned before leaving. With little more than a quick X-Ray scan of bags and a quick walk through a metal detector, individuals have nearly unfettered access to Congressional offices and Committee rooms. Members are able to hire staff and interns at their own discretion, and background checks are not required in order to receive a Congressional badge, which opens up even more access.

Yesterday's breach was a wake-up call: The Capitol security system, as it currently exists, is woefully insufficient. That is why we are calling for the creation of an independent commission to investigate the security shortcomings at the U.S. Capitol, both during yesterday's alarming breach and more broadly in order to make the Capitol complex more secure. Among other issues, the commission should investigate the following:

1. What was the U.S. Capitol Police's plan to protect the U.S. Capitol on January 6, 2021, and how did it compare to best practices for protecting high-value targets near gatherings of violent extremists?
2. How did the U.S. Capitol Police coordinate in advance of January 6, 2021, with the Metropolitan Police Department of the District of Columbia, federal law enforcement agencies, and the D.C. National Guard, and what plans were made in advance to utilize these resources both initially and in case the situation escalated?
3. Who was giving orders to U.S. Capitol Police on January 6, 2021, and did those orders include responding with limited force?
4. Why did it take so long for additional law enforcement to respond on January 6, 2021, and who was in charge of calling in reinforcements?
5. Did the U.S. Capitol Police have a protocol in place to ensure Congressional staff and other persons in the complex were safe and accounted for, and was it sufficient?
6. Was there a sweep conducted of each House and Senate office building before the Capitol complex was announced secure and before Congressional staff, Members, and Capitol staff were given the all clear?

² Julie Zauzmer, *D.C. Police Chief: No Intelligence Suggested a Breach of the U.S. Capitol*, WASH. POST (Jan. 7, 2021), <https://www.washingtonpost.com/dc-md-va/2021/01/07/capitol-protests-dc-live-updates/>.

³ Steve Holland, Jeff Mason, Jonathan Landay, *Trump Summoned Supporters to "Wild" Protest, and Told Them to Fight. They Did*, REUTERS (Jan. 6, 2021), <https://www.reuters.com/article/us-usa-election-protests/trump-summoned-supporters-to-wild-protest-and-told-them-to-fight-they-did-idUSKBN29B24S>.

7. Did the U.S. Capitol Police monitor social media or coordinate with other federal law enforcement agencies to monitor social media in advance of January 6, 2021? Does the U.S. Capitol Police regularly monitor social media as part of its law enforcement efforts?
8. Did the Department of Homeland Security and the Federal Bureau of Investigation have intelligence that there may be a domestic terrorist attack on January 6, 2021? If so, did they provide reports to the U.S. Capitol Police, the Metropolitan Police Department of the District of Columbia, and the Secretary of the Army?
9. How do the U.S. Capitol Police handle jurisdictional issues with other law enforcement agencies in the District of Columbia?
10. Given video footage of at least one U.S. Capitol Police officer taking a selfie with domestic terrorists, and footage of U.S. Capitol Police officers potentially opening gates to other rioters, are there mechanisms in place to monitor and determine whether Capitol Police officers have alliances with violent extremist groups?
11. Why were only 14 arrests made by U.S. Capitol Police? Can the U.S. Capitol Police explain the difference in their response to the events of January 6, 2021 as compared to the response to other protests, including, but not limited to, the peaceful protests against police violence during the summer of 2020, the nomination of Supreme Court Justice Brett Kavanaugh, and the repeal of the Affordable Care Act?
12. Did U.S. Capitol Police have sufficient manpower and weaponry to respond to the anticipated threat?
13. Reports indicate that between 50 and 60 U.S. Capitol Police officers were injured on January 6, 2021. One officer, Brian D. Sicknick, was injured while physically engaging with protestors, and succumbed to his injuries. Did insufficient manpower and planning on the part of the U.S. Capitol Police contribute to those injuries and deaths?
14. Does the U.S. Capitol Police have protocols in place to regularly coordinate with the Metropolitan Police Department of the District of Columbia and other federal law enforcement agencies?
15. From what sources does the U.S. Capitol Police receive intelligence analysis about potential threats to the Capitol and employees, and are these sources sufficient?
16. Should Congress implement background check requirements for all employees working in the Capitol complex?
17. Should the U.S. Capitol Police implement new security procedures for visitors to the Capitol complex? What would be the costs of implementing new security procedures?
18. How can the U.S. Capitol Police improve overall security of the Capitol complex?

At the conclusion of its investigation, the commission should provide a report and briefing for all Members with its analysis, conclusions, and recommendations to improve security of the Capitol complex and prevent future breaches of security.

In the immediate term, we should require the U.S. Capitol Police to brief Congress on how it will strengthen its security plan, based on the events of this week, for the inauguration of President-elect Joseph R. Biden and Vice President-elect Kamala Harris in order to ensure Members of Congress, our staff, Capitol employees, and the residents of the District of Columbia have confidence in their safety.

We look forward to working with you to stand up this critical commission to ensure Congress can safely do its job, while maintaining transparency and access for the American people to their government.

Sincerely,



Jackie Speier
Member of Congress

/s/
Alma S. Adams, Ph.D.
Member of Congress

/s/
Cindy Axne
Member of Congress

/s/
Suzanne Bonamici
Member of Congress

/s/
Julia Brownley
Member of Congress

/s/
André Carson
Member of Congress

/s/
Kathy Castor
Member of Congress

/s/
Judy Chu
Member of Congress

/s/
David N. Cicilline
Member of Congress

/s/
Yvette D. Clarke
Member of Congress

/s/
Emanuel Cleaver II
Member of Congress

/s/
Steve Cohen
Member of Congress

/s/
Jim Cooper
Member of Congress

/s/
Sharice L. Davids
Member of Congress

/s/
Madeleine Dean
Member of Congress

/s/
Suzan DelBene
Member of Congress

/s/
Mark DeSaulnier
Member of Congress

/s/
Debbie Dingell
Member of Congress

/s/
Veronica Escobar
Member of Congress

/s/
Adriano Espaillat
Member of Congress

/s/
Bill Foster
Member of Congress

/s/
Lois Frankel
Member of Congress

/s/
Sylvia R. Garcia
Member of Congress

/s/
Alcee L. Hastings
Member of Congress

/s/
Jahana Hayes
Member of Congress

_____/s/_____
Jared Huffman
Member of Congress

_____/s/_____
Ann McLane Kuster
Member of Congress

_____/s/_____
Grace Meng
Member of Congress

_____/s/_____
Eleanor Holmes Norton
Member of Congress

_____/s/_____
Jan Schakowsky
Member of Congress

_____/s/_____
Mikie Sherrill
Member of Congress

_____/s/_____
Norma J. Torres
Member of Congress

_____/s/_____
Sara Jacobs
Member of Congress

_____/s/_____
Sheila Jackson Lee
Member of Congress

_____/s/_____
Al Lawson
Member of Congress

_____/s/_____
Kweisi Mfume
Member of Congress

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Chellie Pingree
Member of Congress

_____/s/_____
Kim Schrier, M.D.
Member of Congress

_____/s/_____
Eric Swalwell
Member of Congress

_____/s/_____
Susan Wild
Member of Congress

_____/s/_____
Henry C. "Hank" Johnson
Member of Congress

_____/s/_____
Barbara Lee
Member of Congress

_____/s/_____
Gwen Moore
Member of Congress

_____/s/_____
Mary Gay Scanlon
Member of Congress

_____/s/_____
Terri A. Sewell
Member of Congress

_____/s/_____
Mark Takano
Member of Congress

_____/s/_____
Nikema Williams
Member of Congress